



CHAPTER iv.

An Act to empower the London County Council to execute street and other works and acquire lands in the metropolitan borough of Hammersmith and for other purposes. [11th February 1948.]

WHEREAS the county councils of the administrative counties of London and Middlesex were empowered by the London and Middlesex (Improvements &c.) Act 1936 to make new streets street widenings and other works for the improvement of traffic facilities between West Cromwell Road and Great West Road in the counties of London and Middlesex respectively and to acquire lands for the purposes thereof or in connection therewith: 26 Geo. 5. & 1 Edw. 8. c. cviii.

And whereas it is expedient that the powers of the London County Council (hereinafter referred to as "the Council") with respect to the construction of certain of the said works in the metropolitan borough of Hammersmith should be abandoned as provided by this Act and that in lieu thereof the Council should be authorised to execute the works described in this Act (hereinafter referred to as "the improvements") and to acquire lands for that purpose and for the purposes mentioned in this Act:

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

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

And whereas an estimate has been prepared of the cost of and incidental to the execution of the improvements (including the acquisition of lands therefor or in connection therewith) and such estimate (being calculated to cover the original cost of purchasing lands and executing the improvements without any allowance in respect of returns from the resale or letting of lands) amounts to three million one hundred and seventy-five thousand pounds:

And whereas a plan and sections showing the lines and levels of the improvements such plan also showing the lands which may be acquired or used compulsorily under the powers of this Act and a book of reference to such plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the Council and are in this Act referred to respectively as the deposited plan sections 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:—

PART I.

PRELIMINARY.

- Short title. 1. This Act may be cited as the London County Council (Improvements) Act 1948.
- Act divided into Parts. 2. This Act is divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Lands.
Part III.—Improvements.
Part IV.—Protective provisions.
Part V.—Miscellaneous.
- Interpretation. 3.—(1) In this Act except as otherwise expressly provided or unless the subject or context otherwise requires—
“the county” means the administrative county of London;
“the Council” means the London County Council;
“the borough of Hammersmith” means the metropolitan borough of Hammersmith;
“the Hammersmith Council” means the council of the borough of Hammersmith;
“the Minister” means the Minister of Transport;
“the improvements” means the new streets street widenings improvements of streets and other works by Part III of this Act authorised or any of them or any part thereof respectively and “improvement” means any of the improvements or any part thereof;
“reserved area” means any area for the time being set apart in the improvements for dividing lines of traffic;

“ the Act of 1936 ” means the London and Middlesex (Improvements &c.) Act 1936;

“ the Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 by Part V of the Town and Country Planning Act 1947 and by this Act;

“ land ” or “ lands ” includes any interest in land and easement or right in to or over land;

“ the tribunal ” means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

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

“ enactment ” means any enactment whether public general or local and includes any order or other instrument having effect by virtue of an enactment;

“ telegraphic line ” has the same meaning as in the Telegraph Act 1878.

41 & 42 Vict.
c. 76.

(2) Except as otherwise expressly provided in this Act or unless the context otherwise requires terms to which meanings are assigned by any enactment incorporated with or applied by this Act or which have in any such enactment special meanings have in and for the purposes of this Act the same respective meanings.

(3) Where in this Act any distance or length is stated in the description of any works the reference to that distance or length shall be construed as if the words “ or thereabouts ” were inserted after such distance or length.

(4) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

4. The Lands Clauses Acts so far as they are applicable for the purposes of and are not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act with the following exceptions and modifications:—

Incorporation
of Lands
Clauses Acts.

(a) section 92 and sections 127 to 133 inclusive of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

8 & 9 Vict.
c. 18.

(b) the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the seal of

PART I.
—cont.

the Council and shall be sufficient without the addition of the sureties mentioned in that section; and

- (c) the expressions "the promoters of the undertaking" and "the company" in the Lands Clauses Acts shall be construed to mean the Council.

PART II.

LANDS.

Power to take
lands.

