



CHAPTER lxxx.

An Act to empower the London County Council A.D. 1922.
to construct and work new tramways to alter
and reconstruct an existing tramway and to
make street improvements and other works
and for other purposes. [4th August 1922.]

WHEREAS it is expedient that the London County Council (in this Act referred to as "the Council") should be empowered to construct and maintain the new tramways and to alter and reconstruct the existing tramway described in this Act and that provisions should be made with respect to the use and working of such tramways :

And whereas it is expedient to confer on the Council powers to make the street improvements and works hereinafter specified :

And whereas it is also expedient to confer upon the Council in connexion with and for the purposes of the tramways and improvements by this Act authorised and otherwise in connexion with their tramway undertaking the powers hereinafter set forth :

And whereas it is expedient to confer on the Council such powers as are hereinafter set forth with regard to the raising of money for the purposes of this Act :

And whereas estimates have been prepared by the Council as to the amount which they will require to expend on capital account for the purposes of this Act and such estimates are as follows :—

[Price 1s. Net.]

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For the construction and equipment of
new tramways the reconstruction of an
existing tramway and for other pur-
poses of the tramway undertaking and
for the street improvements and works
connected therewith - - - - 74,715

And whereas the Council have deposited with the clerk of the peace for the county of London plans and sections describing the lines and levels of the tramways street improvements and works by this Act authorised and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands which may be taken or used for the purposes of this Act and such plans sections and book of reference are respectively referred to in this Act as the deposited plans sections and book of reference :

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

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.

PRELIMINARY.

Short title.

1. This Act may be cited as the London County Council (Tramways and Improvements) Act 1922.

Act divided into Parts.

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

Part I.—Preliminary.

Part II.—Tramways.

Part III.—Street Works.

Part IV.—Miscellaneous and Financial.

Incorporation of Act.

3. Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 so far as the same are applicable for the purposes of and not varied by or

inconsistent with this Act are hereby incorporated with and form part of this Act. A.D. 1922.

4.—(1) In this Act unless the subject or context otherwise requires— Interpretation.

“The Council” means the London County Council;

“The county” means the administrative county of London;

“The new tramways” means the tramways by this Act authorised and any part thereof;

“The reconstructed tramway” means the tramway which may be reconstructed under this Act and any part thereof;

“The tramways” means the new tramways and the reconstructed tramway and any part thereof;

“The improvements” means the street works by this Act authorised and any part thereof;

“The works” means the tramways and the improvements;

“Street” has the meaning assigned to that term in the Metropolis Management Acts 1855 to 1893;

Terms for which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in and for the purposes of this Act the same respective meanings.

(2) Where in this Act any distance or length is stated in the description of any of the works that distance or length shall be read and have effect as if the words “or thereabouts” were inserted thereafter.

PART II.

TRAMWAYS.

5. Subject to the provisions of this Act the Council may make form lay down and maintain the new tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing-places works and conveniences Power to make new tramways.

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Tramway No. 1 (double line 5 furlongs 0·5 chain in length) commencing in Seven Sisters Road by a junction with the existing tramway therein as reconstructed under this Act at a point $\frac{1}{2}$ chain south-westward of the junction of Seven Sisters Road with Amhurst Park passing thence along Amhurst Park to and terminating in Clapton Common by a junction with the existing tramway therein at a point 1 chain eastward of the junction of Amhurst Park with Stamford Hill.

Tramway No. 1A (double line 1·7 chains in length) commencing in Amhurst Park by a junction with Tramway No. 1 hereinbefore described at a point 1 chain westward of the junction of Stamford Hill with Amhurst Park and terminating in Stamford Hill by a junction with the existing tramway therein at a point 1 chain southward of the junction of Amhurst Park with Stamford Hill.

Tramways Nos. 1 and 1A will be made or pass in through or into the following places or one of them The metropolitan boroughs of Stoke Newington and Hackney.

Reconstruction of existing tramway.

6. Subject to the provisions of this Act the Council may reconstruct (which expression where used in this Act includes the laying of the reconstructed tramway in a different position in the street from that occupied by the existing tramway) in the lines and according to the levels shown on the deposited plans and sections the tramway hereinafter described :—

So much of the tramway of the Metropolitan Electric Tramways Limited in Seven Sisters Road as lies between points respectively 2 chains south-westward and 1 chain north-eastward of the junction of Amhurst Park with Seven Sisters Road.

The said part of the tramway as reconstructed will be situate in the metropolitan borough of Stoke Newington and will be a double line 3·05 chains in length.

As to system of traction to be adopted.

7.—(1) For the purpose of working the tramways by electrical power the Council may adopt such system of overhead traction as the Minister of Transport may

sanction Provided that the Council shall not adopt such system in any metropolitan borough until after consultation with the council of that metropolitan borough. A.D. 1922.

