



### CHAPTER ccxliv.

An Act to empower the London County Council to acquire lands for fire brigade purposes to make provisions with respect to sanitary and other like matters to authorise the exchange of certain lands at Tooting Bec Common to empower the Council of the Metropolitan Borough of Woolwich to purchase lands for various purposes to change the name of the Metropolitan Fire Brigade to confer various powers upon the London County Council and upon the Councils of Metropolitan Boroughs and for other purposes. A.D. 1904.

[15th August 1904.]

**W**HEREAS it is expedient to confer on the London County Council (herein-after called "the Council") the powers herein-after described and also such powers as are herein-after set forth with regard to the raising of money for the purposes of this Act:

And whereas the Council require sites or enlargements of sites for the purposes of the Metropolitan Fire Brigade Act 1865 and it is expedient that they should be empowered to acquire the lands herein-after described for those purposes:

And whereas it is expedient that the provisions in this Act contained with reference to sanitary matters and for the health good government and benefit of the inhabitants of the Administrative County of London (herein-after referred to as "the County") should be made:

And whereas with a view to the preservation of the health of the inhabitants of the County and the general well-being of such

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And whereas it is expedient that the exchange of lands in the County forming part of Tooting Bec Common for other lands herein-after referred to should be authorised and that the owners of such other lands should be empowered to hold the said lands now forming part of Tooting Bec Common free from all commonable and other rights and that the lands taken in exchange by the Council should be thereafter held by the Council as and deemed to form part of Tooting Bec Common :

And whereas the period limited for the execution by the Council of certain works as herein-after specified is about to expire and it is expedient that the said period should be extended :

And whereas by the Metropolitan Fire Brigade Act 1865 the duty of extinguishing fires and protecting life and property in case of fire within the City of London and all other parishes and places for the time being within the jurisdiction of the Metropolitan Board of Works was entrusted to the said board and the said board were by the said Act authorised with a view to the performance of that duty to provide and maintain an efficient force of firemen under the name of the Metropolitan Fire Brigade and it was by the said Act provided that the said force should be under the command of an officer to be called the chief officer of the Metropolitan Fire Brigade :

And whereas the said board provided and maintained a force of firemen accordingly under the said name and under the command of an officer called the chief officer of the Metropolitan Fire Brigade :

And whereas the duties of the said board under the said Act of 1865 were by the Local Government Act 1888 transferred to the Council and the Council have since maintained the said force under the said name and under the command of an officer called the chief officer of the Metropolitan Fire Brigade but the area now subject to the jurisdiction of the Council is by virtue of the said Local Government Act 1888 now known as the Administrative County of London and it is expedient that the style and title of the said Metropolitan Fire Brigade and of the officer in command thereof should be altered as by this Act provided :

And whereas by the London County Council (General Powers) Act 1902 it was provided that licences granted by the Council to keep and use premises for the purpose of common lodging-houses should be valid for the period of one year from the date thereof:

And whereas it would be convenient that the date of expiration of all such licences should in each year be uniform and with that object it is expedient that the said provision should be amended as by this Act provided:

And whereas it is expedient that the councils of metropolitan boroughs should be empowered subject to the provisions hereinafter contained to plant and maintain trees in the public streets of their respective boroughs:

And whereas it is expedient that the councils of metropolitan boroughs should be empowered to contribute towards the amount expended and to be expended by the Council in the purchase of certain lands known as Avery Hill in the parish of Eltham in the County and of certain other lands known as the Springfield Estate in the parish and metropolitan borough of Hackney in the County or any of such lands for the purposes of public open spaces or pleasure grounds:

And whereas by the Thames Tunnel (Rotherhithe and Ratcliff) Act 1900 the Council were empowered to construct the tunnel or subway under the River Thames therein described and to acquire lands for that purpose and to sell let and dispose of so much of such lands as might not be required for the said purpose but doubts are entertained as to whether under the powers of the said Act the Council are entitled to sell let or dispose of lands acquired by them for the purposes of the said tunnel or subway and situate over the site thereof but not otherwise required for the purposes thereof:

And whereas it is expedient that with a view to removing the said doubts such provisions as are herein-after contained should be made:

And whereas it is expedient that sundry further powers should be conferred on the Council and further provisions made as in this Act provided:

And whereas the council of the metropolitan borough of Woolwich (herein-after referred to as "the Woolwich Council") require lands for the purpose of widening High Street Eltham and for the other purposes herein-after specified and it is expedient that the Woolwich Council should be empowered to acquire

A.D. 1904. the lands herein-after described for those purposes and that such powers as are herein-after set forth with regard to the raising of money for the purposes of this Act and to the leasing of lands vested in the Woolwich Council should be conferred upon that Council and that the Woolwich Council should be empowered and required to contribute to the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as herein-after provided:

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

And whereas estimates have been prepared by the Council as to the amount which they will require to expend on capital account under and for the purposes of this Act and such estimates amount to the sum of sixty-six thousand eight hundred and fifty pounds:

And whereas an estimate has been prepared by the Woolwich Council as to the amount which they will require to expend on capital account for the purposes of this Act and such estimate amounts to the sum of four thousand pounds:

And whereas an absolute majority of the whole number of the Woolwich Council at a meeting held on the eighteenth day of November one thousand nine hundred and three after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Woolwich Gazette a local newspaper published and circulating in the metropolitan borough of Woolwich such notice being in addition to the ordinary notices required for summoning such meeting resolved that all costs and expenses attending the promotion of the Bill for this Act so far as it related to the powers to be conferred upon the Woolwich Council should be charged to the general rate levied and collected in the metropolitan borough of Woolwich:

And whereas such resolution was published twice in the said Woolwich Gazette:

And whereas the propriety of the application by the said Bill for the powers so proposed to be conferred upon the Woolwich Council as aforesaid was confirmed by an absolute majority of the whole number of the Woolwich Council at a further special meeting held in pursuance of a similar notice on the fourteenth day of January one thousand nine hundred and four being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas in relation to such application the Woolwich Council have proceeded in accordance with the provisions contained in the First Schedule of the Borough Funds Act 1903:

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And whereas the Council have caused to be deposited with the clerk of the peace for the County plans describing the lands which may be taken by the Council and the Woolwich Council respectively for the purposes of or under the powers of this Act and also a book of reference to such plans containing the names of the owners and lessées or reputed owners and lessees and of the occupiers of those lands and such plans and book of reference are respectively referred to in this Act as the deposited plans and book of reference :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say):—

## PART I.

## INTRODUCTORY.

1. This Act may be cited as the London County Council (General Powers) Act 1904. Short title.

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

Part I.—Introductory.

Part II.—Purchase of Lands by Council.

Part III.—General Powers as to Lands.

Part IV.—Sanitary.

Part V.—Tuberculosis of the Udder in Cows.