5.—(1) Subject to the provisions of this Act the Council may enter upon take and use any of the lands delineated on the deposited plan and described in the deposited book of reference which may be required for the purposes of or in connection with the improvements and for providing space for the erection of houses and buildings adjoining or near to the improvements and for the purposes of recoupment reinstatement or exchange and for enabling the Council to control the development of such lands and for other purposes of this Act or for any of the aforesaid purposes.

(2) The powers of the Council for the purchase of lands by agreement shall subject to the provisions of this Act be deemed to extend to and to authorise the purchase by the Council by agreement of any other lands in the county which they may think it desirable to purchase in order to provide sites for the erection of houses for persons of the working class or substituted sites or facilities for any persons whose lands may be required by the Council for the purposes of or in connection with the improvements.

Power to use
subsoil of
streets.

6. Subject to the provisions of this Act the Council may enter upon take use and appropriate so much of the subsoil and under-surface of any public street road or footway within the limits of deviation shown on the deposited plan as shall be necessary for the purposes of the improvements or any part thereof without being required to purchase the same or any easement therein or thereunder.

Acquisition of
parts only of
certain
properties.

7. No person shall be required to sell a part only of any house building or factory or of any land which forms part of a park or garden belonging to a house if he is willing and able to sell the whole of the house building factory park or garden unless the tribunal determine that in the case of a house building or factory such part as is proposed to be taken can be taken without material detriment to the house building or factory or in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house and if the tribunal

so determine compensation shall be awarded in respect of the severance of the part so proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the Council that part of the house building, factory, park or garden.

8.—(1) The Council may in lieu of acquiring any lands for the purposes of the improvements acquire such easements and rights only in or in respect of such lands as they may require for such purposes and may give notice to treat in respect of such easements and rights describing the nature thereof and the restrictions subject to which the owners and occupiers may use the lands and the provisions of the Lands Clauses Acts and of this Act shall apply to and in respect of the acquisition of such easements and rights as fully as if the same were lands within the meaning of those Acts except that no such easement or right shall be deemed part of a house or other building or manufactory within the meaning of section 7 (Acquisition of parts only of certain properties) of this Act.

Acquisition of easements.

(2) As regards any lands in respect of which the Council have acquired easements or rights only under the provisions of this section the Council shall not be required or entitled to fence off or sever such land from the adjoining lands but unless otherwise agreed the owners or occupiers for the time being shall subject to such easements or rights have the same rights of using and cultivating such lands at all times as if this Act had not been passed.

9. All private rights of way over any lands which the Council are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Council be extinguished except to the extent to which the Council shall by resolution otherwise determine;

Extinguishment of private rights of way.

Provided that the Council shall make compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

10. 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 or 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 or for any purpose for which lands are authorised by this Act to be acquired compulsorily in or affecting any such lands and for the purposes of this Act the provisions

Power to certain persons to grant easements &c. by agreement.

PART II.
—cont.

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 easements rights and privileges as aforesaid and to any grant of the same respectively.

Correction of errors in deposited plan and book of reference.

11.—(1) If there be any omission misstatement or wrong description of any lands referred to in this Act or of the owners lessees or occupiers of any such lands shown on the deposited plan or specified in the deposited book of reference the Council after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to a metropolitan police magistrate for the correction thereof.

(2) If on any such application it appears to the magistrate that the omission or misstatement or wrong description arose from mistake he shall certify accordingly and he shall in his certificate state the particulars of the omission or in what respect any such matter is misstated or wrongly described.

(3) Such certificate or a copy thereof shall be deposited with the clerk of the Council and a duplicate thereof shall be deposited with the town clerk of the borough of Hammersmith and such certificate or copy and duplicate respectively shall be kept by such clerks with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Council to take the lands and execute the improvements in accordance with the certificate.

Power to enter upon property for survey &c.

12. 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 houses and buildings by this Act authorised to be taken and used or any of them or any premises in respect of which a claim for compensation under this Act is received for the purpose of surveying and valuing the said lands houses and buildings and of inspecting the said premises 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 houses and buildings.

