

ELIZABETH II



1966 CHAPTER xxxvi

An Act to authorise the lord mayor, aldermen and citizens of the city of Liverpool to construct street works and other works; to acquire lands for those and other purposes; to confer further powers on the said lord mayor, aldermen and citizens; and for other purposes.

[13th December 1966]

**W**HEREAS the city of Liverpool (hereinafter referred to as “the city”) is a county borough under the management and local government of the lord mayor, aldermen and citizens of the city acting by the council (hereinafter referred to as “the Corporation”):

And whereas it is expedient to empower the Corporation to make and maintain the works described in this Act and to confer on the Corporation for the several purposes mentioned in this Act powers relative to the purchase and use of lands and easements:

And whereas it is expedient to make further provision for the improvement and finances of the city and that the powers of the Corporation in relation thereto should be enlarged and extended:

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

And whereas estimates have been prepared for the purposes hereinafter mentioned and such estimates are as follows:—

	£
The construction of the works authorised by this Act	34,300,000
... ..	

And whereas the works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years:

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

And whereas plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act have been 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 town clerk of the city, which plans, sections and book of reference are respectively referred to in this Act as the deposited plans, the deposited sections and the deposited book of reference:

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act, 1933 c. 51, 1933, have been observed:

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 Liverpool Corporation Act 1966.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Lands.

Part III.—Works.

Part IV.—Protective provisions.

Part V.—Finance and general.

Interpretation.

3.—(1) In this Act unless the subject or context otherwise requires—

“the city” means the city of Liverpool;

“contravention” includes a failure to comply and “contravene” shall be construed accordingly;

“the Corporation” means the lord mayor, aldermen and citizens of the city acting by the council of the city;

“enactment” includes an enactment in this Act or in any general or local Act, and any order, byelaw, scheme or regulation for the time being in force within the city;

- “ house ” has the same meaning as in section 343 of the Public Health Act, 1936;
- “ land ” or “ lands ” includes land covered with water and any interest in land and any easement or right in, to, under or over land; 1936 c. 49.
- “ the Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Lands Tribunal Act, 1949, and by the Land Compensation Act, 1961; 1949 c. 42. 1961 c. 33.
- “ the limits of deviation ” means the limits of deviation shown on the deposited plans;
- “ the Minister ” means—  
 (a) for the purposes of Part II (Lands) and Part V (Finance and general) of this Act, the Minister of Housing and Local Government; and  
 (b) in all other cases, the Minister of Transport;
- “ relocation of population or industry ” has, in relation to any land which may be acquired under this Act, the meaning assigned to that term in section 221 of the Town and Country Planning Act, 1962, in relation to an area of obsolete development; 1962 c. 38.
- “ reserved area ” means any area for the time being set apart in or adjacent to the works or in or adjacent to any street improvement for dividing lines of traffic or for separating footway and carriageway, or, where no part of the works or of a street improvement has been laid out as footway, for separating the carriageway from the adjoining lands;
- “ street ” has the meaning assigned to that term in the Highways Act, 1959; 1959 c. 25.
- “ street improvement ” means any of the works or any work carried out by the Corporation in the city under powers conferred by Part V of the Highways Act, 1959, other than sections 83 and 84 thereof;
- “ the town clerk ” means the town clerk of the city;
- “ the tribunal ” means the Lands Tribunal;
- “ the works ” means the works authorised by Part III (Works) of this Act.

(2) Where in this Act any distance or length is stated in the description of any work, the reference to that distance or length shall be construed as if the words “ or thereabouts ” were inserted after such distance or length

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

PART I  
—cont.

(4) Any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number, together with the works subsidiary thereto, authorised by this Act.

Incorporation  
of general  
Acts.

4.—(1) The following Acts and parts of Acts, so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act, are hereby 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 enactments:—

1845 c. 18.

1860 c. 106.

the Lands Clauses Acts (except sections 92, 127 to 133, and 150 and 151 of the Lands Clauses Consolidation Act, 1845, and section 5 of the Lands Clauses Consolidation Acts Amendment Act, 1860):

Provided that the bond required by section 85 of the Lands Clauses Consolidation Act, 1845, shall be sufficient without the addition of the sureties mentioned in that section;

1845 c. 20.

the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof.

(2) For the purposes of this Act the expressions “ the promoters of the undertaking ” and “ the company ” in the said Acts shall be construed to mean the Corporation and the expression “ the railway ” in the Railways Clauses Consolidation Act, 1845, shall be construed to mean the works and the expression “ the centre of the railway ” in the said Act shall be construed to mean any part of the works.

## PART II

## LANDS

Power to  
acquire lands.

5.—(1) Subject to the provisions of this Act the Corporation 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 any purpose connected therewith and for securing the improvement and development of, and providing space for the erection of houses and buildings and the provision of parking places for motor vehicles on, lands adjoining or near to the works and for the purposes of recoupment, reinstatement or exchange and for other the purposes of this Act or for any of the aforesaid purposes.

(2) The powers of the Corporation for the compulsory acquisition of land under this section shall cease after the expiration of three years from 31st December, 1966:

Provided that the Minister of Transport may by order from time to time extend the period for the exercise of the powers of the Corporation for the compulsory purchase of land under this section.

(3) An order under subsection (2) of this section shall be subject to special parliamentary procedure.

PART II  
—cont.

(4) Subject to the provisions of this Act the Corporation may enter upon, take, use and appropriate so much of the subsoil and under-surface of any street maintainable at the public expense within the limits of deviation as shall be necessary for the purposes of the works without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

6. If the Minister of Transport by order made under subsection (2) of section 5 (Power to acquire lands) of this Act extends the period for the exercise of the powers of the Corporation for the compulsory purchase of land, the following provisions shall apply after the coming into operation of that order:—

Powers to owners and lessees to give notice as to purchase of land.

(1) In this section—

“ the land ” means any land which is for the time being authorised to be acquired compulsorily by this Act;

“ the lessee ” means a lessee under a lease having a period of not less than twenty-one years to run at the date of his notice under paragraph (2) of this section:

(2) If any person being the owner or lessee of any of the land shall give notice in writing to the Corporation of his desire that his interest in any part of the land specified in the notice shall be acquired as soon as may be, the Corporation shall within a period of three months after the receipt of such notice—

(a) enter into a contract with such person for the acquisition of his interest in the land or such part thereof as may be specified in the contract; or

(b) serve a notice to treat for the compulsory acquisition of the interest of such person in the land specified in his notice or in such part thereof as may be required by the Corporation; or

(c) serve on such person notice in writing of their intention not to proceed with the purchase of the interest of such person in the land specified in his notice:

(3) Where notice is given under paragraph (2) of this section by an owner or lessee of land specified in the notice then—

(a) if the Corporation—

(i) fail to comply with that paragraph; or

(ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with sub-paragraph (b) of that paragraph; or

PART II  
—cont.

(iii) serve notice on him in compliance with sub-paragraph (c) of that paragraph;

the powers conferred by this Act for the compulsory purchase of his interest in the land so specified shall cease;

(b) if his interest in part only of the land so specified is acquired in pursuance of a contract or notice to treat under sub-paragraphs (a) or (b) of that paragraph the powers conferred by this Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

Correction of errors in deposited plans and book of reference.

7.—(1) If the deposited plans 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 Corporation, 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 city 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, House of Commons, and with the town clerk, and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate, and it shall be lawful for the Corporation to take the land and execute the works 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.

Power to acquire easements only in certain cases.

8.—(1) Notwithstanding anything in this Act the Corporation may, instead of acquiring any land which they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights in, under or over the land as they may require for the purpose of constructing, using, maintaining, renewing or removing the works or for the purpose of obtaining access to the works or for the purpose of doing any other thing necessary in connection with the works without being obliged or compellable to acquire any greater interest in, under or over the same.

(2) Accordingly the Corporation may give notice to treat in respect of any such easement or right describing the nature thereof

and the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

PART II  
—cont.

(3) Where the Corporation have acquired an easement or right only in, under or over any land under this section—

- (a) they shall not be required or, except by agreement or during the execution of the works, entitled to fence off or sever that land from the adjoining land;
- (b) the owner or occupier of the land for the time being shall, after the construction of the works has been completed, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

(4) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Corporation to acquire the land the Corporation shall not be entitled under this section to acquire the easement or right unless the tribunal determines that the easement or right can be granted without material detriment to the land, or, in the case of a park or garden belonging to a house, without seriously affecting the amenity or convenience of the house; and if the tribunal does not so determine the Corporation may acquire the land compulsorily notwithstanding that the period mentioned in subsection (2) of section 5 (Power to acquire lands) of this Act has expired but not later than one year after the determination of the tribunal:

Provided that nothing in this subsection shall apply to land forming part of a street.

(5) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (4) of this section.

9.—(1) No person shall be required to sell a part only of any house, building or factory, or of a park or garden belonging to a house, if he is willing and able to sell the whole of the house, building, factory, park or garden unless the tribunal determines—

Acquisition of  
part only of  
certain  
properties.

- (a) in the case of a house, building or factory that such part as is proposed to be taken can be taken without material detriment to the house, building or factory; or
- (b) in the case of a park or garden that such part as is proposed to be taken can be taken without seriously affecting the amenity or convenience of the house to which it belongs.

(2) If the tribunal determines as aforesaid, compensation shall be awarded in respect of any loss due to the severance of the part proposed to be taken in addition to the value of that part; and thereupon the person interested shall be required to sell to the Corporation that part of the house, building, factory, park or garden.

PART II  
—cont.

1961 c. 34.

Power to expedite entry.

1845 c. 18.

(3) In this section “factory” means a factory within the meaning of the Factories Act, 1961.

**10.**—(1) At any time after serving a notice to treat in respect of any land that may be acquired compulsorily under this Act, but not less than three months after giving the owner and occupier of the land notice of their intention to exercise the powers of this section, the Corporation may, without previous consent and without compliance with sections 84 to 90 of the Lands Clauses Consolidation Act, 1845, enter on the land or on such part of it as may be specified in the last-mentioned notice and take possession of the land or part, or, as the case may be, enjoy any easement or exercise any right to be acquired under this Act over, under or in the land or part:

Provided that the Corporation shall pay the like compensation for land entered under this section and the like interest on the compensation awarded as would have been payable if the provisions of those sections had been complied with.

(2) Any land of which possession is taken by the Corporation under the powers of this section shall be deemed, for the purposes of section 13 (Extinction of private rights of way) of this Act, to have been acquired by the Corporation.

Power to enter for survey or valuation.

**11.**—Any person acting on behalf of the Corporation and duly authorised in that behalf may, on producing if so required some duly authenticated document showing his authority, at all reasonable times enter on any land which the Corporation are authorised by this Act to acquire compulsorily or that may be affected by the construction of the works for the purpose of surveying or valuing the land:

Provided that no land shall be entered under this section unless the Corporation, not less than seven days before the date of the first entry, and not less than twenty-four hours before any subsequent entry, have given notice to the owner and occupier of the land.

Disregard of recent improvements and interests.

**12.** In determining any question of disputed compensation or purchase money in respect of land acquired under this Act, the tribunal shall not take into account—

(a) any improvements or alteration made, building erected or work done after 5th December, 1965; or

(b) any interest in the land created after the said date; which, in the opinion of the tribunal, was not reasonably necessary and was made, erected, done or created with a view to obtaining or increasing the compensation or purchase money.

Extinction of private rights of way.

**13.**—(1) All private rights of way over any land that may be acquired compulsorily under this Act shall, as from the acquisition of the land, whether compulsorily or by agreement, be extinguished.



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

14.—(1) Any person empowered by the Lands Clauses Acts to sell and convey or release lands may, if he thinks fit, subject to the provisions of those Acts, grant to the Corporation any easement or right required for the purposes of this Act over, under or in the lands (not being an easement or right of water in which some person other than the grantor has an interest).

Grant of easements by persons under disability.

(2) The provisions of the said Acts with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.

15.—(1) The Corporation may enter into and carry into effect an agreement or arrangement with the owner or occupier of any land acquired or to be acquired under this Act, or which may be in the neighbourhood of the works, with respect to his reinstatement.

Power to reinstate owners or occupiers of property.

(2) Any such agreement may provide for the exchange of land, and for that purpose the Corporation may pay or receive money for equality of exchange.

16.—(1) The Corporation may enter into and carry into effect agreements with any person being the owner of, or interested in, any land abutting on any portion either of the works or of land that may be acquired under this Act with respect to the sale by the Corporation to him of any land, including any part of a street, appropriated by the Corporation under this Act and not required for the works.

Agreements with adjoining owners.

(2) The Corporation may accept as satisfaction for the whole or any part of the consideration for any such sale the grant by the purchaser of any land required by the Corporation for the purposes of this Act or any easement or right so required.

17.—(1) The powers of compulsory purchase of lands under the provisions of section 5 (Power to acquire lands) of this Act shall not be exercised before the expiration of three months from the date of the passing of this Act.

As to exercise of powers of compulsory purchase.

(2) Subject to the provisions of this section, if during the period of six months from the date of the passing of this Act the owner of any interest in any land which the Corporation are authorised by this Act to acquire compulsorily (in this section called "the owner") serves on the Corporation a notice setting forth the nature and extent of his interest and informing them that he is prepared to grant the Corporation an option to purchase his said interest on the terms and conditions set out in subsection (3) of this section and produces evidence of his title to the said interest, the Corporation shall not exercise their powers of compulsory

PART II  
—cont.

purchase in respect of that interest but may in lieu thereof give to the owner notice requiring him to grant the said option and thereupon the said option shall be deemed to have been granted and shall be binding upon successive owners of the said interest or any part thereof.

(3) An option within the meaning of this section shall be subject to the following terms and conditions:—

1964 c. 55.

- (a) notwithstanding anything in subsection (3) of section 3 or subsection (2) of section 9 of the Perpetuities and Accumulations Act, 1964, the option (subject as in this section provided) may be exercised by the Corporation in the case of a freehold interest during a period of twenty-five years from the date on which the said option shall be deemed to have been granted and in the case of a leasehold interest at any time during the unexpired term of the lease within a period of twenty-five years from the said date;
- (b) the Corporation shall not exercise the option unless the land to which the option relates is required by them for the purposes of this Act or until a reasonable time before the land is required for any of such purposes:

Provided that the owner for the time being of the interest in respect of which the option was deemed to be granted may at any time after the expiration of three years from the date on which such option was deemed to be granted give to the Corporation notice requiring the Corporation to exercise the option and if the Corporation do not within a period of three months after receipt of such notice either—

- (i) enter into a contract with that owner for the acquisition of his interest or such part thereof as may be specified in such contract; or
- (ii) give to that owner notice under paragraph (c) of this subsection of their decision to exercise the option;
- the option shall lapse;
- (c) the Corporation shall give to the owner, his successors or assigns not less than six months' notice of their decision to exercise the option;
- (d) the Corporation on exercising the option and on the completion of the purchase in pursuance of the option shall pay to the owner an amount equivalent to the amount of compensation which he would have been entitled to receive if his interest had been acquired compulsorily under the Lands Clauses Acts in pursuance of a notice to treat served at the date on which the notice given by the Corporation to the owner of their decision

to exercise the option expires and the provisions of the Lands Clauses Acts shall apply to and in respect of the determination of the said amount as if the Corporation were exercising in regard thereto their powers of compulsory purchase.