(2) No posts shall be placed in the centre of any street for the purpose of working any of the tramways by a system of traction conducted by means of posts and wires placed overhead without the consent of the Commissioner of Police of the Metropolis which consent shall not be unreasonably withheld.

(3) Subject to the provisions of subsection (2) of this section the posts carrying the overhead electrical equipment shall be placed in such positions in the street as the borough council may reasonably approve and any difference arising between the Council and the borough council hereunder shall unless otherwise agreed be determined by a referee in accordance with the provisions of section 33 of the Tramways Act 1870.

8. The following provisions shall unless otherwise agreed in writing have effect for the protection of the Metropolitan Electric Tramways Limited (hereinafter in this section referred to as "the company") that is to say:—

For protection of Metropolitan Electric Tramways Limited.

(1) (A) Twenty-eight days before commencing to execute any works for the reconstruction under the powers of this Act of the tramway of the company situate in Seven Sisters Road (in this section called "the said works") the Council shall deliver to the company plans sections and specifications of the said works and if within twenty-one days from the delivery the company do not approve the same or object thereto they shall be deemed to have approved thereof;

(B) The said works shall be executed in accordance with the said plans sections and specifications as approved by the company or settled by arbitration as hereinafter in this section provided and under the superintendence (if given) and to the reasonable satisfaction of the company;

(C) The Council shall not reconstruct the said tramway upon any system or alter or adapt the apparatus or equipment in connexion therewith so as to prevent or render more difficult

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the working or use by the company of the said tramway with and as part of the remainder of their undertaking;

(D) If during the execution or after the completion of the said works any injury to the company's property is caused by or in consequence of such execution the Council shall pay to the company reasonable compensation for such injury;

(E) The Council shall also pay to the company reasonable compensation for any loss of traffic which the company may sustain during and by reason of the execution of the said works:

- (2) The Council shall so carry out the said works as to cause as little inconvenience or interruption as is reasonably practicable to the traffic on the said tramway and shall not under the powers of this section interfere with more than one line of rails of the said tramway at any one time:
- (3) The Council shall bear and on demand pay to the company the reasonable cost of the employment by them during the construction of the said works of a sufficient number of inspectors and signalmen or watchmen for inspecting the said works and for watching the said tramway and the conduct of the traffic thereon during the execution of the said works:
- (4) Any alteration of any part of the said tramway immediately adjoining the reconstructed tramway which may be rendered necessary in consequence of the execution of the said works shall be carried out by the Council or by the company if they so elect by notice in writing to the Council within twenty-one days from the receipt by them of such plans sections and specifications as aforesaid and the reasonable expense thereof shall be borne by the Council:
- (5) Except as expressly provided in this Act nothing therein or done thereunder shall alter or affect the estate rights or interests of the company in the said tramway and that tramway if and when reconstructed shall be and remain the property of the company in all respects as if this Act had not been passed:

- (6) Nothing in this Act or done thereunder shall preclude the company from executing all such works of repair maintenance and renewal of the said tramway as reconstructed by the Council or from applying for and exercising such further statutory powers as they may deem necessary as they might have executed or applied for and exercised if this Act had not been passed : A.D. 1922.
- (7) Any difference arising between the company and the Council under this section shall be referred to and settled by an engineer to be agreed upon between them or failing agreement appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the Arbitration Act 1889 shall apply to the reference :
- (8) The approval of the company of any plans sections or specifications or the superintendence by the company of any works under the provisions of this section shall not exonerate the Council from any liability or affect any claim for damages under this section or otherwise :
- (9) The powers to work tramways conferred on the Council by section 17 of the London County Council (*Tramways and Improvements*) Act 1901 shall not apply to the reconstructed tramway.

9. The Council shall not under the provisions of this Act run over or use the reconstructed tramway until they have reconstructed the same but from and after the completion of such reconstruction the Council may run over and use the said tramway subject to the following provisions (that is to say) :— As to running over reconstructed tramway.

- (A) The terms and conditions of the running over and user by the Council of the reconstructed tramway shall be such as may be agreed between the Metropolitan Electric Tramways Limited and the Council or failing agreement such as shall be determined (subject to the right of either party to demand a revision of the terms and conditions at the end of every period of five years) by an arbitrator to be appointed by the Minister of Transport :

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- (B) In running over and using the reconstructed tramway in accordance with the provisions hereinbefore contained the statutory provisions regulations and byelaws for the time being in force thereon shall be at all times observed so far as the same may be applicable.

For protection of
Great
Eastern
Railway
Company.