Part VI.—Exchange of Land at Tooting Bec Common.

Part VII.—Extension of Time.

Part VIII.—Purchase of Lands by Woolwich Council.

Part IX.—Miscellaneous and Financial Provisions.

Division of  
Act into  
Parts.

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

“The Council” means the London County Council;

“The County” means the Administrative County of London;

“The Corporation” means the mayor and commonalty and citizens of the City of London acting by the mayor aldermen and commons of the City of London in common council assembled;

“The City” means the City of London and the liberties thereof;

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“The Woolwich Council” means the council of the metropolitan borough of Woolwich :

And the several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction.

Incorporation of general Acts.

4. The Lands Clauses Acts are (except sections 127 and 133 of the Lands Clauses Consolidation Act 1845 and except where expressly varied by this Act) incorporated with and form part of Parts II. III. and VIII. of this Act :

Provided that for the purposes of the said Parts II. and III. of this Act the expressions “the promoters of the undertaking” and “the company” in the Lands Clauses Acts shall be construed to mean the Council and that for the purposes of Part VIII. of this Act the same expressions shall be construed to mean the Woolwich Council :

Provided also that notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 any claim for compensation under this Act or any Act incorporated herewith by any person having or in respect of any interest in the lands in respect of which compensation is claimed not greater than that of a lessee or tenant for any term of which not more than eighteen months remain unexpired at the time when the claim is made shall be determined by justices in the manner provided by section 121. of that Act.

## PART II.

### PURCHASE OF LANDS BY COUNCIL.

Power to Council to take lands for fire brigade purposes.

5. Subject to the provisions of this Act the Council may purchase and take for the purposes of the Metropolitan Fire Brigade Act 1865 the lands in the County herein-after described and which are delineated on the deposited plans and described in the deposited book of reference (that is to say) :—

- (A) Lands in the City of London partly in the parish of Saint Mildred Bread Street and partly in the parish of Holy Trinity-the-Less bounded on the north side by Cannon Street on the south-east side by Queen Victoria Street and on the east and west sides by other premises in Cannon Street and Queen Victoria Street respectively

the said lands comprising the premises known as Nos. 30 and 32 Cannon Street and 86 and 88 Queen Victoria Street :

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- (b) Lands in the parish of Saint Mary Abbots Kensington and royal borough of Kensington bounded on the south-east side by Basil Street on the north-east side by Hoopers Court on the north-west side by the rear of premises Nos. 31 33 35 37 39 41 and 43 Brompton Road and on the south-west side by vacant land in Basil Street :
- (c) Lands in the parish of Plumstead in the metropolitan borough of Woolwich bounded on the north side by a private road leading from Plum Lane to the property known as "Lowood" on the south-west side by Eaglesfield Road on the east side by other lands belonging or reputed to belong to J. J. Jackson and situate in Eaglesfield Road and the before-mentioned private road and on the west side by Shrewsbury Lane.

6.—(1) The agreement between the Right Honourable Victor Albert George Earl of Jersey Frederick George Hilton Price and Thomas Edward Jennings of the first part John Goddard of the second part and the Council of the third part a copy of which is set forth in the Schedule to this Act is hereby confirmed and made binding on the parties thereto and may be carried into effect by such parties accordingly.

Confirming  
scheduled  
agreement.

(2) Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not except as provided by the said agreement without the consent of the parties to the said agreement of the first and second parts acquire the estate or interest of the said parties in the lands in the parish of Saint Mary Abbots Kensington described in the last preceding section of this Act.

(3) The granting and acceptance of the lease referred to in the said agreement shall be deemed to be a sale and purchase of lands under the provisions of this Act.

### PART III.

#### GENERAL POWERS AS TO LANDS.

7. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Act grant to the

Power to  
certain  
persons to  
grant ease-  
ments &c. by  
agreement.



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Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required in connection with or for the purpose of utilising the lands by this Act authorised to be acquired in over or affecting any such first-mentioned lands and for the purposes of this Act the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such easements rights and privileges as aforesaid and to any grant of the same respectively.

Correction  
of errors  
in deposited  
plans &c.

8. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands on the deposited plans or in the deposited book of reference the Council may after ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction apply to a metropolitan police magistrate for the correction thereof and if it shall appear to such magistrate that such omission misstatement or erroneous description arose from mistake he shall certify the same accordingly and he shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the County and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

Power to  
Council to  
enter upon  
property for  
survey and  
valuation.

9. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Costs of  
arbitration  
&c. in cer-  
tain cases.

10. The court or person to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered



to the Council by the claimant giving sufficient particulars and in sufficient time to enable the Council to make a proper offer and if they or he shall be of opinion that no such statement giving sufficient particulars shall have been delivered one half of the costs of the arbitration or as the case may be one half of the costs of the proceedings before the sheriff (including the costs of summoning empannelling and returning the jury and of taking the inquiry and of recording the verdict and judgment therein) shall be defrayed by the person with whom the Council shall have such question and the remaining half shall be defrayed by the Council anything in the Lands Clauses Consolidation Act 1845 to the contrary notwithstanding Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Council to amend the statement in writing of the claim delivered by him to the Council in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Council if they object to the amendment and such amendment shall be subject to such terms enabling the Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

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11. In settling any question of disputed purchase money or compensation payable under this Act by the Council the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirty-first day of October one thousand nine hundred and three if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings acquired by Council.

12. The powers of the Council for the compulsory purchase or taking of lands for the purposes or under the powers of this Act shall cease after the expiration of three years from the passing of this Act.

Limitation of time for purchase of lands.

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Power to  
lease surplus  
lands.

**13.** The Council may when and as they shall think fit so to do demise and lease any lands acquired by them under this Act and not required for the purposes thereof or such parts thereof as the Council shall think it expedient to let on building leases either all together or in parcels to any person or persons who shall erect and build or covenant and agree to erect and build thereon or on any part thereof houses erections or buildings of such size or class of building and upon such plan and elevation and of such height and with such storeys as the Council shall think proper for such term or number of years as they may think fit so as there be reserved in every such demise or lease such peppercorn or other yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Council shall seem reasonable and so that in every such demise or lease there be contained a covenant for the payment of the rent thereby to be reserved and such other covenants on the part of the tenant or lessee to be therein named as the Council shall reasonably be advised or require and also a clause in the nature of a condition of re-entry on non-payment of the rent thereby to be reserved or on non-observance or non-performance of the covenants therein to be contained and on the part of the tenant or lessee to be observed and performed and every such tenant or lessee shall give such good and sufficient security for the erecting finishing and completing of every such house erection and building which he shall covenant or agree to erect within the time in which he shall have contracted to finish the same as the Council shall order and direct and the Council may if they think fit accept and take any fine or premium for the granting of any lease and may enter into any agreement for the granting of any lease of such lands or such parts thereof and may in any such lease or agreement for a lease give to the lessee or intended lessee an option or right to purchase the fee simple in reversion in the premises leased or agreed to be leased together with all houses erections or buildings thereon at the time of the exercise of such option at such time and on such terms and conditions as they may think fit and on granting leases in pursuance of such agreements may alter the amount of the rents agreed to be reserved in such leases and may apportion the same and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased as the Council think fit and may also alter or rescind any agreement as aforesaid and may accept any surrender of any lease in all respects as the Council shall think fit and any part of the said lands may be appropriated for and left as yards or courts to

be attached to any houses agreed to be leased as the Council shall think fit. A.D. 1904.