PART II  
—cont.

(4) Where an owner is deemed to grant an option to the Corporation to purchase his interest in land under this section, he shall not create any new interest in the land or make any alterations of or improvements to existing buildings or erect any new building on the land without the consent in writing of the Corporation which shall not be unreasonably withheld and if a new interest in the said land is created the owner thereof shall be deemed to have granted to the Corporation an option in respect of that interest in accordance with this section such option to be exercisable by the Corporation during the same period from the date on which the original option was deemed to have been granted that the said original option could have been exercised by them.

(5) The provisions of the Lands Clauses Acts, except so far as they are varied by this section and except the provisions limiting the time for the exercise of powers for the compulsory purchase or taking of lands, shall notwithstanding anything in this section apply to the lands in respect of which an option is deemed to have been granted to the Corporation.

(6) The provisions of section 10 (Power to expedite entry) of this Act shall apply to land in respect of which an option is deemed to have been granted to the Corporation as if the reference in that section to the service of a notice to treat were a reference to the giving of a notice by the Corporation under this section of their decision to exercise the option:

Provided that the Corporation shall not exercise the powers of the said section 10 in respect of the interest to which the option relates until the expiration of the notice of their decision to exercise the option.

(7) An option deemed to be granted to the Corporation in pursuance of this section shall be deemed to be a local land charge within the meaning of section 15 (Registration of local land charges) of the Land Charges Act, 1925, and shall be registered accordingly and no other registration shall be necessary. 1925 c. 22

18.—(1) As from the date on which the Corporation acquire under the powers of this Act any part of any of the burial grounds, that part of such burial ground shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever which immediately before the passing of this Act attached to the said part of such burial ground under ecclesiastical law and from all rights and interests of any person who is a personal representative or relative of any deceased person

As to former  
burial  
grounds.

PART II  
—cont.

whose remains are interred in the said part of such burial ground and from all other trusts, uses, obligations, disabilities and restrictions whatsoever which immediately before the passing of this Act attached thereto by reason of such burial ground or any part thereof forming the site or enclosures of a church or being a disused burial ground or churchyard or otherwise.

(2) Notwithstanding anything in any enactment but subject to the provisions of this Act, it shall be lawful, as from the date on which the Corporation acquire under the powers of this Act any part of any of the burial grounds, to use, deal with or dispose of that part of such burial ground for the purposes of or in connection with the works or for the erection of any building or for any other purpose in like manner as if no part thereof had ever been used or set apart for the purpose of the burial of human remains.

(3) Before the Corporation carry out under the powers of this Act any work on any part of any of the burial grounds they shall remove or cause to be removed the remains of all deceased persons interred in such part.

(4) (a) Before proceeding to remove any such remains the Corporation shall give notice of their intention so to do by publishing a notice in manner provided in paragraph (b) of this subsection in at least two newspapers circulating in the city and shall display a like notice in a conspicuous place in the part of such burial ground from which the remains are proposed to be removed and such notice shall have embodied in it the substance of subsections (5) to (8) and (10) and (12) of this section.

(b) The notice referred to in paragraph (a) of this subsection shall be published in each of four successive weeks by publication in at least one newspaper in the first and third of those weeks and in at least one other newspaper in the second and fourth of those weeks.

(5) At any time within two months after the first publication of such notice any person who is a personal representative or relative of any deceased person whose remains are interred in the part of a burial ground from which the remains are proposed to be removed may give notice in writing to the Corporation of his intention to undertake the removal of such remains, and thereupon he shall be at liberty, without any faculty for the purpose, but subject as hereinafter mentioned and, in the case of the consecrated burial grounds, subject to any regulations made by the Lord Bishop of Liverpool for the time being or, during a vacancy in the see of Liverpool, the guardian of the spiritualities thereof, to cause such remains to be removed to and reinterred in any burial ground or cemetery in which burials may legally take place but in the case of a churchyard only with the previous consent of the incumbent of the benefice concerned, or to be removed to and cremated in any crematorium.

(6) If any person giving such notice as aforesaid fails to satisfy the Corporation that he is such personal representative or relative as he claims to be, the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of Liverpool in the case of the removal of remains from any of the consecrated disused burial grounds, or by the Liverpool county court in the case of the removal of remains from the Mount Pleasant disused burial ground, and the said registrar or county court (as the case may be) shall have power to make an order specifying who shall remove the remains and as to the payment of the costs of the application.

(7) The expense of a removal and reinterment or cremation (not exceeding, in respect of remains removed from any one grave, the sum of fifty pounds) shall be defrayed by the Corporation, such sum to be apportioned, if necessary, equally according to the number of remains in the grave.

(8) If—

- (a) within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave; or
- (b) within two months after such notice has been given no application has been made under subsection (6) of this section and the person who gave the notice fails to remove the remains; or
- (c) within two months after any order is made under the said subsection the person, not being the Corporation, specified in the order fails to remove the remains;

the Corporation may, without any faculty for the purpose, cause the remains of the deceased person to be removed and reinterred in such other burial ground or cemetery in which burials may legally take place as, subject to the consent of the said bishop in the case of the consecrated disused burial grounds, the Corporation think suitable for the purpose, or cremated in such crematorium as the Corporation think suitable for the purpose, but in the case of reinterment in a churchyard the previous consent of the incumbent of the benefice concerned shall also be required.

(9) Upon the reinterment or cremation of any remains under this section a certificate of reinterment or cremation shall be sent to the Registrar General by the Corporation, giving the date of reinterment or cremation and identifying the place from which the remains were removed and the place in which they were reinterred or cremated.

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(10) (a) Subject to the provisions of this subsection any monument or tombstone relating to the remains of any deceased person removed and reinterred under this section shall at the expense of the Corporation be removed and re-erected at the place of reinterment of such remains or at such other place as the said bishop, in the case of the consecrated disused burial grounds, may direct on the application either of such personal representative or relative as aforesaid or of the Corporation.

(b) Any monument or tombstone relating to the remains of any deceased person removed and cremated under this section shall at the request of such personal representative or relative as aforesaid or, if no such request is made, may at the discretion, and in either case at the expense, of the Corporation be removed and re-erected at such place as the said bishop, in the case of the consecrated disused burial grounds, may direct on the application either of such personal representative or relative or of the Corporation.

(c) Any monument or tombstone not re-erected in accordance with the provisions of paragraph (b) of this subsection shall be offered by the Corporation, in the case of the consecrated disused burial grounds, to the said bishop for re-erection or disposal as he thinks fit, and—

- (i) if accepted by him shall be so re-erected or disposed of at the expense of the Corporation;
- (ii) if not accepted by him, shall be broken and defaced before being disposed of in such manner as the Corporation think fit.

(d) Where the Corporation consider that by reason of its ruinous condition any monument or tombstone removed under this subsection is unsuitable for re-erection it may be disposed of in such manner as the Corporation think fit.

(e) The amount required to be paid by the Corporation in respect of the cost of removal and re-erection or disposal of any monument or tombstone under this subsection by or at the request of the said personal representative or relative or the said bishop shall not exceed the sum of fifteen pounds.

(f) The Corporation shall cause a record to be made of each monument or tombstone removed under this subsection containing—

- (i) a copy of the inscription thereon; and
- (ii) a statement of the place, if any, where it has been re-erected;

and shall deposit a copy of the record with the Registrar General and, in the case of the consecrated disused burial grounds, in the Public Episcopal Registry.

PART II  
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(11) Any jurisdiction or power conferred on the Liverpool county court by this section may be exercised by the registrar of the court.

(12) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the city.

(13) In this section—

“the consecrated disused burial grounds” includes—

(a) the disused burial grounds forming part of the churchyards of Holy Trinity, St. Anne Street, and St. James' Church, St. James Place, numbered respectively on the deposited plans, 314 and 1353;

(b) the church of St. Luke, Berry Street, and the churchyard attached thereto numbered 885 on the deposited plans; and

(c) the disused burial ground comprising the land at the junction of Park Lane and Paradise Street (being the site of the former church and churchyard of St. Thomas) numbered on the deposited plans 1658;

“the Mount Pleasant disused burial ground” means the disused Unitarian burial ground numbered on the deposited plans 760;

“the burial grounds” means the consecrated disused burial grounds and the Mount Pleasant disused burial ground, and “burial ground” shall include any of such burial grounds.

19.—(1) Where the fee simple of any ecclesiastical property which may be acquired compulsorily under the powers of this Act is in abeyance, the fee simple shall for the purposes of the acquisition of that property under those powers be treated as being vested in the Lord Bishop of Liverpool for the time being or during a vacancy in the see of Liverpool, the guardian of the spiritualities thereof, and any notice to treat in respect of that property shall be served accordingly. Ecclesiastical property.

(2) Any compensation payable under this Act in respect of ecclesiastical property which is so treated as aforesaid shall be paid to the Liverpool Diocesan Board of Finance to be applied by the said board with the consent of the said bishop in the

PART II  
—cont.

acquisition or erection of other ecclesiastical property and places of worship or with the like consent retained by the said board and credited to the fund established for that purpose and known as “The Bishop’s Call to Build” or to any other fund for the time being designated by the said bishop and established for that or any similar purpose being charitable.

(3) In this section “ecclesiastical property” means land belonging to any church or benefice, or forming part of a burial ground subject to the jurisdiction of the said bishop.

Acquisition of land for relocation of population or industry.

**20.**—(1) The Corporation may purchase land by agreement in order to provide for the relocation of population or industry from any lands within the limits of deviation.

(2) The Corporation by means of an order made by the Corporation and submitted to the Minister and confirmed by him may be authorised to purchase compulsorily any land for the purposes aforesaid.

1946 c. 49.

(3) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply in relation to land proposed to be purchased compulsorily by an order under subsection (2) of this section as if this section were an enactment contained in a public general Act and in force immediately before the commencement of the said Act of 1946.

Power to develop land for relocation of population or industry.

**21.**—(1) The Corporation may, in connection with the relocation of population or industry from any lands within the limits of deviation, lay out and develop—

- (a) any land acquired by them either by agreement or compulsorily under or in pursuance of this Act; and
- (b) any land belonging to them and not required for the purpose for which it was acquired;

and may erect and maintain houses, shops, offices, warehouses and industrial and other buildings and construct, sewer, pave, flag, channel, kerb and light streets on any such lands:

Provided that the powers of this subsection shall not be exercised with respect to any land outside the city without the consent of the council of the county borough or county district in which the land is situate, but such consent shall not be unreasonably withheld and any question whether such consent is or is not unreasonably withheld shall be determined by the Minister.

(2) No power conferred upon the Corporation by the foregoing provisions of this section shall be exercised in such a manner—

- (a) as to be at variance with any trust subject to which any land or building is held, managed or controlled by the Corporation without an order of the High Court or of



the Charity Commissioners or of the Secretary of State (as the case may be) or (where the trust instrument reserves to the donor or any other person the power to vary the trust) without the consent of the donor or that other person; or

- (b) as to contravene any covenant or condition (other than a covenant or condition which was subsisting immediately before the date of the gift or lease to the Corporation) subject to which a gift or lease of any land or building has been accepted by or granted to the Corporation without the consent of the donor, grantor, lessor or other person entitled in law to the benefit of the covenant or condition.

(3) Without prejudice to the powers conferred upon the Corporation by the foregoing provisions of this section, the Corporation may enter into and carry into effect agreements with any local authority or with any association, body or person for the provision by any such local authority, association, body or person of houses, shops, offices, warehouses and industrial and other buildings for the relocation of population or industry from any lands within the limits of deviation and any such agreement may provide for the making of contributions by the Corporation towards the expense thereby incurred by any such local authority, association, body or person.

(4) In this section "industrial building" includes a building used or designed or suitable for use for the carrying on of any process for or incidental to any of the following purposes:—

- (a) the making of any article or of part of any article; or  
 (b) the altering, repairing, ornamenting, finishing, cleaning, washing, freezing, packing or canning or adapting for sale or breaking up or demolition of any article; or  
 (c) without prejudice to the foregoing paragraphs, the getting, dressing or preparation for sale of minerals or the extraction or preparation for sale of oil or brine;

being a process carried on in the course of trade or business; and for the purposes of this definition "building" includes part of a building and "article" means an article of any description including a ship or vessel.

