



CHAPTER xc.

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts. A.D. 1910.
[3rd August 1910.]

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1907 on behalf of the London County Council (herein-after called "the Council") and it is requisite that the same should be confirmed by Parliament:

And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are severally described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plans accompanying the petition referred to in the said Provisional Order and copies of the said plans have been duly deposited in the offices of the two Houses of Parliament:

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

1. The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation of Order in schedule.

2. Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such Saving of public rights of way.

A.D. 1910. Order being obtained as but for this Act would have been required for that purpose.

Council may appropriate &c. for street widenings portions of sites acquired.

3. In the case of any of the sites which the Council are by this Act and the Order scheduled hereto authorised to acquire and which abut upon streets or roads which are not in the opinion of the Council sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said streets or roads it shall be lawful for the Council to appropriate take and use for the purpose of widening any such streets or roads so much of any of the said sites as the Council may determine to be necessary for such purpose:

Provided that if the Council appropriate take or use under the provisions of this section any part of any such site for the purpose of widening any street or road such part of the cost of the acquisition of such site and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and expenses of the Council in connexion with street improvements.

No compensation to be paid for improvements &c. made since 12th October 1909.

4. 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 twelfth day of October one thousand nine hundred and nine 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 of obtaining or increasing compensation under this Act.

Persons under disability may grant easements &c.

5. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the 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 for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

6. The tribunal 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 the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Council has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be paid by the claimant. 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 Acts either contained or was endorsed with a notice of the effect of this section.

A.D. 1910.
Costs of arbitration &c. in certain cases.

7. Section one hundred and thirty-three of the Lands Clauses Consolidation Act 1845 shall not apply in the case of any of the lands required to be purchased under the powers granted by this Act and the Order scheduled hereto.

Exemption from s. 133 of the Lands Clauses Act 1845.

8. Notwithstanding anything contained in the Lands Clauses Acts any claim for compensation under the powers granted by this Act and the Order scheduled hereto 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 one hundred and twenty-one of the Lands Clauses Consolidation Act 1845.

Tenancies having not longer than 18 months to run.

A.D. 1910.

Saving
rights of
Duchy of
Cornwall.

9. Nothing contained in this Act shall extend to authorise the Council to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to His Majesty in right of the Duchy of Cornwall without the consent in writing of some two or more of such of the regular officers of the said duchy or of such other persons as may be duly authorised under the provisions of the Duchy of Cornwall Management Act 1863 section 39 to exercise all or any of the rights powers privileges and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said duchy or belonging to the Duke of Cornwall for the time being without the consent of such Duke testified in writing under the seal of the Duchy of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by His Majesty in right of the Duchy of Cornwall or in or by the Duke of Cornwall for the time being.

Short title.

10. This Act may be cited as the Education Board Provisional Order Confirmation (London) Act 1910.

SCHEDULE.

A.D. 1910.

EDUCATION ACTS 1870-1907

AND

BOARD OF EDUCATION ACT 1899.

THE LONDON COUNTY COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts.

*London
County
Council.*

WHEREAS the London County Council require to purchase divers pieces of land for the purposes of Part III. of the Education Act 1902 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereto:

And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1907 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the Board of Education required:

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiries to be made in the districts wherein the said lands are situate as to the propriety of the proposed Order:

And whereas so far as under subsection (2) of section 2 of the Education (London) Act 1903 the concurrence of the Council of any metropolitan borough is required to any compulsory acquisition authorised by this Order that Council concur in that proposed compulsory acquisition:

And whereas the Board of Education have received reports after the inquiries above-mentioned and having duly considered the same are satisfied of the propriety of the proposed Order:

[Ch. xc.] *Education Board Provisional Order* [10 EDW. 7 &
Confirmation (London) Act, 1910. 1 GEO. 5.]

A.D. 1910.

*London
 County
 Council.*

Now therefore the Board of Education do hereby order that the London County Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereto the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this Sixth day of May one thousand nine hundred and ten.

(L.S.)

CLAUD SCHUSTER

One of the Assistant Secretaries of
 the Board of Education.

The SCHEDULE herein-before referred to.

Plan No. 1.

METROPOLITAN BOROUGH OF BATTERSEA.

Land including house and premises known as No. 30 Bridge Road West and containing about 3,850 square feet or thereabouts as the same are shown on the Plan No. 1 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Peter Langton May Frederick Sturdy May Herbert Richard Dudfield May.			
Eliza May			
Elizabeth Runham			
Helen Susan Meryett			
The London County Council			

Plan No 2.

A.D. 1910.

METROPOLITAN BOROUGH OF BATTERSEA.