**14.** Subject to the provisions of this Act the Council may sell and dispose of or cause to be sold and disposed of the ground rents to be reserved by the leases or demises or agreed to be reserved by any agreements for leases of any lands made under the authority of this Act and also the fee simple in reversion in such lands and in the houses erections or buildings thereon either all together or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the Council for the benefit of the parties entitled to other property adjoining or held after the same title.

As to sale of  
ground rents.

**15.** Subject to the provisions of this Act the Council may if they think it expedient so to do sell and dispose of in the manner herein-before directed all or any lands acquired under the powers of this Act and not required for the purposes of this Act without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit.

Council may  
sell land in  
first in-  
stance with-  
out having  
previously  
granted a  
lease thereof.

**16.** The Council may let either from year to year or for a less period or for a term at rack rent or exchange or otherwise dispose of any building or lands or any part thereof acquired by them under the powers of this Act and not required for the purposes of this Act and may execute and do any deed act or thing requisite or proper for effectuating any such lease exchange or other disposition.

Council may  
let or ex-  
change lands.

**17.** Any lands acquired by the Council under the powers of this Act except such as are required to be permanently retained for the purposes of this Act shall subject to the provisions of any future Act of Parliament be sold or disposed of by the Council within a

Council to  
dispose of  
lands within  
a certain  
period.

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Receipts of Council to be effectual discharges.

**18.** The receipt of the Council or of any person duly authorised by the Council for any purchase money rent or money payable to the Council by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

#### PART IV.

#### SANITARY.

Filthy dangerous or unwholesome articles to be purified.

**19.—(1)** Where on the certificate of the medical officer of health of any sanitary district it appears to the sanitary authority of that district that any articles in any house or part thereof in that district are in such a filthy dangerous or unwholesome condition that health is affected or endangered thereby or that the cleansing or purifying or destroying of any such articles is requisite to prevent risk of or to check infectious disease the sanitary authority may cause any such articles to be at their own expense cleansed or purified or they may destroy the same.

(2) If any owner suffer any unnecessary damage the sanitary authority shall compensate him for the same and the sanitary authority shall also reasonably compensate the owner for any articles destroyed.

Houses infested with vermin to be cleansed.

**20.—(1)** Where on the certificate of the medical officer of health of any sanitary district it appears to the sanitary authority of that district that any house or part thereof in that district is infested with vermin such sanitary authority shall give notice in writing to the owner or occupier of such house or part thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and if so required in the notice to remove the wall paper from the walls of such house or the part thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(2) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable on summary conviction to a fine not exceeding ten shillings for

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every day during which he makes default in complying with the requirements of such notice and the sanitary authority may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the sanitary authority in so doing shall (subject as herein-after provided) be recoverable summarily as a civil debt from the person making the default.

(3) Upon any proceedings under this section the court may inquire as to whether any requirement contained in any notice given or any work done by the sanitary authority was reasonable and as to whether the costs and expenses incurred by the sanitary authority in doing such work or any part thereof ought to be borne wholly or in part by the person to whom the notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

21. Section 59 of the Public Health (London) Act 1891 shall for the purposes of the two last preceding sections of this Act extend and be applicable to the provision of means for cleansing purifying and destroying filthy dangerous or unwholesome articles and for the removal thereof and for the cleansing of houses infested with vermin as if the said section 59 were re-enacted herein and in terms made applicable thereto.

Provision of means for cleansing &c. filthy articles and houses.

22. If any sanitary convenience now or hereafter erected in or accessible from any street in any sanitary district shall be so placed or constructed as to be a nuisance or offensive to public decency the sanitary authority of that district by notice in writing may require the owner to remove such convenience or otherwise to reconstruct the same in such a manner and with such materials as may be required to abate the nuisance and remove the offence against public decency Any owner who fails within a reasonable time to comply with a notice under this section shall be liable on summary conviction to a fine not exceeding five pounds and to a further fine not exceeding twenty shillings for every day during which he makes default in complying with the requirements of such notice after such conviction.

Sanitary authority may require removal or alteration of sanitary conveniences.

23. Where any person shall have provided in connection with any building in any sanitary district a movable ashpit conforming with the requirements of any byelaw or order made under any

Fixed ash-pits to be removed where movable ashpits provided.

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statutory power or authority in that behalf it shall be lawful for the sanitary authority of that district by notice in writing to require the owner of such building to remove or fill up any fixed ashpit in or about such building and restore to a good and sanitary condition the site of such ashpit within a reasonable period to be prescribed in such notice and if such owner fails to comply therewith within the period so prescribed he shall be liable on summary conviction to a fine not exceeding twenty shillings and to a further fine not exceeding ten shillings for every day during which he makes default in complying with such notice after such conviction:

Provided that the sanitary authority may if in the circumstances of any particular case they think fit bear any reasonable costs and expenses or part thereof incurred in executing work under this section.

Power to  
sanitary au-  
thorities &c.  
to enter.

24.—(1) If the sanitary authority of any sanitary district have reasonable cause to suppose—

(A) that any articles in any house or part thereof in that district are in such a condition as is described in the section of this Act of which the marginal note is “Filthy dangerous or unwholesome articles to be purified”; or

(B) that any house or part thereof in that district is infested with vermin

such sanitary authority may enter on such house or part thereof and may inspect and examine the same and any articles therein for the purposes of the sections of this Act of which the marginal notes are respectively “Filthy dangerous or unwholesome articles to be purified” and “Houses infested with vermin to be cleansed.”

(2) The sanitary authority of any sanitary district shall have a right to enter at all reasonable times any house building or premises or part thereof in that district for the purpose of examining whether there is any contravention of the provisions of this Part of this Act or any non-compliance with the requirements of any notice given thereunder respectively.

Enforcement  
of this Part  
of Act and  
provisions  
relating  
thereto.

25. It shall be the duty of the sanitary authority for each sanitary district to enforce within that district the provisions of this Part of this Act and for that purpose the sanitary authorities shall have all the rights and powers and be subject to all the

liabilities and obligations conferred or imposed upon them by sections 101 115 116 117 118 119 121 124 125 127 128 133 and 135 of the Public Health (London) Act 1891 and those sections shall apply and have effect in respect of this Part of this Act as if they were expressly re-enacted in and in terms made applicable to this Part of this Act. A.D. 1904.