### PART III

#### WORKS

22.—(1) Subject to the provisions of this Act the Corporation may within the city, in the lines or situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the

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deposited sections, make and maintain the works hereinafter described with all necessary works and conveniences connected therewith:—

Work No. 1 A new street (to be raised for parts of its length above the existing street levels), commencing by a junction with Works Nos. 1A and 1B above a point 70 yards east of the junction of Pall Mall and Leeds Street, and terminating by a junction with Works Nos. 1C and 1D above a point 70 yards north-west of the junction of Oldham Street and Roscoe Street:

Work No. 1A A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 2 above a point on Bath Street 19 yards north of its junction with King Edward Street and terminating by a junction with Work No. 1 above a point 70 yards east of the junction of Pall Mall and Leeds Street:

Work No. 1B A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 70 yards east of the junction of Pall Mall and Leeds Street, and terminating by a junction with Work No. 2 above the junction of Lancelots Hey and New Quay:

Work No. 1C A new street (to be raised for parts of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 67 yards north-west of the junction of Oldham Street and Roscoe Street and terminating by a junction with Work No. 2B at a point 30 yards west of the junction of Upper Parliament Street and Percy Street:

Work No. 1D A new street (to be raised for parts of its length above the existing street levels), commencing by a junction with Work No. 2A above a point 14 yards south-east of the junction of Upper Parliament Street and Chesterfield Street and terminating by a junction with Work No. 1 above a point 75 yards north-west of the junction of Oldham Street and Roscoe Street:

Work No. 2 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Works Nos. 2A and 2B above a point 18 yards south of the junction of Salthouse Lane and

Hurst Street and terminating by a junction with Great Howard Street at a point 90 yards south of its junction with Chadwick Street:

Work No. 2A A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Upper Parliament Street at its junction with Catharine Street and terminating by a junction with Work No. 2 above a point 20 yards south of the junction of Salthouse Lane and Hurst Street:

Work No. 2B A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 2 above a point 16 yards south of the junction of Salthouse Lane and Hurst Street, and terminating by a junction with Upper Parliament Street at a point 50 yards west of its junction with Catharine Street:

Work No. 3 A widening and improvement of Canning Place, Strand Street, Goree and George's Dock Gates, commencing at a point 10 yards south-east of the junction of Canning Place and Wapping and terminating by a junction with Works Nos. 3A and 3B at the junction of George's Dock Gates and Chapel Street:

Work No. 3A A widening of New Quay and Bath Street on the westerly side, commencing by a junction with Work No. 3 at its termination and terminating in Bath Street at a point 5 yards south of its junction with Bath Lane:

Work No. 3B A new street (including widenings of Waterloo Road, Bath Street and New Quay on their easterly sides), commencing at the junction of Waterloo Road and Galton Street and terminating by a junction with Work No. 3 at its termination:

Work No. 4 A new street commencing by a junction with Bath Street at a point 35 yards north of its junction with Brook Street and terminating by a junction with Great Howard Street at its junction with Paisley Street:

Work No. 5 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Great Howard Street 60 yards south of its junction with Chadwick Street and terminating by a junction with Old Hall Street at its junction with Brook Street:

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- Work No. 6 A new street, commencing by a junction with Work No. 5 at a point 76 yards south of the commencement of Work No. 5 and terminating by a junction with Work No. 1A at a point 100 yards north-east of the junction of Leeds Street and Great Howard Street:
- Work No. 7 A new street, commencing by a junction with Work No. 1B at a point 8 yards east of the junction of Leeds Street and Back Leeds Street and terminating at the junction of Great Howard Street and Paisley Street:
- Work No. 8 A new street, commencing by a junction with Work No. 1B at a point 32 yards west of the junction of Leeds Street and Back Leeds Street and terminating at the junction of Old Hall Street and Old Leeds Street:
- Work No. 8A A new street (to be lowered for part of its length below the existing street levels) commencing by a junction with Work No. 1B at a point 13 yards east of the junction of Leeds Street and Old Hall Street and terminating by a junction with King Edward Street 90 yards north of its junction with Brook Street:
- Work No. 9 A new street (including a realignment of Leeds Street), commencing by a junction with Pall Mall 78 yards north of its junction with Leeds Street and terminating by a junction with Pall Mall 90 yards south-east of its junction with Leeds Street:
- Work No. 10 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 105 yards east of the junction of Vauxhall Road and Freemasons Row and terminating by a junction with Scotland Road at its junction with Wellington Street:
- Work No. 11 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 11 yards east of the junction of Milton Street and Fontenoy Street and terminating by a junction with Byrom Street at its junction with Gerard Street:
- Work No. 12 A new street (in parts to be lowered below and in part to be raised above the existing street levels), commencing by a junction with Scotland Road at its junction with Juvenal Street and terminating by a junction with Work No. 20 at the junction of St. Anne Street and Springfield Street:

Work No. 13 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Scotland Road at a point 13 yards south of its junction with Juvenal Street and terminating by a junction with Work No. 1 above a point 50 yards west of the junction of Holly Street and St. Anne Street:

Work No. 14 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 13 at a point on Scotland Road 90 yards south of its junction with Juvenal Street and terminating by a junction with Work No. 17 above a point 77 yards south-west of the junction of Banastre Street and Marybone:

Work No. 15 A new street (to be raised for part of its length above the existing street levels), commencing at the junction of Christian Street and Hunter Street and terminating by a junction with Work No. 11 above a point 45 yards north-east of the junction of Scotland Road and Nash Street:

Work No. 16 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 105 yards north-west of the junction of St. Anne Street and Springfield Street and terminating by a junction with Work No. 19 at a point 70 yards south of the junction of Scotland Road and Wellington Street:

Work No. 17 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 19 113 yards north of the junction of Byrom Street and Gerard Street and terminating by a junction with Work No. 1 above a point 50 yards east of the junction of Vauxhall Road and Banastre Street:

Work No. 18 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 17 above a point 13 yards west of the junction of Alexander Pope Street and Scotland Road and terminating by a junction with Work No. 13 above the junction of Richmond Row and Christian Street:

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Work No. 19 A widening and realignment of Scotland Road and Byrom Street, commencing at the junction of Scotland Road and Wellington Street and terminating at the junction of Byrom Street and Gerard Street:

Work No. 20 A widening and realignment on the westerly side of St. Anne Street and Norton Street and an improvement of St. Vincent Street, commencing at the junction of St. Anne Street and Great Richmond Street and terminating at the junction of St. Vincent Street and Lord Nelson Street:

Work No. 21 A new street (including the widening of Wilton Street and part of Carver Street on their southerly sides), commencing in Christian Street at its junction with Hunter Street and terminating at the junction of Carver Street and Salisbury Street:

Work No. 21A A new street, commencing by a junction with Islington at its junction with Clare Street and terminating at a point 23 yards north of the junction of Islington and Commutation Row:

Work No. 22 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 43 yards north-west of the junction of St. Anne Street and Springfield Street and terminating by a junction with Work No. 21 at a point 50 yards north-west of the junction of Birchfield Street and Islington:

Work No. 23 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 15 yards south of the junction of St. Vincent Street and London Road and terminating by a junction with Work No. 21 at a point 65 yards west of the junction of Carver Street and Salisbury Street:

Work No. 24 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Islington at its junction with Canterbury Street, and terminating by a junction with Work No. 1 above a point 12 yards west of the junction of St. Anne Street and Wilton Street:

Work No. 25 A new street (to be raised for the whole of its length above the existing street levels), commencing by a junction with Work No. 24 above a point 2 yards north of the junction of Islington and Lambert Street and terminating by a junction with Work No. 1 above a point 7 yards west of the junction of Norton Street and Kempston Street:

Work No. 26 A new street, commencing by a junction with Copperas Hill, 50 yards north-east of its junction with St. Vincent Street and terminating by a junction with Work No. 1 at a point 27 yards north of the junction of Villars Street and Copperas Hill:

Work No. 27 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 at a point 28 yards north of the junction of Russell Street and Warren Street and terminating by a junction with Work No. 1c above a point 13 yards west of the junction of Leece Street and Roscoe Street:

Work No. 28 A widening of Brownlow Hill on its southerly side commencing at its junction with Clarence Street and terminating at its junction with Mount Pleasant:

Work No. 29 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1 above a point 30 yards south of the junction of Mount Pleasant and May Street and terminating by a junction with Brownlow Hill at its junction with Ainsworth Street:

Work No. 30 A widening of Leece Street on its northerly side and of Renshaw Street on its north-easterly side, commencing in Leece Street 22 yards east of its junction with Roscoe Street and terminating in Renshaw Street at its junction with Heathfield Street:

Work No. 31 A widening on its westerly side and improvement of Roscoe Street, commencing at its junction with Mount Pleasant, and terminating by a junction with Upper Duke Street at a point 10 yards south-east of its junction with Roscoe Street:

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Work No. 32 A new street (to be lowered for parts of its length below the existing street levels), commencing by a junction with Work No. 31 at a point 37 yards south of the junction of Roscoe Street and Leece Street and terminating by a junction with Work No. 36 at the junction of Dexter Street and St. James Place:

Work No. 32A A new street (to be lowered below the existing street levels), commencing by a junction with Work No. 32 at a point 18 yards west of the junction of Knight Street and Roscoe Street and terminating by a junction with Work No. 35 at a point 30 yards north of the junction of Upper Duke Street and Rathbone Street:

Work No. 33 A new street (to be raised for part of its length above the existing street levels), commencing by a junction with Work No. 1D above a point 77 yards south of the junction of Great George Street and Upper Duke Street and terminating by a junction with Leece Street at a point 30 yards east of its junction with Berry Street:

Work No. 34 A new street (to be lowered for part of its length below the existing street levels), commencing by a junction with Colquitt Street at a point 10 yards north of its junction with Duke Street and terminating by a junction with Work No. 32 at a point 15 yards south of the junction of Rathbone Street and Upper Duke Street:

Work No. 34A A new street (in part to be lowered below and in part to be raised above the existing street levels), commencing by a junction with Work No. 34 at a point 2 yards east of the junction of Back Knight Street and Berry Street and terminating by a junction with Work No. 1D above a point 38 yards west of the junction of Oldham Street and Roscoe Street:

Work No. 34B A new street (to be lowered below the existing street levels), commencing by a junction with Work No. 35 at a point 25 yards west of the junction of Upper Duke Street and Rathbone Street and terminating by a junction with Works Nos. 1C and 1D at a point 47 yards north-east of the junction of Great George Street and Washington Street:

Work No. 35 A new street (in part to be raised above and in part to be lowered below the existing street levels), commencing by a junction with Work No. 1C above a



point 33 yards west of the junction of Leece Street and Roscoe Street and terminating by a junction with Duke Street at its junction with Cornwallis Street:

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Work No. 36 A new street, including a widening and realignment of St. James Place, commencing in St. James Place at a point 6 yards north of its junction with Upper Harrington Street and terminating by a junction with Great George Street, at a point 5 yards south of its junction with Duke Street:

Work No. 37 A new street (including the widening of Upper Stanhope Street between Chesterfield Street and St. James Place), commencing by a junction with Work No. 2A, at a point 55 yards east of the junction of Upper Parliament Street and Windsor Street and terminating by a junction with Stanhope Street at a point 12 yards east of its junction with Dwerryhouse Street:

Work No. 38 A new street (including a widening of Parliament Street on its southerly side), commencing at the junction of Chaloner Street and Parliament Street and terminating by a junction with Work No. 1C at a point 28 yards south-west of the junction of Upper Parliament Street and Hope Street:

Work No. 39 A new street, commencing at the junction of Wapping and Salthouse Lane and terminating by a junction with Park Lane 20 yards south-east of its junction with Liver Street:

Work No. 40 A new street, to form a gyratory system of traffic operation, commencing at a point in Canning Place, 60 yards east of its junction with Wapping, proceeding in an easterly, southerly, westerly and northerly direction and terminating at its point of commencement:

Work No. 41 A widening of Hanover Street on its southerly side between Paradise Street and Park Lane:

Work No. 42 An improvement of Great George Place and Great George Street, being in part a realignment of Great George Place and a narrowing of Great George Street on its easterly side, commencing at the junction of Great George Place and St. James Street and terminating at the junction of Great George Street and Sankey Street.

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(2) Where in any case the works involve the construction of a bridge or viaduct, the Corporation shall erect a good and sufficient fence on each side of such bridge or viaduct.

## Power to deviate.

23. In executing the works the Corporation may deviate laterally from the lines or situations thereof to any extent within the limits of deviation relating thereto and vertically from the levels thereof defined on the deposited sections to any extent not exceeding 10 feet either upwards or downwards or to such further extent as may be found necessary or convenient and as may be sanctioned by the Minister.

## Subsidiary works.

24.—(1) The Corporation may in connection with and for the purposes of this Act, and as part of the works, execute and do any of the following works or things within the limits of deviation:—

- (a) make and maintain all such approaches, subways, roundabouts, flyovers, underpasses, overpasses, lifts, stairs, escalators, ramps, passages, gantries, means of ingress or egress, shafts, stagings, buildings, apparatus, plant and machinery as may be necessary or convenient;
- (b) make junctions and communications (including the provision of steps or ramps for the use of persons on foot) with any existing or proposed streets intersected, crossed or interfered with by or contiguous to any of the works and divert, widen or alter the line or alter the level of any existing street for the purpose of connecting the same with the works, or any of them, or with any existing or proposed street, or of crossing under or over the same;
- (c) construct and provide carriageways, footways, reserved areas, vaults, cellars, arches, sewers, drains, sunken or ornamental gardens and other works and conveniences;
- (d) construct and provide all such bridges, arches, piers, viaducts, embankments, aprons, tunnels, abutments, retaining walls, wing walls, culverts and other works as may be necessary or convenient for the works or for carrying the same over or under any railway, any stream or watercourse, any street or any land;
- (e) stop up and appropriate the site and soil of so much of any streets as they may consider unnecessary to retain or to throw into the works;
- (f) raise, sink or otherwise alter the position of any of the steps, areas, cellars, cellar flaps, pavement lights, gratings, boundary walls, railings, fencings, windows, sewers, drains, watercourses, pipes, spouts or wires belonging to any house or building and remove all other obstructions;

- (g) execute any works for the protection of any adjoining land or buildings;
- (h) execute any works and do anything necessary for the strengthening and supporting of any walls or adjoining buildings;
- (i) remove, alter, divert or stop up any drain, sewer, channel or watercourse, the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or water in any channel or watercourse; and
- (j) alter or remove any monument, drinking trough, lamp-post, refuge, railings or other structure erected upon any street or land and plant trees, shrubs or other vegetation;

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together with all necessary or convenient subsidiary or incidental works.

(2) The Corporation may on any lands abutting on the works and outside the limits of deviation execute or do by agreement with the owners and occupiers of the said lands any of the works or things referred to in paragraphs (f), (g) and (h) of subsection (1) of this section, and any works necessary or convenient for the purpose of providing or facilitating access to or from the said lands or for preserving the amenities thereof.

(3) Any paving, metalling or materials in, on or under any street stopped up, altered or diverted by the Corporation under the powers of this Part of this Act and any sewers, drains and works rendered unnecessary by the substitution therefor of other sewers, drains and works shall vest in the Corporation, and the substituted sewers, drains and works shall be under the same jurisdiction, care, management and direction as the existing sewers, drains and works for which they may be so substituted.

(4) In the exercise of the powers conferred by this section the Corporation shall cause as little detriment and inconvenience as circumstances admit to any person, and shall make reasonable compensation for any damage caused by the exercise of such powers.

(5) Any question of disputed compensation payable under the foregoing provisions of this section shall be determined under and in accordance with the Land Compensation Act, 1961.

1961 c. 33.

**25.** The Corporation may, for the purpose of and during the execution of the works over or under any railway, erect, place or execute and maintain upon, over or under such railway all

Power to execute temporary works on railways.

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such temporary structures, erections, works, apparatus and appliances as may be necessary or convenient and as will not prevent the safe use of such railway or interfere to any greater extent than is reasonably necessary with the traffic thereon.

Power to  
Corporation  
to stop up,  
etc., streets.

26.—(1) Subject to the provisions of this Act, the Corporation may stop up the whole or such portion or portions as they think fit of so much of the streets or portions thereof mentioned in the schedule to this Act as is shown on the deposited plans as intended to be stopped up, and thereupon all rights of way over the said streets or portions thereof shall be extinguished and the Corporation may appropriate and use the site thereof.