*London
County
Council.*

Land including houses and premises known as Nos. 2 4 6 8 10 and 12 Lockington Road and containing about 5,250 square feet or thereabouts as the same are shown on the Plan No. 2 and distinguished thereon by the Nos. 1 to 6 inclusive.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Frederick Charles Elliot Vernon Wentworth.	Trustees of the Marriage Settlement of William Evelyn Long and Muriel Hester Vernon Wentworth		
Samuel Lithgow and Willitt Ram (the Younger).			
William Evelyn Long			
The London County Council			

Plan No. 3.

METROPOLITAN BOROUGH OF BETHNAL GREEN.

Land including houses and premises known as Nos. 37 38 and 39 Marian Square and Nos. 62 64 66 and 68 Pritchards Road and containing about 6,540 square feet or thereabouts as the same are shown on the Plan No. 3 and distinguished thereon by the Nos. 1 to 7 inclusive.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
John Bassett	Trustees under the Will of Pierson John Dixon deceased		
Joseph Henry Thomas Keeves			
Pierson John Dixon			
George Warde Dixon and Herbert Justice Glynn			
Sarah Dixon Executrix of the Will of Pierson John Dixon deceased.			
John Dixon			
Joseph Moss			

Plan No. 4.

METROPOLITAN BOROUGH OF DEPTFORD.

Land including houses and premises known as Nos. 3 4 5 6 and 7 St. Nicholas Street and containing about 4,660 square feet or thereabouts

[Ch. xc.] *Education Board Provisional Order* [10 EDW. 7 &
Confirmation (London) Act, 1910. 1 GEO. 5.]

A.D. 1910. as the same are shown on the Plan No. 4 and distinguished thereon by the Nos. 1 to 5 inclusive.

*London
 County
 Council.*

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Trustees of Sir John Evelyn's Charity	-		
Watney Combe Reid and Company Limited	-		
Arthur Edwin Woollett	-		

Plan No. 5.

METROPOLITAN BOROUGH OF FULHAM.

Land including house and premises known as No. 1 Gilstead Road and containing about 1,230 square feet or thereabouts as the same are shown on the Plan No. 5 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Charles William Taylor	-		

Plan No. 6.

METROPOLITAN BOROUGH OF HAMMERSMITH.

Land including house and premises known as No. 93 Vespan Road and containing about 2,000 square feet or thereabouts as the same are shown on the Plan No. 6 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Trustees of the London Parochial Charities	-		
Catherine Elizabeth Broad	-		

Plan No. 7.

A.D. 1910.

METROPOLITAN BOROUGH OF ISLINGTON.

*London
County
Council.*

Land including house and premises known as No. 7 Delhi Street and containing about 785 square feet or thereabouts as the same are shown on the Plan No. 7 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Randell and Evans Estate Limited			

Plan No. 8.

METROPOLITAN BOROUGH OF LAMBETH.

Land including houses and premises known as Nos. 87 89 91 93 95 97 99 101 103 105 107 109 and 111 Wickham Street and No. 54 Vauxhall Street and land including house warehouse roadway and premises known as No. 56 Vauxhall Street and containing about 12,835 square feet or thereabouts as the same are shown on the Plan No. 8 and distinguished thereon by the Nos. 1 to 15 inclusive.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Octavius Bradshaw			
Frederick Atkinson			
H.R.H. George Frederick Ernest Albert Prince of Wales Duke of Cornwall Lord of the Manor of Kennington.			
George Young			
George Law			
Sophia Jeacocks			
Thomas Giles			
Thomas Giles	} Trustees under the Will of Frederick Giles deceased {		
Jane Johnson Giles			
Frederick Alfred Giles			

Plan No. 9.

METROPOLITAN BOROUGH OF LEWISHAM.

Land including house and premises known as No. 31 Plassy Road and containing about 2,650 square feet or thereabouts as the

[Ch. xc.] *Education Board Provisional Order* [10 EDW. 7 &
Confirmation (London) Act, 1910. 1 GEO. 5.]

A.D. 1910. same are shown on the Plan No. 9 and distinguished thereon by the No. 1.

London
 County
 Council.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Joseph John Manheir			

Plan No. 10.

METROPOLITAN BOROUGH OF ST. PANCRAS.

Land including house and premises known as No. 41 Aldenham Street and containing about 1,288 square feet or thereabouts as the same are shown on the Plan No. 10 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Master and Keepers or Wardens and Commonalty of the Mystery or Art of Brewers of the City of London. George Smith			

Plan No. 11.

METROPOLITAN BOROUGH OF SHOREDITCH.

Land including house and premises known as No. 5 Trinity Place and containing about 800 square feet or thereabouts as the same are shown on the Plan No. 11 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Ecclesiastical Commissioners for England Thomas Wimhurst The London County Council			

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

HOWLAND BAILEY, Esq., M.V.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
 WYMAN AND SONS, LTD., FETTER LANE, E.C.; or
 OLIVER AND BOYD, TWEEEDALE COURT, EDINBURGH; or
 E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN.