



CHAPTER xxxiv.

An Act for the acquisition of Land at Southampton as a Site for Customs and other Offices connected therewith and for other purposes connected therewith. A.D. 1898.

[1st July 1898.]

WHEREAS it is expedient to make provision for Customs and other offices connected therewith at Southampton and to empower the Commissioners of Works (in this Act called the Commissioners) to acquire for that purpose certain lands situated in the county borough of Southampton :

And whereas those lands cannot be acquired without the authority of Parliament :

And whereas plans of the lands by this Act authorised to be acquired and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of Southampton (which plans and books of reference are in this Act respectively referred to as the deposited plans and books of reference) :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Commissioners may purchase and acquire for the purposes of this Act all or any of the lands delineated on the deposited plans and described in the deposited books of reference.

Power to purchase land.

2.—(1.) For the purpose of the purchase and acquisition of land under this Act the Lands Clauses Acts shall subject to the provisions of this Act be incorporated with this Act with the following exceptions and modifications :—

Incorporation of Lands Clauses Acts.

(a.) The provisions relating to the sale of superfluous land and access to the special Act and section one hundred and

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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 of the incorporated Acts this Act shall be deemed to be the "special Act" and the Commissioners shall be deemed to be the "promoters of the undertaking" :

8 & 9 Vict.
c. 18.

(c.) The bond required by section eighty-five of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the Commissioners and shall be sufficient without the addition of the sureties mentioned in that section :

8 & 9 Vict.
c. 18.

(d.) All claims for compensation made upon the Commissioners under this Act or any Act incorporated herewith shall if the person claiming has no greater interest in the land in respect of which compensation is claimed than as tenant from year to year or as a leaseholder for any term of which not more than eighteen months remain unexpired at the time at which the claim is made be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act 1845.

(2.) The powers of the Commissioners for the compulsory purchase of land under this Act shall cease after the expiration of three years from the passing of this Act.

Land tax.

59 & 60 Vict.
c. 28.

3.—(1.) Any land tax assessed on the first day of January one thousand eight hundred and ninety-eight on any part of the land acquired by the Commissioners under this Act shall as from the date of acquisition be deemed to have been redeemed at the price and in accordance with the conditions provided by the Finance Act 1896 and the Land Tax Acts therein defined and after the date of acquisition no sum shall be assessed or charged in respect of land tax on any part of the land so acquired.

(2.) The Commissioners of Inland Revenue shall grant a certificate of exoneration from assessment to land tax of the lands so acquired and that certificate shall be registered by the officer appointed for the registry of contracts for the redemption of land tax.

Extinction
of rights of
way and
other ease-
ments.

4.—(1.) All rights of way rights of laying down or of continuing any pipes sewers or drains on through or under any of the land acquired by the Commissioners under this Act and all other rights

and easements in or relating to that land shall be extinguished and all the soil of those ways and the property in the pipes sewers and drains shall vest in the Commissioners. A.D. 1898.

(2.) Any persons may recover from the Commissioners such compensation (if any) as they may be entitled to under any of the provisions of the Lands Clauses Acts for any rights or property of which they may be deprived in pursuance of this section and the amount of that compensation shall be determined in manner provided by the Lands Clauses Acts as modified for the purpose of their incorporation with this Act.

(3.) Nothing in this section shall affect any sewers or drains vested in the Corporation of Southampton.

5. The Commissioners and their surveyors officers and workmen may at all reasonable time in the daytime on giving twenty-four hours' notice in writing enter on any of the land which the Commissioners are authorised to acquire under this Act for the purpose of surveying or valuing the land. Power to enter on lands.

6. The Commissioners may erect all such buildings execute all such works and do all such other things as may in their opinion be necessary or proper for the purpose of providing Customs and other offices connected therewith upon the land acquired by them under this Act and appropriating any such land for any of those purposes. Power of Commissioners to build.

7.—(1.) Where in the removal or pulling down of any buildings or in raising or lowering the ground of any street or way for the purpose of this Act it is necessary to raise sink or otherwise alter the position relatively to the surface of the ground of any pipe wire or other apparatus laid down or used by any gas water or electricity company or connected with any house or building for the supply of gas water or electricity— Protection of works of gas water and electricity companies.

(a) one month's notice shall be given to the company previously to the commencement of any such work; and

(b) the work shall be executed to the reasonable satisfaction of the engineer of the company or in case of difference of an engineer to be selected by the Board of Trade; and

(c) every such work shall be so executed as to cause as little inconvenience as circumstances will admit to the company; and

(d) the Commissioners shall make compensation to the company for all loss or damage if any which may be occasioned by the execution of any of the works authorised by this Act.

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(2.) For the purposes of this section the expression "gas water or electricity company" includes any person or body of persons supplying gas water or electricity.

Provisions
as to ex-
penses &c.
of Commis-
sioners.
15 & 16 Vict.
c. 28.

8.—(1.) All expenses incurred by the Commissioners under this Act shall be defrayed out of money provided by Parliament.

(2.) The provisions of the Commissioners of Works Act 1852 and any Act amending that Act shall apply in the case of the acquisition of land by the Commissioners under this Act in like manner as in the case of a purchase under that Act and any notice summons writ or other document required to be given issued or signed by or on behalf of the Commissioners may be given issued or signed by the secretary or assistant secretary of the Commissioners and need not be under their common seal.

Penalty for
obstructing
Commis-
sioners.

9. If any person wilfully obstructs any person acting under the authority of the Commissioners in the lawful exercise of the powers vested in them under this Act he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

London and
South-
Western
Railway
Company's
right of
pre-emption.

10. If the Commissioners should at any time hereafter desire to abandon the lands shown on the deposited plans and described in the deposited books of reference they shall in the first instance offer the same for sale to the London and South-Western Railway Company (herein-after called the South-Western Company) and the following provisions shall thereupon apply:—

(a.) If the South-Western Company are desirous of purchasing such lands then within six weeks after such offer of sale they shall signify in writing their desire in that behalf to the Commissioners:

(b.) If they decline such offer or if for six weeks they neglect to signify their desire to purchase such lands the right of purchase conferred by this Act shall cease and a declaration in writing made before a justice of the peace by the secretary to the Commissioners stating that such offer was made and was refused or not accepted for six weeks from the time of making the same shall be in all courts sufficient evidence of the facts therein stated:

(c.) If the South-Western Company are desirous of purchasing the lands and the South-Western Company and the Commissioners do not agree as to the price thereof then such price shall be ascertained by arbitration in accordance with the provisions of the Arbitration Act 1889 or any statutory re-enactment or modification thereof:

42 & 43 Vict.
c. 49.

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(d.) Upon any such sale the South-Western Company shall not require any proof of the title of the Commissioners to the said lands. A.D. 1898.

11. This Act may be cited as the Customs Offices (Southampton) Act 1898. Short title.

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