(2) No portion of any street shall be stopped up under the powers of this section until the Corporation are in possession of all lands on both sides of such portion except so far as the owners, lessees and occupiers of those lands may otherwise agree.

(3) Any person who suffers loss by—

- (a) the appropriation of any site of which he is the owner; or
- (b) the extinguishment of any private right;

under this section shall be entitled to be paid by the Corporation compensation to be determined in case of dispute under and in accordance with the Land Compensation Act, 1961.

1961 c. 33.

Temporary  
stoppage of  
streets.

27.—(1) The Corporation during and for the purpose of the execution of the works may temporarily stop up and divert and interfere with any street, 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 the street, from passing along and using the same.

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

(3) The Corporation shall not exercise the powers of this section with respect to any street upon which a service of stage carriages or express carriages is operated unless not less than forty-eight hours' previous notice is given to the traffic commissioners and to the holders of the road service licence under which that service is authorised.

Power to  
prevent access  
to or from  
certain streets.

28.—(1) For the purpose of facilitating the movement of vehicular traffic or for securing the safety of the public in any street in the city the Corporation may at or near the points where it is shown on the deposited plans that access is to be

stopped up, erect or remove walls, barriers or kerbs for the prevention, prohibition or limitation of access by vehicular or pedestrian traffic to and from any street; and exhibit notices prohibiting or limiting such access.

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(2) Any person removing or interfering with any such wall, barrier or kerb or removing, defacing or failing to comply with any such notice shall be liable on summary conviction to a fine not exceeding ten pounds.

29.—(1) The Corporation may make trial borings at such places within the lands which may be acquired compulsorily under this Act as they may think fit for the purpose of ascertaining the nature of the soil: Power to make trial borings.

Provided that no land shall be entered for the purpose of making trial borings under this section unless the Corporation, not less than seven days before the first entry and not less than twenty-four hours before any subsequent entry, have given notice to the owner and occupier of the land.

(2) Where land is damaged in the exercise of the powers conferred by subsection (1) of this section, any person interested in the land may recover from the Corporation compensation for the damage to be determined in case of dispute by the tribunal, and, so far as compensation is properly to be calculated by reference to the depreciation of the value of his interest in the land, rules 2 to 4 of the rules set out in section 5 of the Land Compensation Act, 1961, shall apply.

1961 c. 33.

30.—(1) Without prejudice to the provisions of any other enactment, where any building or structure or part of a building or structure is demolished by the Corporation in connection with the carrying out of a street improvement leaving exposed a wall of adjoining premises, the Corporation may— Boundary walls.

(a) with the consent of the owner of those adjoining premises, carry out at their own expense any works which they consider to be reasonably necessary or desirable for either or both of the following purposes, that is to say, for—

(i) weatherproofing the surface of the wall;

(ii) restoring or improving the appearance of the wall; or

(b) make such contribution, if any, as they think fit towards any expenses incurred by the owner or occupier of those

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adjoining premises in carrying out works for either or both of the purposes referred to in the foregoing paragraph:

Provided that where in the opinion of the Corporation any consent required for the carrying out of works proposed by them for the purposes mentioned in sub-paragraph (ii) of paragraph (a) of this subsection is unreasonably withheld, and the appearance of the wall in question is, or unless such works are carried out will be, detrimental to the general appearance of the area in which the adjoining premises are situate, they may apply to the magistrates' court for an order, and the court may either order the carrying out of the proposed works subject to such conditions, if any, as the court thinks fit, or disallow the carrying out of those works.

(2) Either party to any proceedings before the magistrates' court under the proviso to subsection (1) of this section may appeal against the decision of that court to a court of quarter sessions.

(3) An officer or servant of the Corporation, or of their contractor, acting in pursuance of an order of the magistrates' court or of the court of quarter sessions made in pursuance of the foregoing provisions of this section, and after the giving of not less than twenty-four hours' notice to the occupier of the land on which the exposed wall is situated may, at all reasonable times, and on producing, if so required, some duly authenticated document showing his authority, enter on such land for the purpose of carrying out in compliance with the said order the works referred to therein.

(4) Nothing in this section, nor the carrying out of any works thereunder, shall impose upon the owner of any such adjoining premises as are referred to in subsection (1) of this section any liability which would not have been imposed upon him if this section had not been enacted and the said works had not been carried out, other than the liability to comply with the terms of any order made by a court under this section.

Underpinning  
of houses  
near a street  
improvement.

**31.** The Corporation at their own costs and charges may, subject as hereinafter provided, underpin or otherwise strengthen any house within 100 feet of any street improvement carried out or to be carried out by them, and for that purpose the following provisions shall have effect:—

(1) At least twenty-eight days' notice shall, except in case of emergency, be given to the owners and occupiers of the house intended to be so underpinned or otherwise strengthened:

- (2) If any owner or occupier of any such house shall, within fourteen days after the giving of such notice, give a counter-notice in writing that he disputes the necessity for such underpinning or other strengthening, the question of the necessity shall be settled by arbitration:
- (3) The Corporation shall be liable to compensate the owners and occupiers of every such house for any loss or damage which may result to them by reason of the exercise of the powers granted by this section:
- (4) In any case in which any house shall have been underpinned or otherwise strengthened under the powers of this section the Corporation may, from time to time after the completion of such underpinning or other strengthening, and during the execution of the street improvement in connection with which such underpinning or other strengthening was done, or within five years after the opening for traffic of that street improvement, enter upon and survey such house and do such further underpinning or other strengthening thereof as they may deem necessary or expedient or, in case of dispute between the Corporation on the one hand and the owner or occupier of the house on the other hand, as shall be settled by arbitration:
- (5) If in any such case as is referred to in paragraph (4) of this section the underpinning or other strengthening done by the Corporation shall, at any time within five years from the opening for traffic of the street improvement in connection with which such underpinning or other strengthening was done, prove inadequate for the support or protection of the house against further injury arising from the execution of such street improvement, the Corporation shall make compensation to the owner and occupier of the house for such injury, provided that the claim for compensation in respect thereof be made within three months from the discovery thereof:
- (6) In relation to any works carried out by the Corporation for the underpinning or strengthening of any house under this section, being works to which, apart from this paragraph, the provisions of Part II of, and Schedule 4 to, the Public Utilities Street Works Act, 1950 (which regulate the relations between an authority 1950 c. 39. carrying out road alterations and undertakers whose apparatus is affected thereby), would not apply, the said provisions shall apply as if—
  - (a) the works were executed for road purposes by an authority mentioned in subsection (1) of section 21

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of that Act and were included in the works mentioned in paragraph (a) of that subsection; and

(b) where the apparatus affected is not in a street or in controlled land abutting on a street, that apparatus were in a street:

1845 c. 18.

(7) Nothing in this section contained, nor any dealing with any property in pursuance of this section, shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act, 1845, or under any other enactment:

1961 c. 33.

(8) Every case of compensation to be ascertained under this section shall be determined in case of dispute by the tribunal, and, so far as the compensation is properly to be calculated by reference to the depreciation of the value of the interest of the owner or occupier of the house, rules 2 to 4 of the rules set out in section 5 of the Land Compensation Act, 1961, shall apply:

(9) Unless otherwise provided, any difference arising under this section (other than a difference as to the construction of this section) shall be referred to and settled by arbitration:

(10) In this section "house" includes any building or structure.

Power to pump water and use sewers for removing water.

32.—(1) The Corporation may pump any water found by them in the execution of the works and may use for the discharge of any such water any available stream or watercourse or any sewer or drain, and, for that purpose, may within the limits of deviation lay down, take up and alter conduits, pipes and other works and make any convenient connections with any such stream, watercourse, sewer or drain.

(2) Any water discharged into the river Mersey under the powers of this section shall be as free as may be reasonably practicable from any gravel, silt or other solid substance.

No mains or pipes to be laid in certain works.

33.—(1) Notwithstanding anything in any other Act to the contrary, it shall not be lawful after the completion of any part of the specified works for any person to enter upon, break up or interfere with such part of the specified works for the purpose of laying down any main, pipe or wire or other apparatus or executing any work whatsoever therein, thereon or thereunder except with the consent of the Corporation and in accordance with such terms and conditions as the Corporation may determine:



Provided that—

PART III  
—cont.

(a) the consent of the Corporation to the laying down of any main, pipe, wire or other apparatus across but not running along the route of so much of the specified works as is not carried by a viaduct or bridge in such manner as not to interfere with the flow of traffic thereon shall not be unreasonably withheld and any question as to whether such consent is or is not unreasonably withheld and as to the reasonableness of any terms or conditions attached to any such consent shall be determined by the Minister;

(b) nothing in this section shall render unlawful the laying down of any such main, pipe, wire or other apparatus or the execution of any such work in, on or under land situate below so much of the specified works as will after completion be carried by a viaduct or bridge.

(2) In this section “ the specified works ” means Works Nos. 1, 1A, 1B, 1C, 1D, 2, 2A, 2B, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 29, 32, 32A, 33, 34, 34A, 34B, 35, 36 and 37.

34. Where the Corporation lay out as a reserved area any part of the works or any land adjacent thereto or any part of any street improvement or any land adjacent to such street improvement and being satisfied that it is expedient in the interests of public safety indicate by notices conspicuously placed on such reserved area or in proximity thereto or by the erection of fences, that the use by pedestrians, horses, cattle and vehicles of such reserved area or any part thereof is prohibited, any person who shall wilfully walk or otherwise proceed or lead, ride or drive any horse or cattle or vehicle on, over or across any such reserved area or part thereof in contravention of the terms of any such notice or in disregard of any such fence shall be guilty of an offence and liable on summary conviction to a fine not exceeding five pounds.

Prohibition of persons, vehicles, etc., on reserved areas.

35.—(1) For the purpose of preventing obstruction of any road in the city specified in such regulations (in this section and in section 36 (Provision of removal service) of this Act called “ the specified road ”) the Corporation may make regulations with respect to the removal of any vehicle which is for the time being at rest on the specified road, either in contravention of a traffic regulation order made under section 26 of the Road Traffic Act, 1960, or by reason of breakdown, or without any person being at that time in charge of the vehicle, or without the person in charge of it being present in or on the vehicle.

Removal of stationary vehicles.  
1960 c. 16.

(2) Regulations made under this section may require the person (if any) in charge of any vehicle which is at rest on the

PART III  
—cont.

specified road by reason of breakdown to take such steps as may be specified in the regulations for reporting that fact and the position and circumstances in which the vehicle is at rest.

(3) Regulations made under this section may prohibit any person, other than a constable or any other person authorised as mentioned in paragraph (a) of subsection (4) of this section—

- (a) from carrying out, or attempting to carry out, any repair or adjustment of any such vehicle as is mentioned in subsection (2) of this section except with permission expressly given by a constable or by a person so authorised; and
- (b) from moving, or attempting to move, any such vehicle from the position in which it is at rest;

and the regulations may prohibit persons authorised as mentioned in paragraph (a) of subsection (4) of this section from carrying out, or attempting to carry out, any repair or adjustment of any such vehicle except in such circumstances as may be specified in the regulations.

(4) Regulations under this section—

- (a) may include provision for empowering a constable or any other person authorised in that behalf by the Corporation to remove any such vehicle as is mentioned in subsection (1) of this section from its position on the specified road either—
  - (i) to a position beyond the limits of that road; or
  - (ii) to any space provided by the Corporation for accommodating such vehicles; or
  - (iii) on to any road to which regulations made under this section do not apply; or
  - (iv) with the consent of the person in charge of the vehicle, to the premises of any person providing such a service as is mentioned in section 36 (Provision of removal service) of this Act;
- (b) in the case of any such vehicle which is so removed, or which at the request of the person in charge of it is repaired or adjusted (instead of being removed) by a person so authorised, may include provision for requiring such person as may be prescribed by the regulations to pay, to the Corporation or to the person effecting the removal, repair or adjustment, a charge of an amount to be determined in accordance with such scales and other provisions as may be contained in the regulations; and

(c) may prohibit any person from obstructing any action taken by a constable or by any other person authorised as mentioned in paragraph (a) of this subsection for the purpose of removing any such vehicle from the specified road.

(5) Different provision may be made under this section in relation to different classes of vehicles and in relation to different circumstances.

(6) In this section “breakdown”, in relation to a vehicle, includes mechanical defect, lack of fuel, oil or water required for the vehicle, and any other circumstances in which a person in charge of the vehicle could not immediately, safely, and without damage to the vehicle or its accessories, drive it under its own power along the specified road beyond the point at which it has come to rest.

(7) Subsection (7) of section 26 of the Road Traffic Act, 1960 1960 c. 16. (which specifies the penalty to which a person shall be liable for contravention of a traffic regulation order), and section 27 of that Act (which deals with the confirmation, revocation and variation of local authorities’ traffic regulation orders) and any regulations from time to time in force made by the Minister under section 29 of that Act shall apply to regulations made under this section as if such last-mentioned regulations were contained in a traffic regulation order.

(8) In this section and in section 36 (Provision of removal service) and section 37 (Extension of power to make traffic regulation orders) of this Act “road” has the same meaning as in section 257 of the said Act of 1960.

(9) No regulations shall be made under this section with respect to a road belonging to or repairable by the British Railways Board except with the consent of that board.

36. The Corporation may provide or arrange for the provision of a service for removing from the specified road such vehicles as are mentioned in section 35 (Removal of stationary vehicles) of this Act. Provision of removal service.

37.—(1) The power of the Corporation under section 26 of the Road Traffic Act, 1960, to make traffic regulation orders shall extend to enable the Corporation, by any such order— Extension of power to make traffic regulation orders.

(a) to provide that any prohibition, restriction or regulation imposed by the order on the use of any specified road or any specified part of a road shall be operative when indicated by a traffic sign;

PART III  
—cont.

- (b) to prohibit vehicles from stopping or remaining at rest on any specified road or any specified part of a road except in such circumstances as may be mentioned therein;
- (c) to prohibit, restrict or regulate the use by foot-passengers of any specified road or any specified part of a road:

Provided that—

1960 c. 16.

- (i) any such order made for a purpose referred to in paragraph (a), (b) or (c) of this subsection shall, notwithstanding any provision of subsection (4) of section 27 of the Road Traffic Act, 1960, not have effect unless confirmed by the Minister;
- (ii) an order made for the purposes referred to in paragraph (b) of this subsection shall not have the effect of prohibiting a stage carriage or an express carriage from stopping or remaining at rest for the purpose of taking up or setting down passengers.