Compensation in case of recently altered buildings &c.

13. In settling any question of disputed purchase money or compensation payable by the Council under this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the lands created after the twentieth day of March one thousand nine

hundred and forty-seven if in the opinion of the tribunal 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.

PART II.
—cont.

14. In determining the amount of compensation or purchase money to be paid by the Council in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are contiguous with such adjoining lands arising out of the execution of the improvements or arising through such adjoining lands becoming lands fronting on any street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Benefits to be set off against compensation.

15.—(1) The Council may for the purposes of this Act appropriate and use or deal with or dispose of in accordance with the provisions of this Act any lands in the county belonging to them and not required by them for any other purpose and the provisions of this Act relating to lands acquired by the Council thereunder shall apply to any lands appropriated by the Council under the powers of this section as if such lands had been so acquired.

Power to appropriate lands for purposes of Act.

The Council shall make any necessary adjustments in their accounts required in consequence of any such appropriation as aforesaid.

(2) (a) An amount equivalent to the ascertained value of any lands appropriated by the Council under the powers of this section shall be added to and be deemed to form part of the expenditure incurred by the Council in carrying into execution the provisions of this Act.

(b) The said ascertained value shall be such a sum as may be agreed between the Minister and the Council or in the event of difference between them as may be settled by arbitration:

Provided that for the purposes of this subsection section 55 (Arbitration) of this Act shall apply as if in that section the words "the President of the Royal Institution of Chartered Surveyors" were substituted for the words "the President of the Institution of Civil Engineers."

16. At any time after notice to treat has been served for any land which the Council are by this Act authorised to purchase compulsorily the Council may subject as hereinafter provided after giving to the owner and occupier of the land not less than fourteen days' notice enter on and take possession of the land or such part thereof as is specified

Further powers of entry.

PART II.
—cont.

in the notice without previous consent or compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845 but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those provisions had been complied with:

Provided that in the case of an occupier with whom the Council have not agreed the amount of the purchase money or compensation to be paid to him the period of notice to be given to him pursuant to this section shall be not less than ninety days.

Powers with
reference to
certain lands.

17. The Council may use for any purposes of or in connection with the improvements (including the provision of open areas street refuges grass verges enclosures or gardens) and lay out and construct streets and footways upon and develop all or any lands in the borough of Hammersmith acquired by them under the powers of this Act and not required for any other purpose thereof.

Sale or
leasing &c. of
lands.

18.—(1) Notwithstanding anything in this or any other Act or Acts or otherwise to the contrary the Council may—

- (a) retain and hold and use for such time and for such purpose as they may think fit (making any necessary adjustments in their accounts in consequence of such user); or
- (b) demise lease or let for any term or (subject or not as the case may be to any such demise lease or letting) sell and convey or exchange for other lands in the county either with or without paying or receiving any money for equality of exchange; or
- (c) grant any easements rights or privileges in under or over;

any land acquired by or vested in them under this Act or taken in exchange under the powers of this section and do any act or thing requisite or proper for any of the purposes aforesaid.

(2) Any such sale conveyance demise lease letting or exchange may be made at such price or rent (including a peppercorn rent) or for such consideration and may be subject to such restrictions conditions and stipulations (whether as to the title to be produced to such land or as to the nature of the buildings at any time erected or to be erected thereon or as to the use or enjoyment thereof or otherwise) and may be effectuated in one or more parcels or lots and either by public auction or private contract as the Council think reasonable and as regards any restrictions conditions and stipulations which may be contained in any assurance made under this enactment

the same may at all times thereafter be enforced by the Council for the benefit of the Council or of any person entitled to other property adjoining or held under title derived from the Council.

PART II.
—cont.

19. The Council may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands or property abutting on any portion of any lands which may be acquired by or are vested in the Council under the provisions of this Act with respect to the sale by the Council to such person of any such last-mentioned lands for such consideration as may be agreed upon between the Council and such person or with respect to the reinstatement of such person and the Council may accept as satisfaction of the whole or any part of such consideration the grant by such person of any other lands or property required by the Council for the purposes of this Act.