26. For the purposes of this Part of this Act unless the context otherwise requires— Interpreta-  
tion in this  
Part of Act.

The expression "sanitary authority" means the Corporation in respect of the City and as port sanitary authority in respect of so much of the Port of London as established for the purposes of the laws relating to the Customs of the United Kingdom as is within the County the overseers of the Inner and Middle Temples in respect of the places known as the Inner and Middle Temples respectively and as respects any metropolitan borough (except as to any portion thereof which may be within the said portion of the Port of London) the council of such borough;

The expression "sanitary district" means the City or so much of the Port of London as is within the County or the places known as the Inner and Middle Temples respectively or any metropolitan borough (except as to any portion thereof which may be within the said portion of the Port of London);

The expression "house" includes schools and other buildings in which persons are employed and the curtilage of a house and any building or house wholly or partly erected under statutory authority but shall not include any premises being a factory workshop or laundry to which the Factory and Workshop Act 1901 applies or any building belonging to any dock company situate within the dock premises and not used wholly or in part as a dwelling-house or stable;

The expression "owner" means the person for the time being receiving the rack rent of the premises in connection with which the word is used whether on his own account or as agent or trustee for any other person or who would so receive the same if such premises were let at a rack rent;

The expression "rack rent" means rent which is not less than two-thirds of the full annual value of the premises out of which the rent arises and the full annual value shall be taken to be the annual rent which a tenant might reasonably be expected taking one year with another to pay for the



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premises if the tenant undertook to pay all usual tenants' rates and taxes and tithe commutation rent-charge (if any) and if the landlord undertook to bear the cost of the repairs and insurance and the other expenses (if any) necessary to maintain the premises in a state to command such rent;

The expression "ashpit" means any ashpit dustbin ash-tub or other receptacle for the deposit of ashes or refuse matter;

The expression "sanitary convenience" includes any urinal water-closet earth-closet or privy and any similar convenience.

## PART V.

## TUBERCULOSIS OF THE UDDER IN COWS.

Council may  
cause cow  
suffering  
from tuber-  
culosis of  
udder to be  
slaughtered.

27.—(1) If a veterinary surgeon appointed by the Council for the purposes of the Dairies Cowsheds and Milkshops Order 1899 has reason to suspect on any inspection that any cow in any dairy farm or cowshed situate in the County (elsewhere than in the City) is suffering from tuberculosis of the udder he may cause such cow to be removed from such dairy farm or cowshed.

(2) Forthwith after such removal the Council shall either agree in writing with the owner of such cow the full value thereof at the time of removal or if they shall fail so to agree shall cause such value to be ascertained by a valuer to be appointed on the application of the Council by the Board of Agriculture and such valuer shall give to the Council and to the owner a certificate in writing of the said value.

(3) As soon as may be after such value shall have been agreed or certified as aforesaid the Council shall cause any cow which may have been so removed as aforesaid to be slaughtered and shall thereupon cause the carcase of such cow to be examined by a properly qualified and (if so required by the owner of the cow) independent veterinary surgeon who failing agreement between the Council and such owner shall be nominated by the president for the time being of the Royal College of Veterinary Surgeons.

(4) If on such examination the veterinary surgeon making the same certifies that such cow was not in fact suffering from tuberculosis of the udder the Council shall pay to the owner thereof by way of compensation and in full satisfaction of all claims and demands by the owner against the Council a sum equal to the value of such cow as agreed or certified in manner aforesaid or

the sum of thirty pounds (whichever shall be the less) and a further sum of twenty shillings and shall also bear and pay the reasonable costs of any independent veterinary surgeon and valuer employed for the purposes of this section.

(5) If on any such examination the veterinary surgeon making the same shall certify that such cow was in fact suffering from tuberculosis of the udder the Council shall pay to the owner thereof by way of compensation and in full satisfaction of all claims and demands by the owner against the Council a sum equal to three-fourths of the value of such cow as agreed or certified in manner aforesaid or the sum of twenty-two pounds ten shillings (whichever shall be the less) and shall also bear and pay one half of the reasonable costs of any independent veterinary surgeon and valuer employed for the purposes of this section and the remaining half of such costs shall be borne and paid by the said owner.

(6) The carcase of any cow which has been slaughtered under the provisions of this section shall belong to the Council and shall be buried or sold or otherwise disposed of as the Council may direct and as the condition of such carcase and other circumstances may require or admit and any money received by the Council on any such sale shall be carried by them to the credit of the special county account of the county fund.

(7) This section may be carried into execution by a committee of the Council formed in accordance with the Fourth Schedule to the Diseases of Animals Act 1894 except that the committee shall consist wholly of members of the Council.

(8) Any person obstructing a veterinary surgeon or other person duly employed in the execution of this section shall be liable on summary conviction to a fine not exceeding five pounds.

(9) All expenses incurred by the Council in the execution of this Part of this Act shall be defrayed as payments for special county purposes within the meaning of the Local Government Act 1888.

#### PART VI.

##### EXCHANGE OF LAND AT TOOTING BEC COMMON.

28. The Council on the one hand and the owners for the time being of the estate in the county known as the Mortimer Estate adjoining Tooting Bec Common (in this Part of this Act referred to as "the owners") on the other hand may at any time

Power to Council and owners of Mortimer Estate to agree to

A.D. 1904.  
—  
exchange of  
lands at  
Tooting Bec  
Common.

after the passing of this Act enter into and carry into effect an agreement or agreements with respect to all or any of the matters following (that is to say) :—

(1) The exchange of certain lands (herein-after referred to as "the blue lands") in the parish of Streatham in the County now vested in the Council and forming part of Tooting Bec Common for certain lands (herein-after referred to as "the pink lands") in the same parish adjoining the said common and forming part of the said Mortimer Estate all of which lands are delineated and are respectively coloured blue and pink on the plans marked A and C signed by John Heywood Johnstone the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (of which plans one copy has been deposited in the Private Bill Office of the House of Commons and one copy has been deposited in the Parliament Office of the House of Lords) and the vesting of the blue lands in the owners freed and discharged from all rights of common rights of way and other public rights in over or affecting the same :

(2) The extinction or transfer to the Council of all rights of way rights of common and all other rights of the owners in over or upon the pink lands.

Lands to be  
held by  
owners freed  
from com-  
monable and  
other rights.