(2) In this section—

“ specified ” means specified in the order in question;

“ traffic sign ” means a traffic sign prescribed or authorised under subsection (2) of section 51 of the Road Traffic Act, 1960, and for the time being placed by the Corporation in accordance with section 52 of that Act; and for the purposes of any such order as is referred to in paragraph (a) of subsection (1) of this section any such traffic sign placed on or near a road shall be deemed to have been lawfully so placed unless the contrary is proved.

(3) Subsection (7) of the said section 26 shall apply in respect of a foot-passenger who contravenes a traffic regulation order as if for the words “ a vehicle or causes or permits a vehicle to be used ” there were substituted the words “ a road ”.

1962 c. 59.

(4) Section 32 of the Road Traffic Act, 1962 (which authorises an authority to place bollards or other obstructions for preventing the passage of vehicles at any point of a road where such passage is prohibited by an order made by that authority under section 26 of the Road Traffic Act, 1960), shall extend to enable the Corporation to place such bollards or other obstructions, including any necessary walls, barriers or kerbs, for the purposes of prohibiting, restricting or regulating the use of any road or any part of any road by foot-passengers, at or near any point at which such use is prohibited, restricted or regulated by an order made under the said section 26 as extended by paragraph (c) of subsection (1) of this section.

(5) No such order as is referred to in paragraphs (a), (b) or (c) of subsection (1) of this section shall be made with respect to a road belonging to or repairable by the British Railways Board except with the consent of that board.

PART III  
—cont.

38. The powers of the Corporation to provide off-street parking places under section 81 of the Road Traffic Act, 1960, section 11 of the Road Traffic and Roads Improvement Act, 1960, and section 13 of the Road Traffic and Roads Improvement Act, 1960, shall extend to enable the Corporation—

Provision of  
car parks.  
1960 c. 16.  
1960 c. 63.

- (a) to provide or arrange for the provision of such parking places within the limits of deviation on any storey or storeys of or under any building for the time being belonging to them or on any land within such limits notwithstanding, in the case of any such parking places provided in buildings used also for other purposes, the extent of the use of those buildings for those purposes or that proposals in that behalf have not been made to the Minister within the period of five years from the coming into force of the said section 13 and approved by him;
- (b) to provide and maintain in connection with such parking places within the limits of deviation waiting-rooms, refreshment rooms, shelters, offices, information bureaux and displays, shops, kiosks, show or display cases, advertisement sites, automatic pre-paid machines for the sale of goods and other facilities, and to let the same or the sites for the provision thereof on such terms and conditions as they think fit.

#### PART IV

##### PROTECTIVE PROVISIONS

39. Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing in this Act authorises the Corporation to take, use or in any manner interfere with any land, hereditaments, subjects or rights of whatsoever description—

Crown rights.

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose; or
- (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department.

PART IV  
—cont.Saving rights  
for Duchy of  
Lancaster.

**40.** In particular and without prejudice to the general law concerning the applicability of statutes to the Duchy of Lancaster, nothing in this Act contained shall extend or operate to authorise the Corporation to take, use, enter upon or in any manner interfere with any land, soil, water or any manorial rights or any other rights of whatsoever description belonging to Her Majesty in right of Her Duchy of Lancaster without the consent in writing of the Chancellor for the time being of the said Duchy first had and obtained (which consent may be given either unconditionally or subject to such conditions and upon such terms as the said Chancellor shall deem necessary or appropriate) or take away, prejudice or diminish any estate, right, privilege, power or authority vested in or enjoyed or exercisable by Her Majesty, Her Heirs and Successors in right of Her said Duchy.

For  
protection of  
Postmaster  
General.

**41.—(1)** As soon as practicable after the whole or part of a street has been permanently diverted or stopped up by the Corporation under the powers conferred by this Act, the Corporation shall send by post to the Postmaster General a notice informing him of such diversion or stopping up.

(2) Where in pursuance of paragraphs (b) and (e) of subsection (1) of section 24 (Subsidiary works) or section 26 (Power to Corporation to stop up, etc., streets) of this Act the Corporation divert or stop up the whole or any portion of a street the following provisions of this subsection shall, unless otherwise agreed in writing between the Corporation and the Postmaster General, have effect in relation to so much of any telegraphic line belonging to or used by the Postmaster General as is under, in, upon, over, along or across the land which by reason of the diversion or stopping up ceases to be a street (in this subsection referred to as “the affected line”) that is to say:—

- (a) The power of the Postmaster General to remove the affected line shall be exercisable notwithstanding the diversion or stopping up so however that the said power shall not be exercisable as respects the whole or any part of the affected line after the expiration of a period of three months from the date of the sending of the notice referred to in subsection (1) of this section unless before the expiration of that period the Postmaster General has given notice to the Corporation of his intention to remove the affected line or that part thereof, as the case may be:
- (b) The Postmaster General may by notice in that behalf to the Corporation abandon the affected line or any part thereof and shall be deemed as respects the affected line or any part thereof to have abandoned it at the

expiration of the said period of three months unless before the expiration of that period he has removed it or given notice of his intention to remove it:

- (c) The Postmaster General shall be entitled to recover from the Corporation the expense of providing in substitution for the affected line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the affected line a telegraphic line in such other place as he may reasonably require:
- (d) Where under paragraph (b) of this subsection the Postmaster General has abandoned the whole or any part of the affected line it shall vest in the Corporation and the provisions of the Telegraph Acts, 1863 to 1962, shall not apply in relation to it as respects anything done or omitted after the abandonment thereof.

(3) The exercise by the Corporation of the powers conferred by section 27 (Temporary stoppage of streets) and section 28 (Power to prevent access to or from certain streets) of this Act in relation to any street shall not prejudice or affect the right of the Postmaster General—

- (a) to place, maintain, inspect, repair, renew or remove any telegraphic line belonging to or used by him under, in, upon, over, along or across that street; or
- (b) for the purpose of such maintenance, inspection, repair, renewal or removal to enter upon or break open that street.

(4) Nothing in section 33 (No mains or pipes to be laid in certain works) of this Act shall prejudice or affect any of the rights and powers of the Postmaster General under the provisions of the Telegraph Acts, 1863 to 1962.

(5) In this section “ telegraphic line ” has the same meaning as in the Telegraph Act, 1878.

1878 c. 76.

**42.** For the protection of the British Railways Board (in this section referred to as “ the board ”) the following provisions shall, unless otherwise agreed in writing between the Corporation and the board, apply and have effect:—

For  
protection of  
British  
Railways  
Board.

(1) In this section—

“ railway property ” means any railway of the board and any works connected therewith for the maintenance or operation of which the board are responsible and includes any lands held or used by the board for the purposes of such railway or works;

PART IV  
—cont.

“ the specified works ” means so much of the works authorised by this Act as may be situated upon, across, under or over or may in any way affect railway property and includes the construction, maintenance (other than the maintenance of a street) and renewal of such works;

“ the engineer ” means an engineer to be appointed by the board;

“ plans ” includes sections, drawings and specifications:

- (2) The Corporation shall not under the powers of this Act (except as provided in this section) acquire compulsorily any interest of the board in any railway property, but they may—

(a) in accordance with the provisions of section 5 (Power to acquire lands) of this Act, acquire such interests of persons other than the board in railway property; and

(b) in accordance with the provisions of section 8 (Power to acquire easements only in certain cases) of this Act, acquire such easements and rights in railway property;

as they may reasonably require for the purposes of the specified works:

- (3) Paragraph (2) of this section shall not apply to the following lands of the board and such lands shall cease to be railway property for the purposes of this section upon the service of a notice to treat for the acquisition thereof under section 5 (Power to acquire lands) of this Act:—

(a) such parts of the lands numbered on the deposited plans 432, 948, 956 and 1418 as lie at or above ground level;

(b) the lands numbered on the deposited plans 1392 to 1394 (inclusive), 1403 to 1406 (inclusive), 1408, 1715 to 1717 (inclusive) and 1725; and

(c) so much of the lands numbered on the deposited plans 1407 as lies to the west of a line 10 feet from and parallel to the western face of the railway cutting forming part of such lands;

all of which said lands may be acquired subject to any reasonable restriction on building thereon without the consent of the board which it may be necessary for the board to impose for the purpose of ensuring the safety of railway property:



- (4) The Corporation shall at all times after the acquisition by them under the provisions of this Act of any land belonging to the board secure that such acquisition shall not deprive the board of such access as is reasonably required by the board for the purpose of inspecting, maintaining, repairing or renewing railway property:
- (5) Notwithstanding the provisions of section 23 (Power to deviate) of this Act the Corporation shall not construct Works Nos. 1A and 1B so as to cross the board's railways otherwise than in the position shown on the deposited plans or in such other positions to the south of the centre line shown on the deposited plans as may be reasonably agreed by the engineer:
- (6) The Corporation shall before commencing the specified works (other than works of maintenance or repair) furnish to the board proper and sufficient plans thereof for the reasonable approval of the engineer and shall not commence the specified works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that if within twenty-eight days after such plans have been furnished to the board the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval he shall be deemed to have approved the same:

- (7) If within twenty-eight days after such plans have been furnished to the board the board shall give notice to the Corporation that in consequence of the nature thereof, it is reasonably necessary that the board should themselves construct any part of the specified works which in the opinion of the engineer will or may affect the stability of railway property then if the Corporation desire such part of the specified works to be constructed the board shall construct the same with all reasonable despatch on behalf of and to the reasonable satisfaction of the Corporation in accordance with the plans approved or deemed to be approved or settled as aforesaid:

Provided that, in the event of the board not constructing or completing such part of the specified works with reasonable despatch and to the reasonable satisfaction of the Corporation, the Corporation may after giving twenty-eight days' notice to the engineer themselves construct or complete such part of the specified works:

PART IV  
—cont.

- (8) 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 specified works to ensure the safety or stability of railway property and such protective works as may be reasonably necessary for those purposes shall be constructed by the Corporation or by the board, if the board so elect, with all reasonable despatch and the Corporation shall not commence the construction of the specified works until the protective works have been completed:

Provided that, in the event of the board not constructing or completing such protective works as they have elected to construct with reasonable despatch the Corporation may, after giving twenty-eight days' notice to the engineer, themselves construct or complete such works and on the completion thereof may commence the construction of the specified works:

- (9) The Corporation shall give to the engineer twenty-eight days' notice of their intention to commence any of the specified works except in cases of emergency when they shall give such notice as may be reasonably practicable:
- (10) The specified works shall when commenced be carried out with all reasonable despatch in accordance with the plans approved or deemed to have been approved or settled as aforesaid and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage to railway property as may be and so far as is reasonably practicable so as not to interfere with or obstruct the free, uninterrupted and safe user of the railway or the traffic thereon and the use by passengers of railway property and if any damage to railway property or any such interference or obstruction shall be caused or take place by reason of the specified works the Corporation shall, notwithstanding any such approval as aforesaid, make good such damage and pay to the board all reasonable expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage, interference or obstruction other than damage, interference or obstruction caused by the neglect or default of the board, their servants or agents:
- (11) The Corporation shall at all times afford reasonable facilities to the engineer for access to the specified works during their construction and shall supply him with all

such information as he may reasonably require with regard to the specified works or the method of construction thereof:

PART IV  
—cont.

- (12) The board shall at all times afford reasonable facilities to the Corporation and their agents for access to any works carried out by the board under this section during their construction and shall supply the Corporation with such information as they may reasonably require with regard to such works or the method of construction thereof:
- (13) The Corporation shall so far as is reasonably practicable so exercise their powers under section 26 (Power to Corporation to stop up, etc., streets), section 27 (Temporary stoppage of streets) or section 28 (Power to prevent access to or from certain streets) of this Act as not to obstruct or render less convenient the access of the engineer or his contractors, servants or agents to any railway property for the purpose of inspecting, maintaining, repairing or renewing the same:
- (14) If any alterations or additions, either permanent or temporary, to railway property shall be reasonably necessary during and by reason of the execution of the specified works or during a period of three years after the completion thereof in consequence of the specified works such alterations and additions may be effected by the board after not less than twenty-eight days' notice (or in case of emergency such notice as may be reasonably practicable) has been given to the Corporation and the Corporation shall pay to the board the reasonable cost thereof including in respect of permanent alterations and additions a capitalised sum representing the increased or additional cost of maintaining, working and when necessary renewing any such alterations or additions:

Provided that if the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving may be set off against any sum payable by the Corporation to the board under this section:

- (15) The Corporation shall repay to the board all costs, charges and expenses reasonably incurred by the board—

(a) in constructing any part of the specified works on behalf of the Corporation as provided by paragraph (7) of this section or in constructing any

PART IV  
—cont.

protective works under the provisions of paragraph (8) of this section including in respect of any permanent protective works a capitalised sum representing the increased or additional cost of maintaining and renewing such works:

Provided that if the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving may be set off against any sum payable by the Corporation to the board under 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 all interference, obstruction, danger or accident arising from the execution or failure of the specified works;

(c) in respect of any special traffic working resulting from any speed restrictions which are necessary as a result of the execution or failure of the specified works and which may, in the opinion of the engineer, be required to be imposed or from the substitution or diversion of services which may be necessary for the same reason;

(d) in respect of any additional temporary lighting or fencing of railway property in the vicinity of the specified works, being lighting made reasonably necessary as a result of the execution of the specified works or the failure thereof;

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

- (16) If at any time after the completion of the specified works, not being works vested in the board, the board shall give notice to the Corporation informing them that the state of repair of the specified works appears to be such as to affect prejudicially railway property, the Corporation shall, within twenty-eight days of the receipt of such notice, take such steps (if any) as may be reasonably necessary to put the specified works in such state of repair as not to affect prejudicially railway property and, if and whenever the Corporation fail to do so, the board may make and do in and upon the lands of the board or of the Corporation all such works

and things as shall be requisite to put the specified works in such state of repair as aforesaid and the costs and expenses reasonably incurred by the board in doing such works as were reasonably necessary for such purpose shall be repaid to them by the Corporation:

PART IV  
—cont.

- (17) All temporary structures, erections, works, apparatus and appliances erected or placed by the Corporation under the powers of section 25 (Power to execute temporary works on railways) of this Act upon, over or under any railway of the board shall as soon as reasonably practicable be removed by the Corporation to the reasonable satisfaction of the engineer and in such a way as to cause as little damage to railway property and as little interference with, or interruption to, the traffic on the railways of the board as may be and if any damage to railway property or such interference, delay or interruption shall be caused by any such failure to remove any such temporary structures, erections, works, apparatus or appliances the Corporation shall forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of such damage, interference, delay or interruption:
- (18) Before providing any illumination or illuminated road traffic sign on or in connection with the works in the vicinity of the railway the Corporation shall consult with the board and comply with any reasonable requirements of the board in regard thereto with a view to ensuring that such illumination or illuminated sign could not be confused with any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway:
- (19) Any additional expense which the board may reasonably incur after giving twenty-eight days' notice to the Corporation in altering, reconstructing or maintaining railway property in pursuance of any powers existing at the passing of this Act by reason of the existence of the specified works shall be repaid by the Corporation to the board:
- (20) The Corporation shall be responsible for and make good to the board all costs, charges, damages and expenses not otherwise provided for in this section.