Power to make
agreements
with owners of
property &c.

20.—(1) If and when the Council acquire under the powers of this Act any portion of the churchyard of St. Paul's Church in the borough of Hammersmith they shall before applying or using any part of such lands for or in connection with the improvements remove or cause to be removed the remains of all deceased persons interred in such part.

Removal of
human
remains.

(2) Before proceeding to remove any such remains the Council shall publish a notice for three successive days in two newspapers circulating in the county to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) At any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said part of such lands may give notice in writing to the Council of his intention to undertake the removal of such remains and thereupon he shall be at liberty without any faculty for the purpose but subject as hereinafter mentioned to any regulations made by the bishop of the diocese of London to cause such remains to be removed to and re-interred in any consecrated burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Council that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of London who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave

PART II.
—cont.

the sum of twenty-five pounds) shall be defrayed by the Council such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Council in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section and with any regulation of the bishop the Council may without any faculty for that purpose remove the remains of the deceased person and subject to the consent of the bishop cause them to be interred in such other consecrated burial ground or cemetery in which burials may legally take place as the Council think suitable for the purpose.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Council be removed and re-erected at the place of re-interment of such remains or at such place within the county as the bishop may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Council and the Council shall cause to be made a record of such monuments and tombstones and of their situation when re-erected showing the particulars respecting each monument and tombstone as a separate entry and such record shall be deposited at the General Register Office Somerset House London with the miscellaneous records in the custody of the Registrar-General.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the county.

Limitation of
time for
purchase of
lands.

21. The powers of the Council for the compulsory purchase of lands under this Act shall cease on the first day of October one thousand nine hundred and fifty-two.

PART III.

IMPROVEMENTS.

Power to
execute works.

22.—(1) Subject to the provisions of this Act the Council may in the lines or situations and within the limits of deviation shown on the deposited plan and according to the levels shown on the deposited sections execute the works in the borough of Hammersmith described in subsection (2) of this section.

(2) The works referred to in subsection (1) of this section are—

PART III.
—cont.

Work No. 1. A new street commencing by a junction with Work No. 4 authorised by the Act of 1936 at Macbeth Street (formerly called Waterloo Street) and terminating by a junction with Work No. 2 hereinafter described;

Work No. 2. A new street (to be raised above the existing street levels) commencing by a junction with the termination of Work No. 1 hereinbefore described and terminating by a junction with the commencement of Work No. 3 hereinafter described;

Work No. 3. A new street commencing by a junction with the termination of Work No. 2 hereinbefore described and terminating by a junction with Work No. 2 authorised by the Act of 1936 at Colet Gardens;

Work No. 4. A new street commencing by a junction with the said Work No. 1 hereinbefore described and terminating by a junction with Work No. 6 hereinafter described;

Work No. 5. A new street commencing by a junction with the commencement of Work No. 6 hereinafter described and terminating by a junction with Work No. 1 hereinbefore described;

Work No. 6. A variation (including a widening and a diversion) of Hammersmith Bridge Road between Worlidge Street and Queen Caroline Street (formerly called Queen Street);

Work No. 7. A new street commencing by a junction with Hammersmith Road and terminating by a junction with Great Church Lane;

Work No. 8. A widening of Great Church Lane (including a widening of the bridge over the District line and the Piccadilly line of the British Transport Commission) and Fulham Palace Road on the northern sides thereof between Work No. 7 hereinbefore described and a point 25 yards eastward of the junction of Fulham Palace Road with Queen Caroline Street;

Work No. 9. A widening of Great Church Lane on both sides thereof between Work No. 7 hereinbefore described and Work No. 3 hereinbefore described;

Work No. 10. A new street commencing by a junction with Work No. 3 hereinbefore described and terminating by a junction with Work No. 9 hereinbefore described;

PART III.
—cont.