29. From and after the vesting in the owners of the blue lands under and by virtue of any agreement or agreements made between the Council and the owners under the authority of this Act the blue lands shall be freed and discharged from all rights of common rights of way and all other public rights in over or affecting the same and all such rights shall be and the same are hereby extinguished and the blue lands shall cease to be or form part of Tooting Bec Common and to be subject to the provisions of the scheme relating to Tooting Bec Common confirmed by the Metropolitan Commons Supplemental Act 1873 or to the Acts for the time being in force regulating the use of or relating to open spaces in the county of London.

Lands ac-  
quired by  
Council to  
form part of  
Tooting Bec  
Common.

30. The pink lands acquired by the Council under the powers of this Part of this Act shall forthwith after the determination of any tenancies affecting the same be added to become and be part of Tooting Bec Common and the same shall be subject to the

exercise of all rights in over or upon Tooting Bec Common in all respects as though the pink lands formed part of the lands immediately before the passing of this Act subject to the provisions of the scheme relating to Tooting Bec Common confirmed by the Metropolitan Commons Supplemental Act 1873 and the provisions of the said scheme shall extend and apply to the pink lands as though the same were included in the lands immediately before the passing of this Act subject to the provisions of the said scheme and all byelaws with respect to Tooting Bec Common made by the Council under the provisions of the Acts regulating the use of and relating to open spaces in the County and immediately before the passing of this Act in force or hereafter to be made by the Council under the provisions of those Acts and all the provisions of those Acts with respect to parks and heaths or commons shall extend and apply to the pink lands as though the same had at the time of the passing of the said Acts or the making of such byelaws formed part of Tooting Bec Common and had been included amongst the parks heaths and commons in respect of which byelaws were by the said Acts authorised to be made by the Council:

A.D. 1901.

And the provisions of this section shall after the exchange of lands effected by any agreement or agreements made under the authority of this Part of this Act between the Council and the owners be by way of full compensation and in discharge of all claims in respect of any rights whether public or private in over or affecting the blue lands under any such agreement or agreements as aforesaid.

**31.** Unless the Council shall otherwise agree in writing the owners for the time being of the blue lands shall at all times after such exchange so far as practicable preserve the established trees now on such lands and on lands forming part of the Mortimer Estate adjoining the said blue lands in so far as such preservation of trees shall not interfere with the development of the Mortimer Estate.

Owners of  
blue lands  
to preserve  
trees.

## PART VII.

### EXTENSION OF TIME.

**32.** The time limited by the London County Council (Improvements) Act 1897 for the construction of the new street (Tower Bridge northern approach) described in and authorised

Extension  
of time for  
completion  
of works.

A.D. 1904. by that Act is hereby extended till the sixth day of August one thousand nine hundred and seven.

Applying provisions of Railways Clauses Act 1863 as to extension of time.

**33.** Part II. of the Railways Clauses Act 1863 relating to extension of time shall be deemed to be incorporated with this Part of this Act and for the purposes of this Act the expressions "railway" and "railway and works" shall mean the works mentioned in the section of this Act of which the marginal note is "Extension of time for completion of works" and the expression "the Company" shall mean the Council.

### PART VIII.

#### PURCHASE OF LANDS BY WOOLWICH COUNCIL.

Power to Woolwich Council to take lands.

**34.** Subject to the provisions of this Act the Woolwich Council may purchase and take the lands in the metropolitan borough of Woolwich in the County herein-after described and which are delineated on the deposited plans and described in the deposited book of reference (in this Part of this Act referred to as "the scheduled lands") for the purpose of widening High Street Eltham and of using part of such lands in connection with the exercise and performance by the Woolwich Council of all or any of their powers and duties and of erecting on part of such lands buildings and offices for use in connection with such powers and duties and also for the purpose of using other part of the said lands as the site or a portion of the site of a public library.

The scheduled lands are the following namely:—

Lands in the parish of Eltham bounded on the west and part of the north south and east sides by property belonging or reputed to belong to the Woolwich Council on other part of the north side by property belonging or reputed to belong to Cecil Henry Polhill on other part of the south side by High Street Eltham and on other part of the east side by the rear of premises in Blunt's Road the said lands comprising the premises known as Nos. 69 71 and 73 High Street Eltham and lands in the rear and at the sides thereof.

Compensation in case of recently altered buildings acquired by Woolwich Council.

**35.** In settling any question of disputed purchase-money or compensation payable under this Part of this Act by the Woolwich Council the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or

A.D. 1904.

building made or for or in respect of any interest in the scheduled lands created after the twenty-third day of April one thousand nine hundred and three if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

**36.** The sections of this Act of which the numbers and marginal notes are herein-after set forth shall mutatis mutandis extend and apply to any of the scheduled lands acquired by the Woolwich Council under the powers of this Act and to that council in respect thereof as if the Woolwich Council had been referred to in the said sections instead of the Council:—

Application of certain sections of this Act to Woolwich Council.

Number of Section.	Marginal Note.
7	Power to certain persons to grant easements &c. by agreement.
8	Correction of errors in deposited plans &c.
9	Power to Council to enter upon property for survey and valuation.
10	Costs of arbitration &c. in certain cases.
12	Limitation of time for purchase of lands.

**37.** The Woolwich Council may upon the lands acquired by them under the powers of this Part of this Act and also in any street within the limits of land to be acquired shown on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building and also any main pipe or apparatus laid down or used by the Metropolitan Water Board or any company or person for carrying a supply of water or water for hydraulic power or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and any pipe tube wire or apparatus laid down or placed for supplying electricity and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to the said board or to any company or person and making reasonable compensation to the said board or to any company or person for any damage caused by any such alteration Provided always that before the Woolwich Council alter the position of any main pipe or apparatus laid down or used by the said board or by any such company or person they shall (except in cases of emergency) give to the board company or person to whom the

Alteration of position of water gas and other pipes.

A.D. 1904. — same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Woolwich Council) of the board company or person to whom such main pipe or apparatus belongs unless such board company or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Woolwich Council shall execute such work to the reasonable satisfaction of the engineer of such board company or person. Provided also that the Woolwich Council shall not cause any street to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main pipe or apparatus in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Woolwich Council shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such board company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Woolwich Council in such case provide special means of access to the same to the satisfaction of the engineer of such board company or person :

If any difference arise between the Woolwich Council or their engineer and any such board company or person or their or his engineer touching the amount of any costs expenses or charges under the provisions of this Part of this Act to be paid by the Woolwich Council to any such board company or person or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Woolwich Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the engineer of the Woolwich Council and the engineer of any such board company or person respectively or failing agreement by such engineer as shall on the application of the engineer either of the Woolwich Council or of any such board company or person be named by the president for the time being of the Institution of Civil Engineers :

Provided also that the Woolwich Council shall not raise sink or otherwise alter the position of any pipe tube wire or apparatus laid down for telegraphic or other purposes and belonging to the



Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878: A.D. 1904.