PART IV  
—cont.

which may be occasioned to or reasonably incurred by the board—

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

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

and the Corporation shall effectively indemnify and hold harmless the board from and against all claims and demands arising out of or in connection with the execution of the specified works or any such failure, act or omission as aforesaid and the fact that any act or thing may have been done by the board on behalf of the Corporation or in accordance with plans approved by the engineer 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 board or of any person in their employ or of their contractors or agents) excuse the Corporation from any liability under the provisions of this section:

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

- (21) Any difference arising between the Corporation and the board under this section (other than a difference as to the meaning or construction of this section) shall be referred to and settled by arbitration.

For  
protection of  
British  
Transport  
Hotels  
Limited.

43.—(1) Nothing in this Act shall enable the Corporation to acquire any lands of British Transport Hotels Limited (hereinafter referred to as “the company”) without their consent but such consent shall not be unreasonably withheld.

(2) Notwithstanding the provisions of subsection (1) of this section the Corporation may in accordance with the provisions of section 8 (Power to acquire easements only in certain cases) of this Act acquire such easements and rights in any lands of the company delineated on the deposited plans as they may reasonably require for the purposes of the exercise of the powers of this Act.

(3) Any difference arising between the Corporation and the company under this section (other than a difference as to the meaning or construction of this section) shall be referred to arbitration.

44. For the protection of the cathedral authorities the following provisions shall, unless otherwise agreed in writing between the Corporation and the cathedral authorities, apply and have effect:—

PART IV  
—cont.

For protection  
of cathedral  
authorities.

(1) In this section—

“the cathedral” means the Cathedral Church of Christ in Liverpool;

“the cathedral authorities” means the dean and chapter of the cathedral and the committee;

“the committee” means the Liverpool Cathedral Committee incorporated by the Liverpool Cathedral Act, 1885:

1885 c. li.

(2) (a) Before commencing any of the works which lie between the north side of Upper Parliament Street and the south side of Duke Street the Corporation shall submit plans, sections and particulars thereof to the cathedral authorities for their reasonable approval and shall not commence such work until such plans, sections and particulars have been approved by the cathedral authorities or in the case of difference until they have been settled by arbitration:

Provided that if the cathedral authorities do not within two months after the receipt of any such plans, sections and particulars signify to the Corporation their disapproval thereof and the grounds for their disapproval they shall be deemed to have approved thereof;

(b) Subject to the provisions of this section the works referred to in sub-paragraph (a) of this paragraph shall not be constructed except in accordance with the plans, sections and particulars thereof approved or deemed to be approved by the cathedral authorities as aforesaid or settled by arbitration:

(3) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Corporation shall not in the construction of so much of the works as will be constructed between the north side of Upper Parliament Street and the south side of Duke Street deviate laterally eastwards from the line of such works shown on the deposited plans nor vertically upwards from the level of such works shown in the deposited sections:

(4) The Corporation shall in constructing so much of the works as lies between Duke Street and Nile Street and between Rathbone Street and Hope Street provide to

PART IV  
—cont.

the reasonable satisfaction of the cathedral authorities vehicular and pedestrian access to the cathedral from the west and south sides of the works:

- (5) (a) The Corporation shall acquire and convey to the cathedral authorities or either of them or to such other ecclesiastical body as the cathedral authorities may request, or grant to the cathedral authorities or either of them or to such other ecclesiastical body on lease for a term of not less than 999 years, such land lying between the works and the east side of St. James Road as the cathedral authorities or either of them may reasonably require for the purposes of the cathedral authorities or for any other purpose in connection with the work of the Church of England:

Provided that—

- (i) unless the cathedral authorities or either of them give notice in writing to the Corporation not later than six months before the expiration of the period available to the Corporation for the compulsory acquisition of land under subsection (1) of section 5 (Power to acquire lands) of this Act and any extension thereof under subsection (2) of that section of the land which they require to be conveyed or granted to them or to such other ecclesiastical body as aforesaid this paragraph shall cease to have effect;
- (ii) any conveyance or lease of land in accordance with this paragraph may be made on such terms as will impose upon the party to whom the land is to be conveyed or granted a binding obligation to complete the development of such land within such reasonable time as may be agreed between that party and the Corporation or in default of agreement determined by arbitration;
- (b) The price to be paid by the cathedral authorities or either of them for the conveyance or lease of any land under this paragraph shall be such price as may be agreed between the cathedral authorities and the Corporation or failing agreement determined by the tribunal and in determining such price regard shall be had to the actual cost to the Corporation of acquiring any interests to enable the Corporation to comply with this paragraph:
- (6) (a) Before carrying out any development of land between the cathedral and the works other than the land referred to in paragraph (5) of this section the Corporation shall submit plans thereof to the cathedral authorities for their reasonable approval;



(b) Before carrying out any development of the land referred to in paragraph (5) of this section the cathedral authorities shall submit plans thereof to the Corporation for their reasonable approval:

PART IV  
—cont.

(7) Any difference which may arise between the Corporation and the cathedral authorities under this section (other than a difference as to the meaning or construction of this section) shall be 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) jointly by the President of the Royal Institute of British Architects and the President of the Institution of Civil Engineers.

45. For the protection of Coast Lines Limited and British and Irish Steam Packet Company Limited and their successors in title (all of whom are in this section referred to as "the companies") the following provisions shall, unless otherwise agreed in writing between the Corporation and the companies, apply and have effect:—

For  
protection of  
Coast Lines  
Limited and  
British and  
Irish Steam  
Packet  
Company  
Limited.

(1) Notwithstanding anything in this Act or shown on the deposited plans and sections the Corporation shall not under the powers of this Act acquire compulsorily any part of the lands numbered 1799 on the deposited plans other than such part situate to the eastward of an imaginary straight line drawn between—

(i) the south-west corner of the buttress on the east side of the railway gate at South East Princes Dock; and

(ii) a point on the easterly face of the boundary wall at the said dock at which an imaginary straight line drawn at right angles to the easternmost rail of the main dock lines from a point on the said rail 123 feet north of the south-west corner of the said buttress intersects the said face;

as may be required by the Corporation for the purpose of setting back to the said line so much of the said boundary wall and buttress as is situate to the eastward of the said line:

(2) The Corporation shall, so far as is reasonably practicable, in constructing and maintaining the works and in exercising the powers conferred on them by section 27 (Temporary stoppage of streets), section 28 (Power to prevent access to or from certain streets) or section 29 (Power to make trial borings) of this Act not obstruct or render less convenient the access to or egress from the South East Princes Dock:

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—cont.

- (3) Any difference which may arise between the Corporation and the companies under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

For  
protection of  
Mersey Docks  
and Harbour  
Board.

46. For the protection of the Mersey Docks and Harbour Board (in this section referred to as "the board") the following provisions shall, unless otherwise agreed in writing between the Corporation and the board, apply and have effect:—

- (1) In this section—

"the dock estate" means the lands, docks, buildings and other works and property whatsoever of the board;

"the main dock lines" means the main lines of railway belonging to the board, whether within or outside the boundary wall of the dock estate, situated on the westerly side of the following streets in the city, namely:—

Sefton Street, Chaloner Street, Wapping, Strand Street, Goree, George's Dock Gates, New Quay and Bath Street:

- (2) Notwithstanding anything in this Act or shown on the deposited plans and sections the Corporation shall not, under the powers of this Act—

(a) acquire compulsorily the lands numbered 1730, 1731, 1732, 1733, 1734, 1735 and 1797 on the deposited plans;

(b) acquire compulsorily any parts of the lands numbered 1799 on the deposited plans other than such part situate to the eastward of an imaginary straight line drawn between—

(i) the south-west corner of the buttress on the east side of the railway gate at South East Princes Dock; and

(ii) a point on the easterly face of the boundary wall at the said dock at which an imaginary straight line drawn at right angles to the easternmost rail of the main dock lines from a point on the said rail 123 feet north of the south-west corner of the said buttress intersects the said face;

as may be required by the Corporation for the purpose of setting back to the said line so much of the said boundary wall and buttress as is situate to the eastward of the said line;

(c) acquire compulsorily any parts of the lands numbered 1520 on the deposited plans other than—

(i) such part (excluding so much as lies to the westward of an imaginary straight line drawn between the north-east corner of the lands numbered 1735 and the south-east corner of the lands numbered 1738 on the deposited plans) as is situated between its junction with the lands numbered 1793 on the deposited plans and an imaginary straight line drawn due eastwards from the northern side of the northerly access from Strand Street to the lands numbered 1734 on the deposited plans;

(ii) such part as is situated between the imaginary straight line drawn due eastwards from the northern side of the northerly access from Strand Street to the lands numbered 1734 on the deposited plans and an imaginary straight line drawn due eastwards in extension of the margin of the north quay of Salthouse Dock as constitutes the site of the tracks of the main dock lines;

(iii) such part as is situated between the imaginary straight line drawn due eastwards in extension of the north quay of Salthouse Dock and an imaginary straight line drawn due eastwards in extension of the north wall of the warehouse of the board on the east side of Wapping Dock as constitutes the site within the rails of the easternmost track of the main dock lines:

- (3) The Corporation shall so far as is reasonably practicable, in constructing and maintaining the works and in exercising the powers conferred on them by section 27 (Temporary stoppage of streets), section 28 (Power to prevent access to or from certain streets) or section 29 (Power to make trial borings) of this Act, not obstruct or render less convenient the access to, or egress from, the dock estate:
- (4) (a) The work of setting back the wall and buttress referred to in sub-paragraph (b) of paragraph (2) of this section and of any work reasonably necessary in consequence thereof shall be carried out by the Corporation at their own expense to the reasonable satisfaction and under the superintendence, if given, of the engineer-in-chief of the board:

Provided nevertheless that the board may, if it so desires, carry out such work itself and in such case the

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Corporation shall reimburse the board all costs, charges and expenses reasonably incurred by it in so doing;

- (b) The Corporation shall be responsible for and shall repay to the board all extra costs, charges and expenses reasonably incurred by the board—

(i) 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 the main dock lines and for preventing, as far as may be, all interference, obstruction, danger or accident to traffic using the main dock lines arising from or in consequence of the construction of the works;

(ii) in respect of any special traffic working of their railways which may be reasonably necessary;

by reason or in consequence of the construction of the works:

- (5) Any difference which may arise between the Corporation and the board under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

For  
protection of  
Mersey  
Tunnel Joint  
Committee.

47. For the protection of the Mersey Tunnel Joint Committee (in this section referred to as “the joint committee”) the following provisions shall, unless otherwise agreed in writing between the Corporation and the joint committee, apply and have effect:—

- (1) In this section—

“plans” includes sections, particulars and specifications;

“the specified works” means so much of the works as may be situated upon, across, under or over or within 50 feet of tunnel property and includes the construction, maintenance (other than the maintenance of a street) and renewal of such works;

“tunnel property” means the tunnel and the approaches thereto authorised by the Mersey Tunnel Acts, 1925 to 1933, and any lands occupied by the joint committee for the purpose of their functions under the Mersey Tunnel Acts, 1925 to 1965:

- (2) (a) The Corporation shall not under the powers of this Act (except as provided in this section) acquire compulsorily any tunnel property but they may, in accordance with the provisions of section 8 (Power to

acquire easements only in certain cases) of this Act acquire such easements and rights in tunnel property delineated on the deposited plans as they may reasonably require for the purpose of the exercise of the powers of this Act;

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—cont.

- (b) Sub-paragraph (a) of this paragraph shall not apply to so much of the lands numbered 1809 on the deposited plans as does not comprise the carriageway or footway of the New Quay entrance to the tunnel authorised by the Mersey Tunnel Acts, 1925 to 1933, the toll booths situated at the said entrance or any part of the structure of the retaining walls or portal of the said entrance:

Provided that before the Corporation enter upon any part of the said lands which they are authorised by this sub-paragraph to acquire they shall provide to the reasonable satisfaction of the joint committee, in substitution for the accommodation and facilities afforded by or on such lands, such alternative accommodation and facilities as the joint committee may reasonably require to enable them to carry out their functions no less efficiently than previously:

- (3) (a) Before commencing the specified works (other than works of maintenance or repair) the Corporation shall submit plans thereof to the joint committee for their reasonable approval and shall not commence any part of the specified works until the plans of such part have been approved by the joint committee, or, in the case of difference, until they have been settled by arbitration:

Provided that, if the joint committee do not within fifty-six days after the receipt of the plans, signify to the Corporation their disapproval thereof and the grounds for their disapproval, they shall be deemed to have approved thereof;

- (b) Not less than twenty-eight days before commencing any work of maintenance or repair of the specified works (other than a minor work of maintenance) the Corporation shall, except in case of emergency (when they shall give such notice as may be reasonably practicable), submit to the joint committee notice of their intention to commence the work and a description thereof:
- (4) Upon signifying their approval or disapproval of the plans, or, in the case of a work of maintenance or repair of the specified works, within twenty-eight days after the receipt of the notice referred to in sub-paragraph (b)

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—cont.

of paragraph (3) of this section, the joint committee may specify any protective works or make any reasonable requirements as to the manner of construction of the specified works which, in their opinion, should be constructed or complied with by the Corporation during the execution of the specified works for ensuring the safety and safe and efficient use of tunnel property and such of the protective works so specified and the requirements so made as may be reasonably necessary for the purposes aforesaid shall be constructed or complied with by the Corporation to the reasonable satisfaction of the joint committee:

Provided that if any such protective works involve modification or interference with tunnel property the joint committee may, if they so elect, themselves construct such protective works and recover from the Corporation the reasonable cost of so doing:

- (5) (a) Subject to the provisions of this section, the specified works shall not be constructed except in accordance with the plans approved or deemed to be approved by the joint committee as aforesaid or settled by arbitration;
- (b) The Corporation shall at all reasonable times afford to the duly authorised representative of the joint committee access to the specified works for the purpose of inspection:
- (6) The Corporation shall not, without the consent of the joint committee, which shall not be unreasonably withheld—
  - (a) exercise the powers of section 29 (Power to make trial borings) of this Act on or over any tunnel property; or
  - (b) use or interfere with any sewer or drain of the joint committee under the powers of section 24 (Subsidiary works) or section 32 (Power to pump water and use sewers for removing water) of this Act:
- (7) The Corporation shall, so far as is reasonably practicable, so exercise the powers of section 24 (Subsidiary works), section 27 (Temporary stoppage of streets) and section 28 (Power to prevent access to or from certain streets) of this Act as not to obstruct or render less convenient the access to or egress from tunnel property:
- (8) Nothing in section 34 (Prohibition of persons, vehicles, etc., on reserved areas) of this Act shall be deemed to prohibit the use of a reserved area by a person in the

employment of the joint committee in the execution of an act necessary to the proper performance of his duty as such employee:

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—cont.