Work No. 11. A variation (being in part a widening and in part a diversion) of Fulham Palace Road between a point 130 yards southward of the centre line of Work No. 8 hereinbefore described and that centre line;

Work No. 12. A widening of Beadon Road on the north-eastern side thereof between Hammersmith Grove and Hammersmith Broadway.

Power to pump water and use sewers for removing water.

23. Subject to the provisions of this Act the Council may pump any water found by them in the execution and maintenance of the improvements and may use for the discharge of any such water any available stream or watercourse or any sewer or drain and for that purpose may within the limits of deviation shown on the deposited plan lay down take up and alter conduits pipes and other works and make any convenient connections with any such stream watercourse sewer or drain.

Power to make subsidiary works &c.

24. Subject to the provisions of this Act and within the limits of deviation shown on the deposited plan the Council in connection with and for the purposes of this Act and as part of the improvements (in addition to the works described or referred to in any other provision of this Act) may execute or do any of the following works or things (that is to say):—

- (a) Make junctions and communications (including the provision of steps for the use of persons on foot) with any existing streets intersected or interfered with by or contiguous to any of the improvements and divert widen or alter the line or alter the level of any existing street for the purposes of the improvements;
- (b) Remove alter or divert the position of any trolley vehicle apparatus in or along any street of which the whole or part is to be diverted widened raised lowered or otherwise interfered with under the powers of this Act and provide during such removal alteration or diversion any trolley vehicle apparatus which may be necessary for continuing the traffic on any trolley vehicle route:

Provided that the working or running of trolley vehicles on any such trolley vehicle route or any part thereof may be suspended (either wholly or partially) for such periods as may be deemed necessary for the purposes of this paragraph without involving any liability penalty or forfeiture by reason or in consequence of any such suspension;

- (c) Stop up any part of a street which they may consider unnecessary to retain or to throw into the improvements and alter and divert any street or part of a street;
- (d) Raise sink or otherwise alter the position of any of the steps areas cellars cellar-flaps pavement-lights gratings boundary walls railings fencings windows sewers drains watercourses pipes or spouts belonging to any house or building and remove all other obstructions so as to cause in so doing as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the Council shall make reasonable compensation to any person who suffers damage by any such alterations such compensation to be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement;
- (e) Execute any works for the protection of any adjoining land or buildings;
- (f) Execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings;
- (g) Construct any embankments or retaining walls for supporting the improvements.

25. Subject to the provisions of this Act the Council may for the purposes of or in connection with the improvements and within the limits of deviation shown on the deposited plan construct and execute all such bridges arches piers viaducts embankments tunnels abutments wing walls and other works as they may deem necessary or expedient for carrying the improvements over or under any railway stream or watercourse or any land and may for the purpose of and during the execution of the improvements over or under any railway erect place or execute and maintain upon over or under such railway all such temporary structures erections works apparatus and appliances as may be necessary or convenient and as will not prevent the safe use of such railway or interfere to any greater extent than is reasonably necessary with the traffic thereon.

Power to construct bridges &c. and to execute temporary works on railways.

26. In executing the improvements the Council may deviate laterally from the lines or situations thereof to any extent within the limits of deviation shown on the deposited plan relating thereto respectively and vertically from the levels thereof defined on the deposited sections to any extent not exceeding five feet upwards and five feet downwards.

Deviation from line and levels.

PART III.
—cont.
Underpinning
of houses near
improvements.

27. The Council at their own costs and charges may subject as hereinafter provided underpin or otherwise strengthen any house or building within one hundred feet of any of the improvements and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall except in case of emergency be given to the owners lessees and occupiers of the house or building intended to be so underpinned or otherwise strengthened:
- (2) Each such notice shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845:
- (3) If any owner lessee or occupier of any such house or building shall within seven days after the giving of such notice give a counter-notice in writing that he disputes the necessity of such underpinning or strengthening the question of the necessity shall be settled by arbitration:
- (4) The Council shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section provided that the claim for compensation in respect of such loss or damage be made within three months from the occurrence thereof:
- (5) (a) In any case in which any house or building shall have been underpinned or strengthened under the powers of this section the Council may from time to time after the completion of such underpinning or strengthening and during the execution of the work in connection with which such underpinning or strengthening was done or within twelve months after the opening for traffic of that work enter upon and survey such house or building and do such further underpinning or strengthening thereof as they may deem necessary or expedient or as in case of dispute between the Council on the one hand and the owner lessee or occupier of the house or building on the other hand shall be settled by arbitration;