Provided always that nothing in this section shall extend to prejudice or affect any of the provisions for the protection of any undertakers authorised to supply electrical energy contained in any special Act or any Provisional Order confirmed by Act of Parliament.

**38.** If within seven days after a notice under the preceding section of this Act shall have been served upon the Metropolitan Water Board or any gas company that board or company so elect such board or company shall themselves execute all such alterations to their mains and pipes as may from time to time be necessary and the reasonable costs of executing such alterations shall be repaid by the Woolwich Council to such board or company. Provided always that such alterations shall be carried out in accordance with the directions and to the reasonable satisfaction of the engineer of the Woolwich Council.

For protec-  
tion of  
Metropolitan  
Water Board  
and gas com-  
panies.

**39.** The Woolwich Council may when and as they shall think fit so to do demise and lease any of the scheduled lands and lands on the eastern side thereof forming part of the site which comprises the scheduled lands so far as such lands may be vested in them and may not be required for the purposes of the Act under which they were acquired or of their powers and duties or of this Part of this Act or such parts of such lands as that Council shall think it expedient to let on building leases either all together or in parcels to any person or persons who shall erect and build or covenant and agree to erect and build thereon or on any part thereof houses erections or buildings of such size or class of building and upon such plan and elevation and of such height and with such storeys as the Woolwich Council shall think proper for such term or number of years as they may think fit so as there be reserved in every such demise or lease such peppercorn or other yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Woolwich Council shall seem reasonable and so that in every such demise or lease there be contained a covenant for the payment of the rent thereby to be reserved and such other covenants on the part of the tenant or lessee to be therein named as the Woolwich Council shall reasonably be advised or require and also a clause in the nature of a condition of re-entry on non-payment of the rent thereby to be reserved or on non-observance or non-performance of the covenants therein to be contained on the part of the tenant or lessee to be observed and performed and

Power to  
Woolwich  
Council to  
lease lands.

A.D. 1904. every such tenant or lessee shall give such good and sufficient security for the erecting finishing and completing of every such house erection and building which he shall covenant or agree to erect within the time in which he shall have contracted to finish the same as the Woolwich Council shall order and direct and that council may if they think fit accept and take any fine or premium for the granting of any lease and may enter into any agreement for the granting of any lease of such lands or such parts thereof and on granting leases in pursuance of such agreements may alter the amount of the rents agreed to be reserved in such leases and may apportion the same and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased as the Woolwich Council think fit and may also alter or rescind any agreement as aforesaid and may accept any surrender of any lease in all respects as the Woolwich Council shall think fit and any part of the said lands may be appropriated for and left as yards or courts to be attached to any houses agreed to be leased as the Woolwich Council shall think fit.

As to sale of  
ground rents  
by Woolwich  
Council.

40. Subject to the provisions of this Part of this Act the Woolwich Council may sell and dispose of or cause to be sold and disposed of the ground rents to be reserved by the leases or demises or agreed to be reserved by any agreements for leases of any lands made under the authority of this Part of this Act either all together or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Woolwich Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as that Council shall think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by that Council for the benefit of the parties entitled to other property adjoining or held after the same title.

Woolwich  
Council may  
sell land in  
the first in-  
stance with-  
out having  
previously  
granted a  
lease thereof.

41. Subject to the provisions of this Act the Woolwich Council may if they think it expedient so to do sell and dispose of all or any of the scheduled lands and lands on the eastern side thereof forming part of the site which comprises the scheduled lands so far as such lands may be vested in them and may not be required for the purposes of the Act under which they were

acquired or of their powers and duties or of this Part of this Act without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Woolwich Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Woolwich Council shall think fit.

A.D. 1904.

42. The Woolwich Council may let either from year to year or for a less period or for a term at rack rent or exchange or otherwise dispose of any of the scheduled lands and lands on the eastern side thereof forming part of the site which comprises the scheduled lands so far as such lands may be vested in them and may not be required for the purposes of the Act under which they were acquired or of their powers and duties or of this Part of this Act or any part of such lands or any buildings thereon and may execute and do any deed act or thing requisite or proper for effectuating any such lease exchange or other disposition.

Woolwich  
Council  
may let or  
exchange  
lands.

43. The receipt of the Woolwich Council or of any person duly authorised by that Council for any purchase-money rent or money payable to the Woolwich Council by virtue of this Part of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

Receipts of  
Woolwich  
Council to  
be effectual  
discharges.

44. It shall be lawful for the Woolwich Council to borrow—

- (A) For the purposes of this Part of this Act such sums of money as may be required by them not exceeding in the whole four thousand pounds; and
- (B) For the purpose of paying the proportion payable by them of the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act (in the event of the Council sanctioning a loan for such purpose) such sums of money as may be required therefor:

Borrowing  
powers to  
Woolwich  
Council.

A.D. 1904. And for the purpose of securing the repayment with interest of any such money the Woolwich Council may mortgage and assign all the moneys or rates authorised to be raised by them under the Metropolis Management Act 1855 and all the provisions of sections 133 to 189 of the last-mentioned Act as amended by any subsequent Act shall apply to any borrowing by the Woolwich Council under this section. The Woolwich Council shall effect such repayment out of any moneys or rates raised by them under the said last-mentioned Act and all moneys borrowed by the Woolwich Council under this section shall be repaid within the following respective periods namely:—

For the purposes (A) herein-before described not exceeding sixty years from the date or respective dates of borrowing;

For the purposes (B) herein-before described not exceeding five years from the passing of this Act.

Application  
by Woolwich  
Council of  
proceeds of  
sales.

45.—(1) All moneys received by the Woolwich Council upon any sale or disposal of lands and all fines and premiums received by the Woolwich Council under the provisions of this Part of this Act shall be applied in or towards the repayment of any moneys borrowed by the Woolwich Council under the powers of this Part of this Act and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds of sale or disposal of fines and premiums shall be applied in or towards the repayment of any other moneys for the time being owing by the Woolwich Council on capital account.

(2) Such proceeds of sale or disposal of fines and premiums shall not be applied to the payment of instalments or to payments into any sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

## PART IX.

### MISCELLANEOUS AND FINANCIAL PROVISIONS.

Altering  
titles of Me-  
tropolitan  
Fire Brigade  
and chief  
officer  
thereof.

46. From and after the passing of this Act notwithstanding anything contained in the Metropolitan Fire Brigade Act 1865 the force of firemen established under that Act shall be called "the London Fire Brigade" instead of "the Metropolitan Fire Brigade" and the officer in command of such force shall be called "the chief officer of the London Fire Brigade" instead of "the chief officer of the Metropolitan Fire Brigade."