- (9) Any difference arising between the Corporation and the joint committee under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

48. For the protection of the undertakers the following provisions shall, unless otherwise agreed in writing between the Corporation and the undertakers, apply and have effect:—

For protection of certain statutory undertakers.

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

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

“apparatus” means—

(a) electric lines or works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the Merseyside and North Wales Electricity Board or the Central Electricity Generating Board; 1882 c. 56.

(b) mains, pipes, valves, siphons, stopcocks, pillars or other apparatus belonging to or maintained by the North Western Gas Board;

(c) hydraulic mains, pipes, valves or other apparatus belonging to the Liverpool Hydraulic Power Company;

and includes any building, structure or works constructed for the lodging therein of apparatus;

“in” in a context referring to apparatus includes under, over, across, along or upon;

“position” includes depth;

“the undertakers” means the Central Electricity Generating Board, the Merseyside and North Wales Electricity Board, the North Western Gas Board and the Liverpool Hydraulic Power Company, or any of them, and in relation to any apparatus or property means the undertakers to whom the apparatus belongs or by whom the apparatus is maintained and in relation to the supply of electricity, gas or hydraulic power means the undertakers by whom the supply is provided:

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- (2) (a) Notwithstanding anything in this Act or shown on the deposited plans the Corporation shall not acquire any apparatus under the powers of this Act otherwise than by agreement, nor shall the Corporation carry out any works on any of the lands respectively numbered on the deposited plans 401, 402, 775, 900, 903, 1473, 1819, 1870 and 1894 which might prevent the effective use of apparatus on those lands until adequate alternative apparatus has been provided and is in operation to the reasonable satisfaction of the undertakers;
- (b) The Corporation shall not under the powers of this Act acquire the lands numbered on the deposited plans 775 otherwise than by agreement unless the Corporation shall first have made available for purchase by the Merseyside and North Wales Electricity Board lands of the Corporation which are agreed between the said board and the Corporation or in default of agreement determined by arbitration to be by their situation, tenure and area no less suitable for the installation of adequate alternative apparatus and for the installation of additional apparatus:
- (3) Notwithstanding anything in this Act no apparatus shall be removed from any land or street in which it is situated, nor shall any right of the undertakers to use, maintain, repair, renew or inspect any apparatus in that land or street be extinguished, until any necessary adequate alternative apparatus has been provided and is in operation to the reasonable satisfaction of the undertakers:
- (4) (a) If the Corporation, for the purpose of or in connection with the construction of any of the works, require the removal of any apparatus, they shall give to the undertakers written notice of such requirement together with a plan and section of the work proposed and of the proposed position of the alternative apparatus (if any) to be provided;
- (b) If the Corporation require the undertakers to remove any apparatus permanently from any land or street, or if in consequence of the exercise of the powers of this Act, the undertakers shall reasonably require the permanent removal of any apparatus, the Corporation shall, if practicable, afford to the undertakers the necessary facilities and rights for the laying down or erection of adequate alternative apparatus in other lands of the Corporation 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 laid down or erected elsewhere than in other lands of the Corporation, and the Corporation 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 laid down or erected, the undertakers shall on receipt of a written notice to that effect from the Corporation forthwith use their best endeavours to obtain the necessary facilities and rights;

- (c) Any alternative apparatus to be laid down or erected in lands of the Corporation in pursuance of this paragraph shall be laid down or erected in such manner and in such line and situation as may be agreed between the undertakers and the Corporation or, in default of agreement, settled by arbitration;
- (d) The undertakers shall, after the line and situation of any necessary alternative apparatus and manner in which the alternative apparatus shall be laid down or erected have been agreed or settled by arbitration as aforesaid and after the grant to the undertakers of any such facilities and rights as are referred to in sub-paragraph (b) of this paragraph, proceed with all reasonable despatch to lay down or erect and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Corporation to be removed under the provisions of this section and, in default, the Corporation may remove the apparatus;
- (e) Notwithstanding anything in the preceding provisions of this paragraph, if the Corporation give notice in writing to the undertakers that they desire themselves to execute any part of so much of the work necessary in connection with the construction of the alternative apparatus, or the removal of the apparatus required to be removed, as will be situate in any lands of the Corporation, such work in lieu of being executed by the undertakers shall be executed by the Corporation with all reasonable despatch under the superintendence (if given) and to the reasonable satisfaction of the undertakers:

Provided that nothing in this sub-paragraph shall authorise the Corporation to execute the actual placing, installation, bedding, packing, removal, connection or disconnection of any apparatus or any filling around such apparatus (where the apparatus is laid in a trench) within 12 inches above the apparatus;

- (f) Where in accordance with the provisions of this paragraph the Corporation afford to the undertakers

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—cont.

facilities and rights in lands of the Corporation for the laying down or erection, maintenance, repair, renewal and inspection of alternative apparatus in substitution for apparatus to be removed as aforesaid those facilities and rights shall be granted upon such terms and conditions as may be agreed between the Corporation and the undertakers or, in default of agreement, determined by arbitration:

Provided that—

(i) in determining such terms and conditions as aforesaid in respect of alternative apparatus to be constructed across or through any of the works the arbitrator shall—

(A) give effect to all reasonable requirements of the Corporation for ensuring the safety and effective use of the works; and

(B) so far as it may be reasonable and practicable to do so in the circumstances of the particular case, give effect to the terms and conditions applicable to the apparatus (if any) constructed through the lands of the Corporation for which the alternative apparatus is to be substituted;

(ii) if the facilities and rights to be afforded by the Corporation in respect of any alternative apparatus, and the terms and conditions subject to which the same are to be granted are, in the opinion of the arbitrator, more or less favourable on the whole to the undertakers than the facilities, rights, terms and conditions applying to the apparatus to be removed, the arbitrator shall make such provision for the payment of compensation to or by the Corporation by or to the undertakers in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case:

- (5) (a) Not less than twenty-eight days before commencing to execute any of the works which is near to or is likely to affect any apparatus the removal of which has not been required by the Corporation under sub-paragraphs (a) and (b) of paragraph (4) of this section, the Corporation shall submit to the undertakers a plan, section and particulars of the work to be executed;
- (b) Such work shall be executed substantially in accordance with the plan, section and particulars submitted as aforesaid and in accordance with such reasonable requirements as may be made by the undertakers for the alteration or otherwise for the protection of the

apparatus, or for securing access thereto, and the undertakers shall be entitled by their officer to watch and inspect the execution of such work:

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—cont.

Provided that—

(i) if the undertakers within fourteen days after the submission to them of any such plan, section and particulars shall, in consequence of the work proposed by the Corporation reasonably require the removal of any apparatus and give written notice to the Corporation of such requirement, the foregoing provisions of this section shall apply and have effect as if the removal of such apparatus had been required by the Corporation under sub-paragraphs (a) and (b) of paragraph (4) of this section; and

(ii) nothing in this sub-paragraph shall preclude the Corporation from submitting at any time or from time to time, but in no case less than twenty-eight days before commencing the execution of any such work, a new plan, section and particulars in lieu of the plan, section and particulars previously submitted and thereupon the provisions of this paragraph shall apply to and in respect of such new plan, section and particulars;

- (c) The Corporation shall not be required to comply with sub-paragraph (a) of this paragraph in case of emergency, but, in such a case, they shall give to the undertakers notice as soon as reasonably practicable, and a plan, section and particulars of the work as soon as reasonably practicable thereafter and shall comply with sub-paragraph (b) of this paragraph so far as reasonably practicable in the circumstances:
- (6) The reasonable expenses of all repairs and renewals of any apparatus which may be rendered necessary by reason or in consequence of the construction of any of the works or any subsidence resulting from the works shall be borne by the Corporation:
- (7) Where in consequence of this Act any street or part of a street in which any apparatus is situate is stopped up or diverted, other than temporarily stopped up or diverted under the powers of section 27 (Temporary stoppage of streets) of this Act, the undertakers shall, notwithstanding such stopping up or diversion, have the same powers and rights in respect of any apparatus remaining in the street so stopped up or diverted as if the same had remained a street, and no such powers or rights shall be

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—cont.

extinguished by virtue of section 26 (Power to Corporation to stop up, etc., streets) of this Act and no interest in such apparatus shall vest in the Corporation by virtue of section 24 (Subsidiary works) of this Act except under paragraph (9) of this section but, subject to the provisions of section 33 (No mains or pipes to be laid in certain works) of this Act, the undertakers may and, if reasonably required by the Corporation, shall—

(a) remove the apparatus and relay or replace it in the street, if any, substituted for the street so stopped up or diverted or in such other position as the undertakers may reasonably determine; or

(b) provide and lay or place in the street, if any, so substituted, or in such other position as aforesaid, other apparatus in place of the existing apparatus:

(8) The Corporation shall repay to the undertakers the reasonable expenses incurred by the undertakers in or in connection with—

(a) the removal and relaying or replacing of any apparatus and the provision, laying down, erection or placing of any new apparatus under the provisions of paragraph (4) of this section or of that paragraph as applied by sub-paragraph (i) of the proviso to sub-paragraph (b) of paragraph (5) of this section, or under the provisions of paragraph (7) of this section less the value of any apparatus removed in pursuance of the provisions of this section (such value being calculated after removal);

(b) the cutting off of any apparatus from any other apparatus;

(c) the superintendence, or watching and inspection under the provisions of paragraph (5) of this section, of any works executed by the Corporation; and

(d) any other work or thing rendered reasonably necessary in consequence of the operations referred to in this paragraph:

Provided that—

(i) if the undertakers provide, lay down, erect or place apparatus of better type or of greater capacity or (otherwise than at the request of the Corporation or in accordance with the award of an arbitrator) at a greater depth than the existing apparatus, the undertakers shall bear such proportion of the cost of such provision, laying down, erection or placing as represents the amount by which such cost exceeds the cost which would have been incurred if the type or

capacity or depth of the apparatus so provided, laid down, erected or placed had been the same as that of the existing apparatus;

(ii) any amount payable by the Corporation to the undertakers under this paragraph in respect of the provision, laying down, erection or placing of new apparatus in substitution for apparatus provided, laid down, erected or placed more than seven and a half years earlier, shall be reduced by the amount of any financial benefit which may be derived by the undertakers from the deferment of the time for the renewal of the apparatus in the ordinary course:

- (9) Where by reason or in consequence of the exercise of the powers of this Act any apparatus for which alternative apparatus is not substituted under this section, is rendered derelict or unnecessary, the Corporation shall pay to the undertakers the then value of such apparatus, which shall thereupon become the property of the Corporation and the reasonable cost of and incidental to the cutting off of the apparatus from any other apparatus and the execution or doing of any works or things rendered necessary or expedient by reason or in consequence of the apparatus being so rendered derelict or unnecessary:
- (10) Notwithstanding the temporary stopping up or diversion of any street under the powers of section 27 (Temporary stoppage of streets) of this Act, the undertakers shall be at liberty at all times to execute and do all such works and things in, upon or under any such street as may be reasonably necessary for inspecting, repairing, maintaining, renewing, or removing any apparatus which at the time of the stopping up or diversion was in that street:
- (11) The Corporation shall, so far as is reasonably practicable, so exercise the powers conferred by section 29 (Power to make trial borings) of this Act as not to interfere with the undertaking or use of any apparatus of the undertakers:
- (12) The powers of the following sections of this Act shall so far as is reasonably practicable be so exercised as not to obstruct or render less convenient the access to any apparatus:—
- Section 27 (Temporary stoppage of streets);
  - Section 28 (Power to prevent access to or from certain streets);
  - Section 31 (Underpinning of houses near a street improvement):

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—cont.

(13) If in consequence of the exercise of the powers of this Act the access to any apparatus is materially obstructed, the Corporation shall, so far as it is reasonably practicable for them so to do, provide an alternative means of access to such apparatus:

(14) If by reason or in consequence of the construction of any of the works any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) or property of the undertakers or any interruption in the supply of electricity, gas or hydraulic power as the case may be shall be caused, the Corporation shall—

(a) make reasonable compensation to the undertakers for any loss sustained or additional expense reasonably incurred by them; and

(b) indemnify the undertakers against all claims, demands, proceedings, costs, damages and expenses which may be made or taken against or recovered from or incurred by the undertakers;

by reason or in consequence of any such damage or interruption:

Provided that—

(i) nothing in this paragraph shall impose any liability on the Corporation with respect to any damage or interruption which may be attributable to the act, neglect or default of the undertakers or their contractors or workmen;

(ii) the undertakers shall give to the Corporation reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Corporation:

(15) The Corporation shall, so far as it is reasonably practicable for them so to do, when constructing the works to which this paragraph applies provide therein accommodation for the apparatus of the undertakers in accordance with the following provisions:—

(a) the apparatus for which accommodation shall be provided shall be such as the undertakers shall according to the requirements of their respective undertakings at the time of furnishing to the Corporation the statement referred to in sub-paragraph (c) of this paragraph and the future requirements of such undertakings as then anticipated reasonably require

to be laid across the line of the works to provide for the efficient and economical distribution of electricity, gas or hydraulic power, as the case may be:

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—cont.

