



CHAPTER xliii.

An Act to enable the Postmaster-General to acquire lands in London for the purpose of the Post Office and for the purpose of executing certain street work in the Metropolitan Borough of St. Pancras, and to acquire lands in Manchester and Hereford for the purpose of the Post Office, and for purposes connected with the matters aforesaid. [14th July 1936.]

A.D. 1936.

WHEREAS further accommodation for the purpose of the Post Office is required in the metropolitan borough of St. Pancras, the city of Manchester and the city of Hereford and it is expedient that the Postmaster-General should have power to acquire certain lands and buildings in that metropolitan borough and in those cities for the said purpose and to erect buildings on any lands so acquired :

And whereas it is expedient that the Postmaster-General should have power to execute in the said metropolitan borough of St. Pancras the street work described in this Act and to acquire land for that purpose :

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

And whereas plans showing the respective lands to be acquired by the Postmaster-General under this Act (which lands are in this Act referred to as "the said lands") with a book of reference containing the names of the

A.D. 1936.

— owners or reputed owners, lessees or reputed lessees, and of the occupiers of the said lands, and a plan and section showing the line, situation and levels of the said street work, have been deposited with the clerks of the county councils of the administrative counties of London and Hereford and the town clerk of the county borough of Manchester (which plans, section and book of reference are in this Act respectively referred to as “the deposited plans,” “the deposited section” and “the deposited book of reference”):

Be it therefore enacted by the King’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:—

Power to
acquire
lands.

1.—(1) Subject to the provisions of this Act, the Postmaster-General may, with the consent of the Treasury, which may be given either generally or in respect of any particular purchase, acquire any of the said lands for the purpose of the Post Office, and for the purpose of executing the street work described in this Act.

(2) A person dealing with the Postmaster-General in respect of any of the said lands or rights in or over them shall not be bound or entitled to inquire whether the consent of the Treasury has been given to that dealing.

(3) The power to purchase land compulsorily under this Act shall cease on the first day of October, nineteen hundred and thirty-nine.

Incorpora-
tion of
Lands
Clauses
Acts.

2. The Lands Clauses Acts are hereby incorporated with this Act subject to the provisions of this Act and in particular to the following modifications, that is to say:—

(a) the provisions relating to the sale of superfluous land and access to the special Act and section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (relating to land tax and poor rate), shall not be incorporated with this Act;

(b) in the construction of this Act and the Lands Clauses Acts this Act shall be deemed to be the special Act and the Postmaster-General shall be deemed to be the promoter of the undertaking;

8 & 9 Vict.
c. 18.

(c) the bond required by section eighty-five of the Lands Clauses Consolidation Act, 1845, may be given by the Postmaster-General without sureties; A.D. 1936.
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(d) at any time after notice to treat has been served, the Postmaster-General may, notwithstanding anything in sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845 (which relate to entry on lands), after giving not less than fourteen days', or in the case of a dwelling-house not less than ninety days', notice to the owner, lessee or occupier of the land, enter on and take possession of the land specified in the notice, subject, however, to the payment of the like compensation and interest thereon as would have been payable under those sections.

3. In determining any question of disputed purchase money or compensation under this Act, no allowance shall be made on account of any improvement or alteration effected, or interest created, after the twenty-sixth day of November, nineteen hundred and thirty-five, which, in the opinion of the tribunal to whom the question is submitted, was not reasonably necessary or was effected or created with a view to obtaining or increasing compensation. Compensa-
tion in case
of recently
altered
buildings.

4. The Postmaster-General and any person acting on his behalf, may at all reasonable times between ten o'clock in the forenoon and four o'clock in the afternoon, after giving on the first occasion twenty-four hours', and on subsequent occasions twelve hours', notice in writing to the owners or occupiers thereof, enter on any of the said lands for the purpose of surveying or valuing the lands. Power to
enter on
lands for
purpose of
surveying.

5. It shall be lawful for the Postmaster-General, on, in, under or over any of the said lands acquired by, or vested in, him, to pull down and remove any existing buildings or other works and to construct such other buildings and works, make such approaches and alterations of thoroughfares and do all such other things as, in his opinion, are necessary or expedient for the purpose of the Post Office. Power to
erect build-
ings and
form roads.

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Stopping up
streets and
extinction
of rights
therein.

6. As soon as the Postmaster-General has acquired the lands on both sides of such part of any street mentioned in the first column of the schedule to this Act as is respectively described in the second column of that schedule, he shall have power to stop up that part of that street, and upon any exercise of that power the site of the part of the street stopped up shall vest in the Postmaster-General and all rights of laying down or continuing any pipes, sewers, drains, electric wires or cables or other apparatus on or under, and all rights of way over, that part of that street shall be extinguished.

Power to
execute
street work.

7.—(1) Subject to the provisions of this section the Postmaster-General may execute, in the line and situation shown on the deposited plans and according to the levels shown on the deposited section, the following street work (hereafter in this Act referred to as "the street work") that is to say, a variation (being in part a widening and in part a narrowing) of so much of the street known as Cleveland Mews in the metropolitan borough of St. Pancras as extends from Maple Street to Howland Street.

(2) In executing the street work the Postmaster-General may deviate from the line or situation thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans, and may deviate from the levels thereof as shown on the deposited section to any extent not exceeding six feet either upwards or downwards.

(3) The Postmaster-General may execute all such works and do all such things as in his opinion are necessary or expedient for the purpose of executing the street work and for the safeguarding of adjoining lands and buildings.