47. Notwithstanding anything contained in the London County Council (General Powers) Act 1902 licences granted or renewed by the Council under that Act to keep or use premises as common lodging-houses shall expire on such day in every year as the Council may fix notwithstanding that the period during which any such licence shall remain valid may exceed one year from the date thereof and when a licence is first granted or renewed after the passing of this Act the Council may provide that the same shall be valid for a period ending on or at any time before the day so fixed which secondly occurs after the date of the licence.

A.D. 1904.  
Amending  
Part IX. of  
London  
County  
Council  
(General  
Powers) Act  
1902.

48. Notwithstanding anything contained in the Metropolitan Police Courts Act 1839 or in the London County Council (General Powers) Act 1902 or in any other Act or Acts to the contrary whenever in consequence of proceedings taken by a sanitary authority against any person in respect of any offence under Part VIII. (Ice-creams) of the said London County Council (General Powers) Act 1902 a pecuniary penalty is inflicted the amount of such penalty shall be payable and paid to such sanitary authority.

Fines under  
Part VIII. of  
London  
County  
Council  
(General  
Powers) Act  
1902 to be  
payable to  
sanitary au-  
thorities.

49. The council of any metropolitan borough may if they see fit cause trees to be planted in any highway within their borough and may maintain any trees planted or to be planted in any highway and erect and maintain guards or fences for the protection of the same Provided that it shall be lawful for the council of any metropolitan borough to join with any other body or person in exercising the powers conferred by this section Provided also that the powers of this section shall not be exercised so as to hinder the reasonable use of the highway by the public or any person entitled to use the same or so as to become a nuisance or injurious to any adjacent owner or occupier:

Borough  
councils may  
plant trees.

Provided also that where the council of a metropolitan borough shall have resolved to exercise the powers of this section in respect of any highway or part of a highway they shall give to the occupiers of all premises in that highway or that part of a highway notice in writing of such resolution and if within the period of one month after the giving of such notice the occupiers of two-thirds or upwards in number or rateable value of such premises shall have given to such council notice in writing of their dissent from the proposal the said powers shall not be exercised.

A.D. 1904.

Power to sell  
&c. lands  
situate over  
Thames  
Tunnel.

**50.** The powers conferred upon the Council by the Thames Tunnel (Rotherhithe and Ratcliff) Act 1900 with respect to the demising leasing letting selling and disposing of lands acquired by them under the powers of that Act and not required for the purposes of that Act shall be deemed to extend to and be exerciseable in respect of lands situate over the site of the tunnel or subway by that Act authorised or any part of that site.

Power to  
councils of  
metropolitan  
boroughs to  
contribute to  
cost of acqui-  
sition by  
Council of  
Avery Hill  
Estate and  
Springfield  
Estate.

**51.**—(1) It shall be lawful for the council of any metropolitan borough to contribute towards the amount expended or to be expended by the Council in the purchase of the estate in the parish of Eltham and metropolitan borough of Woolwich known as the Avery Hill Estate and the estate in the parish and metropolitan borough of Hackney known as the Springfield Estate or either of such estates for the purposes of the Open Spaces Acts 1877 to 1890 and any Act amending the same such sum or sums as they may respectively think fit.

(2) For the purpose of paying any such contribution as aforesaid or any part thereof the council of a metropolitan borough may borrow the requisite moneys and for the purpose of securing the repayment with interest of any such moneys may mortgage and assign all the moneys or rates authorised to be raised by them under the Metropolis Management Act 1855 and all the provisions of sections 183 to 189 of the last-mentioned Act as amended by any subsequent Act shall apply to any borrowing by the Council of a metropolitan borough under this section. All moneys borrowed by the council of a metropolitan borough under this section shall be repaid within a period not exceeding sixty years from the date or respective dates of borrowing.

Saving  
rights of  
Crown.

**52.** Nothing in this Act affects prejudicially any right power privilege or exemption of the Crown.

Money to  
be raised  
on capital  
account.

**53.**—(1) The Council may expend on capital account for the purposes of this Act such money as they may from time to time think fit not exceeding sixty-six thousand eight hundred and fifty pounds and in order to raise or provide the money required for that purpose the Council may from time to time create and issue consolidated stock or resort to the Consolidated Loans Fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of money for capital purposes by the Council:



Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand nine hundred and five.

A.D. 1904.  
—

(2) The Council in accordance with the provisions in relation to redemption and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account shall make provision for the redemption of stock or the repayment of money borrowed or expended on capital account for the purposes of this Act within such term not exceeding in any case sixty years as the Council with the consent of the Treasury may determine.

54.—(1) All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888 and subject as hereinafter provided 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 Council in like manner :

As to pay-  
ments under  
this Act.

Provided that so much of the said last-mentioned costs charges and expenses as may be attributable to the Woolwich Council in respect of or in connection with the application for and obtaining the powers by this Act conferred on that council shall be paid by that council out of the general rate authorised to be levied by them or out of moneys borrowed by them for that purpose under the powers and subject to the provisions of this Act.

(2) Any moneys expended by the council of any metropolitan borough in the execution of this Act (except so far as they may be otherwise provided for by this Act) shall be charged upon the general rate leviable within the respective boroughs of the councils expending the same.

(3) Any moneys expended by the Corporation in the execution of this Act as the sanitary authority of the City shall be paid out of their consolidated rate and sewers rate or either of such rates.

(4) Any moneys expended by the overseers of the Inner and Middle Temple respectively in the execution of this Act shall be defrayed in the same manner as the expenses of the execution of the Acts relating to the relief of the poor are defrayed in such places.



A.D. 1904.

The SCHEDULE referred to in the foregoing Act.

AGREEMENT entered into this eleventh day of June One thousand nine hundred and four between THE RIGHT HONOURABLE VICTOR ALBERT GEORGE EARL OF JERSEY G.C.B. G.C.M.G. FREDERICK GEORGE HILTON PRICE of No. 1 Fleet Street in the City of London Banker and THOMAS EDWARD JENNINGS of No. 159 Camden Road in the County of London Gentleman (hereinafter called "the Lessors" which expression shall where the context admits include the person or persons for the time being entitled to receive the rent hereby agreed to be paid) of the first part JOHN GODDARD of The Elms Crawley in the County of Sussex Esquire of the second part and the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF LONDON (hereinafter called the "Council" which expression shall where the context admits include their assigns) of the third part.