(b) the accommodation shall be provided by the Corporation by means of underground conduits or ducts so designed as to permit the said apparatus to be laid therein, withdrawn therefrom, maintained and renewed and access to the same obtained by the undertakers without any breaking up of or interference with the works or any interruption of the flow of traffic using the same after the completion thereof and accommodation shall, if any of the undertakers so require, be so provided separately for each undertaker;

(c) not less than six months before commencing to execute any of the works the Corporation shall submit to the undertakers particulars of the works to be executed (including where practicable a plan and section thereof) and the undertakers shall within three months of receiving the same furnish to the Corporation a statement of the apparatus for which they require the Corporation to provide accommodation in such works with such information as the Corporation may reasonably require to enable them properly to determine the extent of the accommodation required;

(d) so far as it is reasonably practicable for the Corporation so to do the accommodation shall thereafter be provided by the Corporation in the works in such form, line and situation as may be agreed between the Corporation and the undertakers or in default of agreement settled by arbitration and in any arbitration proceedings which may be taken under this sub-paragraph between the Corporation and any of the undertakers the other undertakers shall be entitled to be heard;

(e) the undertakers shall repay to the Corporation the additional cost reasonably incurred by the Corporation in providing accommodation for apparatus pursuant to this paragraph, such additional cost to be determined by deducting from the actual cost of constructing the works with such accommodation provided therein the cost which would have been incurred in constructing the works without such accommodation;

(f) the undertakers shall, before first laying down or installing apparatus in the accommodation provided, give not less than twenty-one days' written notice to the Corporation and shall comply with such

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—cont.

reasonable requirements as the Corporation may make as to the time or times at which and the manner in which the apparatus is to be laid down or installed and the Corporation shall be entitled at the expense of the undertakers to superintend such laying down or installation;

(g) the undertakers shall be entitled at all times to use the accommodation provided pursuant to the foregoing provisions of this paragraph for the purposes of laying and placing apparatus therein and for inspecting, repairing, maintaining, removing or renewing such apparatus and obtaining access thereto:

Provided that such apparatus shall at all times conform in its installation, design, construction and use with the reasonable requirements of the Corporation and except in case of emergency the undertakers shall give to the Corporation not less than ten days' notice of their intention to carry out any works of laying or placing apparatus in the accommodation provided or of repairing, removing or renewing the same and the Corporation shall be entitled at the expense of the undertakers to superintend the execution of such works;

(h) the undertakers shall maintain in good repair and to the reasonable satisfaction of the Corporation any apparatus laid down in accommodation provided pursuant to the foregoing provisions of this paragraph and shall from time to time do such acts and take such precautions as the Corporation may reasonably require to be done or taken for ensuring the safety of the works and the safety and convenience of those using them:

Provided that if the undertakers fail to maintain such apparatus in such repair as aforesaid or to do such acts or take such precautions as the Corporation may reasonably require the Corporation may at the expense of the undertakers carry out such works of maintenance to such apparatus or do such acts or take such precautions as may be reasonably necessary for ensuring the safety of the works and the safety and convenience of those using them;

(i) the undertakers shall indemnify the Corporation against any loss, damage, costs, expenses and liabilities suffered or incurred by the Corporation and against all actions, proceedings, claims or demands made or taken against the Corporation by reason or in consequence of any damage or injury whatsoever which



may arise or be occasioned by reason or in consequence of the failure of the undertakers to comply with the provisions of this paragraph or any fault in or failure or breakage of or accident to any apparatus or otherwise arising out of or in any way attributable to the exercise by the undertakers of the rights conferred upon them by this paragraph except to the extent that such actions, proceedings, claims or demands may arise by reason of the neglect or default of the Corporation, their servants or agents:

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—cont.

Provided that the Corporation shall give notice to the undertakers of any such action, proceedings, claim or demand as aforesaid and no settlement or compromise thereof shall be made without the concurrence of the undertakers;

(j) subject to the provisions of this paragraph the Corporation shall afford to the undertakers all such facilities as the undertakers may reasonably require for the purpose of connecting the apparatus for which accommodation has been provided with any other apparatus of the undertakers;

(k) the accommodation for the apparatus of the undertakers provided by the Corporation under the provisions of this paragraph shall be maintained by the Corporation to the reasonable satisfaction of the undertakers and the reasonable costs thereof (including costs of periodical inspections by the Corporation) shall be paid by the undertakers to the Corporation;

(l) the works to which this paragraph applies are the specified works as defined in section 33 (No mains or pipes to be laid in certain works) of this Act except so much thereof as will after completion be carried by a viaduct or bridge or be substantially below the level of the adjoining land:

- (16) Notwithstanding anything contained in section 34 (Prohibition of persons, vehicles, etc., on reserved areas) of this Act the undertakers, their officers, engineers, workmen and contractors shall be at liberty at all reasonable times to enter upon any reserved area for the purpose of inspecting, repairing, maintaining, renewing or removing any apparatus situate in or adjoining that reserved area:
- (17) (a) Any difference which may arise between the Corporation and the undertakers under this section (other than a difference as to the construction or meaning thereof) shall be referred to and determined by arbitration;

PART IV  
—cont.

(b) In settling any difference under this section the arbitrator shall have regard—

(i) to any duty or obligation the undertakers may be under in respect of any apparatus and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid as far as may be reasonably possible interference with any purpose for which the apparatus is used; and

(ii) to the purpose for which the works have been provided and the need to ensure the maintenance of a free flow of traffic on those works which form part of the primary traffic network of the city.

## PART V

## FINANCE AND GENERAL

Power to borrow.

49.—(1) The Corporation may borrow without the consent of any sanctioning authority for any of the purposes specified in column (1) of the following table the sum specified in relation thereto in column (2) of that table:—

(1) Purpose for which money may be borrowed	(2) Amount	(3) Maximum period for repayment of loan
(a) The purchase of lands, easements and rights under the powers of this Act	The sum requisite	Sixty years.
(b) The construction of the works authorised by this Act	£34,300,000	Forty years.
(c) The provision of housing accommodation for rehousing persons displaced and the exercise of the powers of section 20 (Acquisition of land for relocation of population or industry) and section 21 (Power to develop land for relocation of population or industry) of this Act	The sum requisite	Sixty years.
(d) The payment of the costs, charges and expenses of this Act	The sum requisite	Five years.

(2) Every sum borrowed under subsection (1) of this section shall be repaid within such period from the date of borrowing as the Corporation without the consent of any sanctioning authority may determine not exceeding the period specified in relation thereto in column (3) of the foregoing table.

(3) The Corporation may also, with the sanction of the Minister, borrow such further moneys as may be necessary for any of the purposes aforesaid and any moneys borrowed under the powers of this subsection shall be repaid within such periods not exceeding sixty years as may be prescribed by the Minister and the revenues chargeable for any moneys so borrowed shall be such as the Minister shall prescribe.

(4) Subject to the provisions of this section, Part IX of the Local Government Act, 1933, shall have effect as if money borrowed under this section were borrowed under that Part. 1933 c. 51.

(5) It shall not be lawful to exercise the powers of borrowing conferred by this section, other than the power of borrowing to pay the costs, charges and expenses of this Act, except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act, 1946. 1946 c. 58.

**50.**—(1) Any Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act. Local inquiries.

(2) Subsections (2) to (5) of section 290 of the Local Government Act, 1933, shall apply in relation to any such inquiries, and for that purpose the definition of “ department ” in subsection (8) of that section shall include any Minister of the Crown having functions under this Act as well as the Ministers therein mentioned.

(3) In this section “ Minister of the Crown ” has the same meaning as in the Ministers of the Crown (Transfer of Functions) Act, 1946. 1946 c. 31.

**51.** Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts 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. Arbitration.

**52.** Sections 271, 276, 283, 286, 288, 296, 304 and 328 of the Public Health Act, 1936, shall have effect as if references therein to that Act included a reference to this Act except section 35 (Removal of stationary vehicles) and section 37 (Extension of power to make traffic regulation orders). Application of provisions of Public Health Act, 1936. 1936 c. 49.

## PART V

—cont.

Protection of  
members and  
officers of  
Corporation  
from personal  
liability.

1875 c. 55.

Saving for  
town and  
country  
planning.

1962 c. 38.

Costs of Act.

**53.** Section 265 of the Public Health Act, 1875, shall apply to the Corporation as if any reference in that section to the said Act of 1875 included a reference to this Act and as if any reference in that section to a member of a local authority included a reference to a member of a committee of a local authority.

**54.** 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.

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

SCHEDULE

Section 26.

STREETS TO BE STOPPED UP WHOLLY OR IN PART

Access road (between Myrtle View and Holly Street).  
Access roads (between Holly Street and Birkett Street).  
Addison Street.  
Alexander Pope Street.  
Alfred Street.  
Ansdell Street.  
Ashwell Street.  
  
Back Bath Street.  
Back Clare Street.  
Back Knight Street.  
Back Rathbone Street.  
Back Renshaw Street.  
Back Russell Street.  
Banastre Street.  
Bartlam Street.  
Beaufort Street.  
Ben Johnson Street.  
Bent Street.  
Berry Street.  
Bevington Bush.  
Bidder Street.  
Birchfield Street.  
Birkett Street.  
Blair Street.  
Bold Place.  
Bow Street.  
Brindley Street.  
Brown Street.  
  
Canterbury Street.  
Caryl Street.  
Cavendish Street.  
Chester Place.  
Chesterfield Street.  
Christian Street.  
Circus Street.  
Clare Street.  
Comus Street.  
Copperas Hill.  
  
Denison Street.  
Duke Street.  
Dutton Place.  
Dutton Street.  
Dwerryhouse Street.  
  
Edgar Street.  
Edward Street.  
  
Flint Street.  
Fontenoy Street.

SCH.  
—cont.

Gay Street.  
Gibraltar Row.  
Great George Place.  
Great George Street.  
Great Howard Street.

Hare Place.  
Harrison Street.  
Holly Street.

Islington.  
Islington Place.  
Islington Row.

King Edward Street.  
Kings Lane.  
Knight Street.

Leeds Street.  
Lestock Street.  
Liver Street.  
London Road.

Marybone.  
Mathew Place.  
May Place.  
May Street.  
Mersey Street.  
Milton Street.  
Mount Pleasant.  
Mount View.  
Myrtle View.

Nash Street.  
Nile Street.

Old Hall Street.  
Oldham Place.  
Oldham Street.

Pall Mall.  
Parliament Street.  
Pleasant Street.  
Postance Place.

Rathbone Place.  
Rathbone Street.  
Richmond Row.  
Roscoe Lane.  
Roscoe Street.  
Rose Hill.  
Rose Place.  
Russell Place.  
Russell Street.

St. Anne Street.  
St. James Place.  
St. James Road.  
Salthouse Lane.  
Scotland Place.  
Scotland Road.  
Soho Street.  
Springfield Street.

SCH.  
—cont.

Thurlow Street.  
Tong Street.

Upper Duke Street.  
Upper Parliament Street.  
Upper Stanhope Street.

Villars Street.

Warren Street.  
Washington Street.  
Wilde Street.  
Windsor Street.  
Worthington Street.

PASSAGEWAYS TO BE STOPPED UP WHOLLY OR IN PART

Passage to rear of 17-49 Addison Street.  
Passage to rear of 19-29A Alexander Pope Street.  
Passage adjacent to 19 Alexander Pope Street.  
Passage between 32 and 34 Alexander Pope Street.  
Passage between 38 and 40 Alexander Pope Street.  
Passage to rear of 53-73A Alexander Pope Street.  
Passage adjacent to 51 Alexander Pope Street.  
Passage adjacent to 40 Ashwell Street.

Passage to rear of 9-21 Beaufort Street.  
Passage to rear of 7-13 Berry Street.  
Passage between 12 and 14 Bevington Bush.  
Passage to rear of 3-41 Birchfield Street.  
Passage between 5 and 7 Birchfield Street.  
Passage adjacent to 7 Blair Street.  
Passage to rear of 2-14 Bold Place.  
Passage adjacent to 8 Brindley Street.  
Passage between 63 and 65 Brownlow Hill.  
Passage to rear of 63-67 Brownlow Hill.

Passage adjacent to 36 Canning Place.  
Passage to rear of 4-14 Canterbury Street.  
Passage adjacent to 9-11 Carpenters Row.  
Passage to rear of 4-6 Cavendish Street.

SCH.  
—cont.

Passage to rear of 11–27 Cavendish Street.  
Passage adjacent to 14 Cavendish Street.  
Passage to rear of 14–32 Cavendish Street.  
Passage adjacent to 27 Cavendish Street.  
Passage adjacent to 32 Cavendish Street.

Passage to rear of 2–4 Edgar Street.

Passage adjacent to 2 Fisher Street.  
Passage adjacent to 17 Fisher Street.  
Passage to rear of 2–12 Fisher Street.  
Passage to rear of 9–17 Fisher Street.  
Passage to rear of 107–109 Fontenoy Street.  
Passage to rear of 108–114 Fontenoy Street.  
Passage to rear of 111–117 Fontenoy Street.  
Passage to rear of 116–122 Fontenoy Street.  
Passage to rear of 119–131 Fontenoy Street.  
Passage to rear of 124–136 Fontenoy Street.  
Passage to rear of 138–150 Fontenoy Street.  
Passage adjacent to 16A Fraser Street.

Passage to rear of 13–18 Great George Place.  
Passage adjacent to 13 Great George Place.  
Passage to rear of 27–29 Great George Street.  
Passage to rear of 77–85 Great George Street.  
Passage adjacent to 85 Great George Street.

Passage to rear of 82–96 Highfield Street.

Passage adjacent to 21 Islington.  
Passage to rear of 23 Islington.  
Passage to rear of 34–36 Islington.  
Passage between 38 and 40 Islington.  
Passage between 71 and 73 Islington.  
Passage between 97 and 99 Islington.  
Passage to rear of 99–107 Islington.  
Passage to rear of 151–153 Islington.

Passage adjacent to 2 Lestock Street.  
Passage to rear of 6–10 Lestock Street.  
Passage adjacent to 10 Lestock Street.  
Passage between 67 and 69 London Road.

Passage adjacent to 13–15 Milton Street.  
Passage to rear of 16–30 Milton Street.  
Passage adjacent to 32 Milton Street.  
Passage adjacent to 38 Milton Street.

Passage to rear of 3–9 Nile Street.  
Passage to rear of 13 Norton Street.



Passage adjacent to 46 Pall Mall.

SCH.  
—cont.

Passage between 20 and 22 Rathbone Street.

Passage adjacent to 94 Rathbone Street.

Passage to rear of 94–96 Rathbone Street.

Passage between 113 and 115 Rathbone Street.

Passage to rear of 115–119 Rathbone Street.

Passage to rear of 2–6 Sands Street South.

Passage to rear of 1–11 Scotland Road.

Passage to rear of 13–15 Scotland Road.

Passage between 31 and 33 Scotland Road.

Passage to rear of 61–71 Scotland Road.

Passage to rear of 39–44 St. James Road.

Passage between 3 and 5 Stanhope Street.

Passage to rear of 5–9 Stanhope Street.

Passage between 23 and 25 Stockdale Street.

Passage to rear of 23–45 Stockdale Street.

Passage adjacent to 45 Stockdale Street.

Passage round 10–16 Upper Duke Street.

Passage adjacent to 35 Upper Stanhope Street.

Passage to rear of 9 Washington Street.

Passage adjacent to 18 Wilde Street.

Passage between 24 and 26 Wilde Street.

Passage to rear of 10–26 Wilton Street.



PRINTED BY THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., FOR

SIR PERCY FAULKNER, K.B.E., C.B.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 5s. 6d. net

PRINTED IN ENGLAND



# Liverpool Corporation Act 1966

## CHAPTER xxxvi

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Streets to be stopped up wholly or in part.

Passageways to be stopped up wholly or in part.