10. For the protection of the Great Eastern Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Council and the company apply and have effect :—

- (1) In this section the word "apparatus" includes posts brackets electric wires conductors and any similar appliances to be used as or for the purposes of a motive power for the carriages running on the tramways and includes also any subways tunnels tubes openings excavations channels and pipes for the purposes of such apparatus :
- (2) Before commencing the construction of tramway No. 1 by this Act authorised (in this section referred to as "the said tramway") upon the bridge carrying Amhurst Park over the railway of the company the Council shall give notice in writing to the company of their intention so to do together with plans sections and specifications of the intended works and in case the company are of opinion that any strengthening reconstruction or alteration of the said bridge is necessary to adapt the same for carrying the said tramway such strengthening reconstruction or alteration shall be effected by the company at the expense of the Council in accordance with plans sections and specifications to be previously submitted to and approved by the Council or in case of difference determined by a referee to be appointed as hereinafter provided :
- (3) All works in connexion with the construction of the said tramway where any of the works will be made upon the said bridge or other work belonging to the company or will otherwise affect the same shall be executed so as to interfere as little as possible with the structure of

such bridge or other work and according to plans sections and specifications to be previously submitted to and approved by the company or in case of difference between them and the Council determined by the said referee All such works shall be executed and thereafter maintained according to the plans sections and specifications so approved or determined and under the superintendence and to the satisfaction of the company. The Council shall so construct maintain and use the said works as not to injuriously affect the said bridge or other work and in the event of any injury being occasioned to such bridge or other work by the construction maintenance user or removal of the said tramway works or any apparatus the company may make good the injury and may recover from the Council the reasonable expense of so doing :

- (4) The Council shall not in any manner in the execution maintenance user or removal of any of their works or apparatus obstruct or interfere with the free uninterrupted and safe user of any railway or other work belonging to the company or any traffic thereon :
- (5) The Council shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to the traffic on such railways or to any company or person using the same by reason of the execution or failure of any of the intended works or apparatus or by reason of any act default or omission of the Council or of any person in their employ or of any contractors for the intended works or any part thereof and the Council shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :
- (6) If the company at any time require to widen lengthen strengthen reconstruct alter or repair the said bridge the Council shall afford to the company all reasonable and proper facilities for

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the purpose and if the company find it necessary for such purpose that the working or user of any part of the said tramway upon the said bridge be wholly or in part stopped or delayed or that such part of the said tramway be wholly or in part taken up or removed and if the company accordingly give to the Council fourteen days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up or removal then the working or user of such part of the said tramway shall be stopped or delayed or such part of the said tramway shall be taken up or removed as stated in such notice at the reasonable expense of the Council and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be necessary for effecting such purpose as aforesaid and such part of the said tramway shall be restored with all possible dispatch and in such case the company shall not be liable to pay compensation in respect of such stoppage delay taking up or removal. Provided that if the said tramway is constructed as a double line the company shall not be at liberty to require more than one line of rails to be stopped at a time or if the said tramway is constructed as a single line the company shall give to the Council all reasonable facilities for the construction and user of a temporary line to be laid for maintaining the tramway service :

- (7) In case the company are of opinion that any such strengthening reconstruction or alteration is rendered necessary owing to the carriages or other vehicles used on the said tramway being moved by mechanical power (including electrical power) such strengthening reconstruction or alteration shall be effected at the expense of the Council who shall also pay to the company any additional expense which they may reasonably incur in effecting any such strengthening reconstruction or alteration or any widening lengthening or repairing by reason of the existence or

user of the said tramway or any of the works connected therewith: A.D. 1922.

- (8) If any such strengthening reconstruction or alteration as aforesaid involves an alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the company shall be deemed to be "undertakers" within the meaning of the said Act. Provided that any expenditure incurred by the company in connexion with any such alteration shall be deemed part of the cost of the strengthening reconstruction or alteration of the said bridge:
- (9) Where the said tramway will pass in front of the entrances to the Stamford Hill Station of the company no crossing or passing place siding junction turnout or other work shall be made for or in connexion therewith for the distance thereon extending in front of the said entrances and for a length of ten yards at each end of such distance without the consent of the company and without such consent no stopping place shall be prescribed within such distance and lengths:
- (10) If any difference arises under this section between the Council and the company the same shall unless otherwise agreed be determined by a referee in accordance with the provisions of section 33 of the Tramways Act 1870.

PART III.

STREET WORKS.

11. The Council may at the places mentioned or described in the Second Schedule to this Act increase the width of the carriageway of the several streets or roads therein mentioned by reducing the width of the footpath or footpaths at the side or sides thereof to the extent shown on the deposited plans but the Council shall not in exercising the powers of this section reduce the width of any footpath to less than six feet.

Power to
Council to
make im-
provements.

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PART IV.

MISCELLANEOUS AND FINANCIAL.

Period for
completion
of works.

12. If the works are not completed within the period of seven years from the passing of this Act then on the expiration of that period the powers of the Council under this Act for the execution of the same respectively shall cease except so far as the same are then completed.

Incorporating certain
provisions
of former
Acts.