(4) The Postmaster-General shall pay compensation for any damage to property caused by him in the execution of the powers conferred by this section, and the amount of any such compensation shall, in default of agreement, be determined by arbitration in the manner prescribed by the Acquisition of Land (Assessment of Compensation) Act, 1919.

(5) All lands acquired by the Postmaster-General and appropriated for the purposes of the street work

[26 GEO. 5. &
1 EDW. 8.]

*Post Office (Sites)
Act, 1936.*

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shall form part of the existing street as varied under the powers of this Act and shall be maintained and repaired in all respects as the rest of that street is for the time being by law maintained and repaired.

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8. The Postmaster-General (with the consent of the Treasury) and any local authority or highway authority of the said metropolitan borough or cities may enter into agreements as to the formation, diversion or alteration of streets and highways, as to the sale, lease or exchange of land for those purposes, and as to payments in respect thereof.

Power to make agreements with local and highway authorities.

9. Notwithstanding section ninety-two of the Lands Clauses Consolidation Act, 1845, the owners of, and other persons interested in, the property in the city of Hereford whereof only the part described as No. 1 on sheet No. 5 of the deposited plans is required for the purposes of this Act may, if that part can, in the opinion of the tribunal to whom the question of disputed compensation is submitted, be severed from the remainder of that property without material detriment thereto, be required to sell and convey to the Postmaster-General that part only of that property without the Postmaster-General being obliged or compellable to purchase the whole or any greater part of the property, the Postmaster-General paying for the part required by him and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Power to take part of certain property.

10. Nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts, 1882 to 1935, to which the provisions of section fifteen of the Electric Lighting Act, 1882, apply except in accordance with and subject to the provisions of that section.

Protection of electricity undertakers.

45 & 46 Vict.
c. 56.

11. Nothing in this Act shall prejudice, diminish, alter or take away any right, power, privilege or authority in respect of deep level sewers forming part of the main drainage system of the administrative county of London, vested in the London County Council under the provisions of the Metropolis Management Acts, 1855 to 1893.

For protection of sewers of London County Council.

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Provision
as to land
belonging to
Custos and
Vicars
Choral of
Hereford
Cathedral.

14 & 15
Vict. c. 104.

12. Any sum agreed upon or awarded for the purchase of any of the said lands belonging to the Custos and Vicars Choral of Hereford Cathedral, or to be paid by way of compensation for damage to be sustained by reason of severance or injury affecting any such lands, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Church Estates Commissioners to be applied by them, having regard to any scheme made, whether before or after the commencement of this Act, under the Cathedrals Measures, 1931 and 1934, as money paid to their account under the provisions of the Episcopal and Capitular Estates Act, 1851, upon a sale of such lands:

Provided that this section shall not apply to any sum authorised to be deposited in the name of the Accountant-General of the Supreme Court by virtue of section seventy-six of the Lands Clauses Consolidation Act, 1845.

Correction
of errors in
deposited
plans or
book of
reference.

13.—(1) If there is any omission, misstatement or wrong description in the deposited plans or the deposited book of reference of any of the said lands or of the owners, lessees or occupiers thereof, the Postmaster-General, after giving ten days' notice to the owners, lessees and occupiers of the lands in question, may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof.

(2) If on any such application it appears to the justices that the omission, misstatement or wrong description arose from mistake, the justices shall certify the fact accordingly and shall in their certificate state the particulars of the omission and in what respect any matter is misstated or wrongly described.

(3) Any such certificate or a copy thereof shall be deposited—

(a) in a case where the lands are situate in the metropolitan borough of St. Pancras, with the clerk of the county council of the administrative county of London and with the town clerk of that metropolitan borough;

(b) in a case where the lands are situate in the city of Manchester, with the town clerk of the county borough of Manchester;

(c) in a case where the lands are situate in the city of Hereford, with the clerk of the county council of the administrative county of Hereford and with the town clerk of the city of Hereford; A.D. 1936.

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 Postmaster-General to acquire the lands and execute the street work in accordance with the certificate.

(4) Any certificate or copy deposited under this section with any such clerk as aforesaid shall be kept by him with the other documents to which it relates.

14.—(1) As from the date on which any lands are acquired by the Postmaster-General under or for the purposes of this Act, any land tax assessed on those lands on the first day of January next before that date shall be deemed to have been redeemed in accordance with the provisions of the enactments relating to the redemption of land tax, and thereafter no land tax shall be assessed on or charged in respect of those lands. Land tax.

(2) The Commissioners of Inland Revenue shall grant a certificate of exoneration of assessment to land tax in respect of any lands acquired by the Postmaster-General under or for the purposes of this Act, and the certificate shall be registered by the officer appointed for the registry of contracts for the redemption of land tax.

15.—(1) This Act may be cited as the Post Office (Sites) Act, 1936. Short title and interpretation.

(2) In this Act the expression "the purpose of the Post Office" has the same meaning as in the Post Office Act, 1908, and references to the acquisition of lands shall, unless the context otherwise requires, include references to the taking of lands on lease for a term of nine hundred and ninety-nine years. 8 Edw. 7. c. 48.

A.D. 1936.

SCHEDULE.PARTS OF STREETS WHICH MAY BE STOPPED UP BY
POSTMASTER-GENERAL.

Street.	Part to be stopped up.
Cleveland Mews in the metropolitan borough of St. Pancras.	Such part of the street as will not form part of the site of the street shown on sheet No. 1 of the deposited plans running between Howland Street and Maple Street as varied by the street work.
Warwick Street in the city of Manchester.	Such part of the street as lies between Lever Street and Little Lever Street.
Little Lever Street in the city of Manchester.	Such part of the street as lies between Houldsworth Street and Faraday Street.

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