(b) If in any such case as is referred to in this paragraph the underpinning or strengthening done by the Council shall at any time within twelve months from the opening for traffic of the work in connection with which such underpinning or strengthening was done prove inadequate for the support or protection of the house or building against further

injury arising from the execution or use of such work the Council shall make compensation to the owner lessee and occupier of the house or building for such injury provided that the claim for compensation in respect thereof be made within one month from the discovery thereof:

- (6) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Council from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act:
- (7) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts.

28. Subject to the provisions of this Act the Council may for the purposes of and in connection with the improvements or the laying out of lands under the powers of section 17 (Powers with reference to certain lands) of this Act stop up the whole or such portion or portions as they may from time to time think fit of the streets or parts of streets mentioned in the schedule to this Act. Power to stop up streets.

29. On the stopping up (otherwise than temporarily) of any street or part of a street under the powers of this Act all rights of way over the same and other rights in respect thereof shall be extinguished and the site and soil thereof shall vest in the Council so far as such site and soil shall not be already vested in them but the Council shall not stop up any street or portion thereof unless they are owners in possession of all houses and lands (other than lands forming part of any street) on both sides of the street or portion to be stopped up except so far as the owners lessees and occupiers of such houses and lands may otherwise agree: Vesting of site of streets stopped up.

Provided that the Council shall make full compensation to all parties interested in respect of any private rights of way extinguished under or by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

30.—(1) For the purpose of facilitating the movement of vehicular traffic along the route of the improvements or the safety of the public or otherwise the Minister on the application of the Council may from time to time authorise the Council at or in the vicinity of the junction of any street with the improvements to erect or remove barriers for the prevention prohibition or limitation of access by vehicular traffic to or from such route from or to any such street or notices prohibiting or limiting such access. Power to prevent access to or from improvements.

PART III.
—cont.

(2) Any person removing or interfering with any such barrier or removing defacing or failing to comply with any such notice shall be liable to a penalty not exceeding five pounds for each offence.

(3) For the purposes of this section the expression "the Council" includes (in addition to the Council) the Hammersmith Council.

Carriageway
footway and
other works.

31.—(1) Subject to the provisions of this Act the Council may cause such parts of the improvements to be laid out for carriageway and such parts thereof for footway and such parts thereof for reserved area as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act and within the limits of deviation shown on the deposited plan construct erect and provide all such works and conveniences including subways (whether for persons on foot or for the accommodation of mains pipes or wires) as they may think proper for the purposes of or in connection with the improvements.

56 & 57 Vict.
c. ccii.

(2) The provisions of the London County Council (Subways) Act 1893 and all byelaws for the time being in force thereunder shall extend and apply to any subway for the accommodation of mains pipes or wires constructed by the Council under the powers of this Act as well during as after the construction thereof as if any such subway had been included in the expression "subway" in the said Act of 1893. For the purposes of the application of the said Act of 1893 to any such subway the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies.

Prohibition of
persons
vehicles &c.
on reserved
area.

32. Where the Council lay out any part of the improvements as a reserved area and the highway authority indicate by notices conspicuously placed on such reserved area or in proximity thereto or by the erection of fences that such reserved area or any part thereof is not intended for use by foot passengers horses cattle or vehicles any person who shall wilfully walk or otherwise proceed or lead ride or drive any horse or cattle or vehicle on over or across any such reserved area or part thereof in contravention of the terms of any such notice or in disregard of any such fence shall be liable to a penalty not exceeding five pounds for each offence.

Sewers &c.
to be removed
arched over or
filled up.