1. In consideration of the rents herein-after agreed to be paid and the agreements on the part of the Council herein-after contained the Lessors hereby agree to grant and the said John Goddard hereby agrees to grant and confirm unto the Council as soon as the fire station herein-after mentioned shall be completed as herein-after mentioned a lease of all those two pieces of ground situate in Basil Street and Hoopers Court in the parish of Saint Mary Abbots Kensington in the county of London which are with the dimensions and abutments thereof delineated and shown on the plan hereto annexed and thereon coloured pink and blue respectively together with the buildings erected on the said piece of ground coloured pink on the said plan as herein-after provided and the appurtenances thereof and the right of way coloured brown on the said plan and other easements and rights herein-after mentioned for the term of 500 years to be computed from the 24th day of June 1904 at the yearly rent for the first and second years of such term of 395*l.* and for every subsequent year thereof of 790*l.* payable quarterly without deduction (except for landlord's property tax) and to be in other respects according to the form of lease which has been marked "T" and signed on behalf of the parties hereto of the first and second parts by Messieurs Finch and Jennings and on behalf of the party hereto of the third part by W. A. Blaxland and subject to the provisions therein contained including (inter alia) a provision giving the Council the option at any time within ten years from the 24th day of June 1904 of reducing the said rent to 10*l.* per annum by paying to the Lessors or otherwise as therein mentioned the sum of 20,000*l.*

2. The land coloured blue on the said plan is to be thrown into Hoopers Court for the permanent widening of the same. The letting is also subject as to buildings to be erected at the rear of Nos. 41 and 43 Brompton Road to the same being in accordance with the arrangement existing between the lessors and their lessee of these premises as mentioned in the said plan.

3. The Council shall at their own cost with all reasonable speed erect and build and complete fit for occupation on or before the 24th day of June 1906 upon the said piece of ground coloured pink on the said plan a fire station and buildings of suitable elevation in red brick and stone and so as to be substantially in character with the surrounding buildings. The said fire station to be built in accordance with block plans plans sections elevations and specifications to be previously approved by the lessors' surveyors but the Council shall in carrying out the work be at liberty to increase or diminish the dimensions or alter the situation or vary the form or dimensions or omit any part of the work or may execute additional works in connection with the said building as they may from time to time think fit or as may be found necessary or desirable owing to the character of the site provided that any structural variation from the approved drawings shall be previously submitted to and approved by the lessors' surveyors.

4. The lessors or the said John Goddard are at all times to be at liberty to build on their adjoining or neighbouring land in such manner as they may think fit.

5. The Council are to erect an independent wall along the south-western boundary which said wall is to be included in the intended lease.

6. In the event of the Council at any time during the term desiring to sell and assign or underlet the premises comprised in the said lease or any part thereof the said John Goddard his heirs or assigns shall have the right of purchasing the Council's interest in the premises so to be sold assigned or underlet at a price to be agreed upon between the parties or failing such agreement to be settled by the president of the Surveyors' Institution for the time being or his nominee (if willing to act) or failing such settlement by two arbitrators one to be appointed by each party in accordance with the Arbitration Act 1889. Provided always that such right shall be exercised (if at all) within one calendar month after the Council shall have given to the said John Goddard his heirs or assigns notice in writing of their desire to sell and assign or underlet the said premises or any part thereof (as the case may be).

7. As regards the land lying between Basil Street and the old parish boundary (as shown by the dotted line on the said plan) the letting is intended to be freed from the restrictive covenants affecting such land contained in an indenture dated the 7th day of July 1898 and made between the Belgravia Estate Limited of the first part the North British

A.D. 1904. and Mercantile Insurance Company of the second part Hastings Wells and Herbert Montagu Broughton of the third part and the said John Goddard of the fourth part (registered in Middlesex the 9th July 1898 Book 27 No. 632).

8. The said intended lease shall include a grant to the Council of the right for the Council their officers and servants and any other persons authorised by them or any of them (in common with any other persons having the like right) at all times during the term thereby granted to go pass and repass with or without horses carriages carts or other vehicles and appliances from and to the premises intended to be comprised in the said lease or any part thereof to and from Hoopers Court aforesaid over and along the piece or strip of land twelve feet wide on the north-west side of the said premises and coloured brown on the said plan The Council shall pave drain and at all times during the said term keep paved and drained the said piece or strip of land coloured brown on the said plan and shall also if called upon by the lessors erect and maintain at their own expense and the expense of the other tenants of the lessors (if any) proper and efficient gates next Hoopers Court Provided always that every subsequent demise by the lessors of any premises in connection with which a right of way over the said piece or strip of land or any part thereof shall be granted or enjoyed shall contain a covenant by the lessee thereunder to pay to the Council a proportionate part of the expense of such paving draining erection and maintenance as aforesaid such proportion to be determined in case of dispute by the surveyor of the covenantee or covenantees and such covenantee or covenantees shall and will at all times use his or their best endeavours to secure the due performance of such covenant or covenants.

9. The Council shall be entitled to lay the footings of the wall to be erected as aforesaid along the south-western boundary of the said premises upon the adjoining land to the south-west of the said premises to such an extent as the Council's architect and the lessors' surveyor may consider to be necessary.

10. The foregoing clauses of this Agreement are conditional upon the authority of Parliament being obtained thereto by the Council within two years from the date hereof with such modifications (if any) as Parliament may see fit to introduce therein but if either party (meaning thereby the lessors and the said John Goddard on the one part and the Council on the other part) shall consider such modifications to be materially disadvantageous to them then either party may within a period of one month after the date of the passing of the Act confirming this Agreement be at liberty by notice in writing given to the other party or sent by post to such other party in a registered letter addressed to them at their usual place or places of abode or business in England to rescind this Agreement.

11. Provided always that notwithstanding the provisions of the last preceding clause hereof the Council are to pay rent at the rate of 395*l.* per annum during the first and second years of the said intended term or until

this Agreement shall have been rescinded as aforesaid before the expiration of the period of two years mentioned in the said preceding clause (as the case may be).

A.D. 1904.

12. Upon the execution of these presents the Council will pay unto the lessors' solicitors the sum of sixteen guineas for their costs of and incidental to these presents and upon the approval of the designs of the said fire station to the lessors' surveyors such a sum of money as will represent 1½ per cent. on the ultimate costs of the buildings to be erected to cover the costs of the lessors' surveyors for approving designs of the buildings and certifying the completion thereof and upon the execution of the said lease will pay the usual statutory fee for the intended lease and of a counterpart thereof and unto the lessors' surveyors a fee of ten guineas for admeasurements and preparing the lease plan.

IN WITNESS whereof the parties hereto other than the Council have hereunto set their hands and the Council have caused their common seal to be hereunto affixed the day and year first before written.

Sealed by order  
G. L. GOMME  
Clerk of the Council.



Witness to the signature of the Earl of Jersey  
H. S. FARRAND  
Middleton Park Bicester  
Butler.

JERSEY.

Witness to the signature of Frederick George  
Hilton Price  
ARTHUR J. FINCH  
2 Gray's Inn Square  
Solicitor.

F. G. H. PRICE.

Witness to the signature of Thomas Edward  
Jennings  
ARTHUR J. FINCH.

THOS. E. JENNINGS.

Witness to the signature of John Goddard  
PERCY JENNINGS  
2 Gray's Inn Square  
Solicitor.

JNO. GODDARD.

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