

POSTAL SERVICES ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 6

Further provisions relating to land

244. *Schedule 6* contains further provisions relating to land.
245. *Paragraph 1* gives universal service providers the power to execute street works in relation to the placing of letter boxes and pouch-boxes. *Sub-paragraph (3)* applies Part III of the New Roads and Street Works Act 1991 and the Street Works (Northern Ireland) Order 1995. Pouch-boxes are secure receptacles from which postmen and women collect additional mail sacks without returning to a Delivery or Sorting Office.
246. *Paragraph 2(1)* permits a person authorised by a universal service provider to enter and survey land to ascertain whether it is suitable for any purpose in connection with the provision of a universal postal service.
247. *Paragraph 2(2)* allows the authorised person to search and bore to ascertain the nature of the subsoil of the land.
248. *Paragraph 2(3)* limits the power in paragraph 2(1) to circumstances where the land is not covered by a building (or does not have planning permission to be covered). *Paragraph 2(4)* extends the meaning of “building” to include a garden etc. belonging to the building.
249. *Paragraph 3(1) and (2)* contains the conditions with which the universal service provider must conform to obtain entry to any land.
250. *Paragraph 3(3)* provides that, if the land is owned by a statutory undertaking, the authority of the appropriate Minister (as defined in *paragraph 3(4) to 3(6)*) will need to be obtained if the survey of the land would be detrimental to the undertakings’ activities.
251. *Paragraph 4* makes it an offence to obstruct an authorised person carrying out their work.
252. *Paragraph 5(1)* provides that the owner of the land may seek compensation from the universal service provider if the authorised person causes damage to the land.
253. *Paragraph 5(2) to (4)* sets out the procedures for the determination of compensation in England and Wales, Scotland and Northern Ireland.
254. *Paragraph 6* applies, for England and Wales, the relevant provisions of Part I of the Compulsory Purchase Act to the acquisition of land by a universal service provider by agreement.
255. *Paragraph 7* applies, for Scotland, the relevant provisions of the Town and Country Planning (Scotland) Act 1997 (incorporation of Land Clauses Acts) to the acquisition of land by a universal service provider by agreement.

*These notes refer to the Postal Services Act 2000
(c.26) which received Royal Assent on 28 July 2000*

256. *Paragraph 8* applies, for Northern Ireland, the relevant provisions of the Land Clauses Acts to the acquisition of land by a universal service provider by agreement.
257. *Paragraph 9* permits the Duchy of Lancaster to sell land owned by the Crown to a universal service provider for use in the provision of a universal postal service.
258. *Paragraph 10* has the effect that land acquired by a universal service provider by agreement under paragraphs 6-9 shall be deemed for all purposes to have been acquired for the purposes of the provider's undertaking as a universal service provider.