13. The sections of the London County Tramways (Electrical Power) Act 1900 the London County Council (Tramways and Improvements) Act 1901 the London County Council (Tramways and Improvements) Act 1907 and the London County Council (Tramways and Improvements) Act 1911 of which the numbers and marginal notes are respectively set forth in the second and third columns of the First Schedule to this Act are hereby incorporated with and form part of the Parts of this Act of which the numbers are respectively set opposite to the said sections in the first column of the said schedule and the said sections shall so far as applicable extend and apply to the works and to the lands by this Act authorised to be acquired by the Council and to the Council in respect thereof as fully and effectually as if such sections had been re-enacted with the necessary modifications in this Act with reference thereto :

Provided that where in any of the incorporated sections the Board of Trade is referred to there shall be substituted therefor a reference to the Minister of Transport :

Provided also that for the purposes of the incorporated sections 48 and 49 of the said Act of 1901 the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies :

Provided further that in its application to the tramways section 11 of the said Act of 1901 shall be read and construed as if the words "or by the Commissioner of Police of the Metropolis" had been inserted therein after the words "twenty inhabitant ratepayers of such district."

Money to
be raised
on capital
account.

14. 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 seventy-four

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thousand seven hundred and fifteen pounds and may borrow or otherwise provide the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912. A.D. 1922.

15. 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 or special county purposes within the meaning of the Local Government Act 1888 as the Council may decide and 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 payments under this Act.

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

(Referred to in Section 13.)

PROVISIONS OF THE LONDON COUNTY TRAMWAYS (ELECTRICAL POWER) ACT 1900 THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT 1901 THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT 1907 and THE LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) ACT 1911 INCORPORATED WITH THIS ACT.

Part of Act to which Incorporated Sections apply.	Number of Section.	Marginal Note.
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LONDON COUNTY TRAMWAYS (ELECTRICAL POWER) ACT 1900.

II.	3	Use of electrical power.
	4	Special provisions as to use of electrical power.
	6	Power to construct and provide appliances.
	7	Further provisions as to paving materials of roads.
	9	Application of materials excavated in construction of works.
	10	Alterations in streets &c.
	11	Electrical power works subject to Tramways Act 1870.
	12	Drainage and cleaning of rails and conduit.
	13	Reference of certain questions to arbitration.
	14	Posts &c. to be removed if user discontinued.
22	Agreements as to supply of electric energy.	

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS) Act 1901.

II.	7	Tramways not to be opened until certified by Board of Trade.
	8	As to rails of tramways.
	9	Rails to be maintained on level of roadway.
	10	Saving rights of access to sewers.
	11	Penalty for not maintaining rails and roads in good condition and inspection of tramways.
	14	Use of tramways by road authorities for certain local purposes.
	17	Power to Council to work tramways.
	19 (except (b) (5) thereof)	For protection of Postmaster-General.
	22	Provision against interference with tramways.

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FIRST SCHEDULE—*continued.*

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Part of Act to which Incorporated Sections apply.	Number of Section.	Marginal Note.
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LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS)
 ACT 1901.

	29	Streets may be raised or lowered.
	30	Deviation from line and levels.
III.	32	Carriageway footway sewers and other works.
	33	Directing how pavement shall be laid and made.
	34	Sewers or drains to be arched over or filled up.
	35	Power to alter steps areas pipes &c.
	38	Power to sell materials.
II. and III.	48	Alteration of position of water gas and other pipes.
	49	For protection of gas and water companies.
III.	50	Alteration of electric lines.
II.	68	Separate account of receipts and payments relating to tramways.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS)
 ACT 1907.

	7 (1)	Motive power.
	9	Gauge of tramways.
II.	12	Application of section 32 of Tramways Act. 1870.
	14	Power to make additional crossovers and to double tramway lines.
	17	Power to Postmaster-General in relation to posts &c.
II. and III.	21	Power to make subsidiary works stop up streets &c.
	40	Power to stop up ways temporarily.

LONDON COUNTY COUNCIL (TRAMWAYS AND IMPROVEMENTS)
 ACT 1911.

II.	14	Commissioner of Police may affix notices to standards.
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SECOND SCHEDULE.

(Referred to in Section 11.)

DESCRIPTION OF PORTIONS OF STREETS OF WHICH
 CARRIAGEWAY IS TO BE WIDENED.

Name of Thoroughfare.	Metropolitan Borough.	Side or Sides of Thoroughfare.	Description.
Seven Sisters Road.	Stoke Newington	South-eastern	Between Amhurst Park and a point 2 chains south-westward thereof.
Amhurst Park	Hackney - -	Southern -	Between Stamford Hill and a point 4 chains westward thereof.
Stamford Hill -	Do. -	Western -	Between Amhurst Park and a point 1 chain southward thereof.

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