**ELIZABETH II**




**1972 CHAPTER viii**

An Act to empower United Kingdom Oil Pipelines Limited to acquire lands; and for other purposes.

[11th May 1972]

WHEREAS United Kingdom Oil Pipelines Limited (hereinafter referred to as "the Company") are a company within the meaning of the Companies Act, 1948, and are a company limited by shares: 1948 c. 38

And whereas the whole of the issued share capital of the Company is owned by Chevron Oil (U.K.) Limited, Mobil Oil Company Limited, Petrofina (U.K.) Limited, Shell-Mex and B.P. Limited and Texaco Limited:

And whereas the Company were incorporated in 1963 for purposes which include the construction and operation of an oil pipeline system linking oil refineries and installations of the Thames and Mersey estuaries with the western and northern periphery of London and with the industrial Midlands:

And whereas the former Minister of Power in the exercise of his powers under the Pipe-lines Act, 1962, authorised the Company to construct the said oil pipeline system, including a pipeline or pipelines between their depot at Buncefield in the parishes of Redbourn and Saint Michael Rural in the rural district of Saint 1962 c. 58.

Albans in the county of Hertford and a depot serving London Airport at Perry Oaks in the London borough of Hillingdon (hereinafter referred to as " the West London pipeline "):

And whereas the Company have constructed the said oil pipeline system, including the West London pipeline:

And whereas the Company have acquired a legal interest in almost all the land through which the said oil pipeline system runs but certain difficulties have prevented the Company from acquiring such an interest in respect of five portions of the West London pipeline, some 475 yards, 488 yards, 130 yards, 187 yards and 82 yards, or thereabouts, in length respectively:

And whereas for the protection of the Company and in the public interest it is expedient that the Company be empowered to acquire compulsorily the lands in which the said portions of the West London pipeline have been constructed and certain other lands for the purpose of providing access to the said pipeline:

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

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

And whereas plans showing the lands which may be acquired or used under the powers of this Act and for the purposes of this Act, together with a book of reference to the said plans containing the names of the owners or reputed owners, lessees or reputed lessees and of the occupiers of all such lands and describing the same, have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons, with the director-general and clerk to the Greater London Council and with the clerk of the county council of the administrative county of Buckingham and the town clerk of the London borough of Hillingdon, and such plans and book of reference are respectively referred to in this Act as the deposited plans and the deposited book of reference:

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, that is to say:—

**Short title.**

**1.** This Act may be cited as the United Kingdom Oil Pipelines Act 1972.

**Application of Part I of Act of 1965.**

**2.**—(1) Part I of the Act of 1965 (except section 4, section 27 and paragraph 3 (3) of Schedule 3 thereof), in so far as it is applicable for the purposes of this Act, and is not inconsistent

with the provisions thereof, shall apply to the compulsory acquisition of land under this Act as it applies to a compulsory purchase to which Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act, 1946, applies and as if this Act were a compulsory purchase order under the said Act of 1946. 1946 c. 49.

(2) The Lands Clauses Consolidation Act, 1845, shall not apply to the acquisition of land under this Act. 1845 c. 18.

Interpretation.

**3.**—(1) In this Act the following words and expressions have the several meanings assigned to them respectively unless there be something in the subject or context repugnant to such construction, that is to say:—

"the Act of 1965" means the Compulsory Purchase Act, 1965; 1965 c. 56.

"the Company" means United Kingdom Oil Pipelines Limited;

"enactment" includes an enactment in this Act or in any general or local Act and any order, byelaw, scheme or regulation made under an Act;

"land" includes land covered by water, any interest in land and any easement or right in, to or over land;

"the pipeline" means the pipeline or pipelines constructed by the Company between their depot at Buncefield in the parishes of Redbourn and Saint Michael Rural in the rural district of Saint Albans in the county of Hertford and a depot serving London Airport at Perry Oaks in the London borough of Hillingdon;

"the specified lands" means the lands delineated on the deposited plans and described in the deposited book of reference.

(2) Any reference in this Act to any 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.

Confirming construction of portions of pipeline.

**4.** The construction by the Company of portions of the pipeline in the specified lands is hereby sanctioned and confirmed.

Power to acquire lands.

**5.**—(1) Subject to the provisions of this Act, the Company may enter upon, take and use such of the specified lands as may be required for the purposes of the pipeline or for purposes ancillary thereto or connected therewith.

(2) (*a*) The powers of the Company for the compulsory acquisition of land under this section shall not be exercised after 31st December, 1974.

(*b*) The power to acquire compulsorily any land shall for the purposes of this subsection be deemed to have been exercised if before 31st December, 1974, notice to treat has been served in respect of that land.

Correction of errors in deposited plans and book of reference.

**6.**—(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 Company 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 place where the land is situated 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 director-general and clerk to the Greater London Council, the clerk of the county council of the administrative county of Buckingham and the town clerk of the London borough of Hillingdon, and with every clerk of a local authority and chairman of a parish council or parish meeting with whom a copy of the deposited plans (or so much thereof as includes the land to which the certificate relates) has been deposited in accordance with the Standing Orders of the Houses of Parliament, or who has the custody of any such copy so deposited; 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 Company to take the land 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.

**7.**—(1) The Company may, instead of acquiring any land that they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights over or in the land as they may require for the purpose of using, inspecting, maintaining, renewing or removing the pipeline or for the purpose of obtaining access to the pipeline or for the purpose of doing any other thing necessary in connection with the pipeline.

(2) Accordingly the Company may give notice to treat in respect of any such easement or right describing the nature thereof and " land " in Part I of the Act of 1965, as applied by this Act, includes such easements and rights as aforesaid.

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

(*a*) they shall not be required or, except by agreement or during the maintenance, renewal or removal of the pipeline, 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, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

Disregard of recent improvements and interests.

**8.** In determining a question with respect to compensation claimed in consequence of the compulsory acquisition of land under this Act, the Lands Tribunal shall not take into account any interest in land or any enhancement of the value of any interest in land, by reason of any building erected, works executed or improvement or alteration made, whether on the land acquired or on any other land with which the claimant is, or was at the time of erection, executing or making of the building, works, improvement or alteration, directly or indirectly concerned, if the tribunal is satisfied that the creation of the interest, the erection of the building, the execution of the works or the making of the improvement or alteration, as the case may be, was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

Costs of Act.

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

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# United Kingdom Oil Pipelines Act 1972

CHAPTER viii

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