33. Subject to the provisions of this Act the Council may cause to be removed arched over or filled up all such sewers drains or watercourses or parts thereof as shall be in or near the streets to be interfered with for the purposes of the improvements and as shall become unnecessary by reason of the purchase of the property entitled to the use thereof.

34. There shall be by virtue of this Act vested in the Council—

PART III.

—cont.

- (a) all building or other materials of houses buildings and structures acquired by them under the powers of this Act and all materials and apparatus in under upon or over any lands so acquired;
- (b) all lamp-posts paving metalling and other materials in over or under any street or part of a street stopped up altered or diverted; and
- (c) all materials obtained in the alteration of or interference with any street sewer or drain in connection with the improvements;

Vesting and disposal of materials.

and the Council may appropriate and use or sell or dispose of the same or any of them.

35.—(1) When any of the improvements or any street or footway constructed under the powers of section 17 (Powers with reference to certain lands) of this Act is completed a certificate thereof shall be issued under the seal of the Council and any duly authenticated copy of such certificate shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and that the improvement or street or footway to which such certificate relates has been completed and from the date of such certificate so much of the improvement to which such certificate relates as has been laid out as carriageway reserved area or footway or such street or footway (as the case may be) shall subject to the provisions of this Act form part of or constitute the street and may subject as aforesaid be used by the public accordingly.

Improvements to form public streets and as to repair thereof.

(2) Subject to the provisions of this Act so much of the land acquired by or vested in the Council for or in connection with the improvements as is laid out as carriageway reserved area or footway and the land forming the site of any street or footway constructed as aforesaid shall after the issue of the certificate relating thereto (subject to the enjoyment by the Hammersmith Council of all such rights in such land as are usually enjoyed in respect of a street by the highway authority) be and remain vested in the Council and the maintenance repair paving draining cleansing and lighting of so much of such improvements as has been laid out as aforesaid and of such street or footway (including unless otherwise agreed any subways for persons on foot constructed in connection therewith) shall be under the care management control and jurisdiction of the Hammersmith Council:

Provided that the provisions of this section with reference to the repair of carriageways shall not apply to that part of any carriageway which under the provisions of the Tramways

33 & 34 Vict.
c. 78.

PART III.
—cont.

Act 1870 the British Transport Commission as successors of the London Passenger Transport Board are bound to keep in repair during such time as the commission are so bound:

Provided also that the structure of the viaduct forming part of Work No. 2 by this Act authorised and the retaining walls bridges parapet walls and railings connected therewith shall vest in and be maintained by the Council.

(3) If within a period of five years after the issue by the Council pursuant to the provisions of this Act of a certificate of the completion of any of the improvements any subsidence of such improvement shall occur the Council may in their discretion contribute towards the costs and expenses incurred by the Hammersmith Council in making good the improvement but nothing in this subsection shall affect any claim which may lawfully be made in respect of such subsidence.

As to laying of
pipes &c. in
carriageway of
improvements.

36.—(1) The Council shall so far as they conveniently can permit any person having statutory powers so to do to lay down or place under and in accordance with the statutes in that behalf mains pipes wires or other apparatus for the distribution of water gas or electricity or telephonic or telegraphic apparatus in the soil under the footway on either side of the specified improvements or under the reserved area during and simultaneously with the construction of the portion of the footway or reserved area under which it is desired to lay such apparatus.

(2) Notwithstanding anything in any other Act to the contrary it shall not be lawful during the construction of any part of the specified improvements for any person to enter upon break up or interfere with any existing street on the line of such part of the specified improvements for the purpose of laying down any main pipe wire or other apparatus or executing any work whatsoever therein thereon or thereunder (other than repairs to existing apparatus in case of emergency) except with the previous consent in writing of the Council but such consent shall not be unreasonably withheld and may be given subject to such terms and conditions as the Council may reasonably determine and any difference between the Council and any person under this subsection shall be settled by the Minister.

(3) Notwithstanding anything in any other Act to the contrary it shall not be lawful after the completion of any part of the specified improvements for any person to enter upon break up or interfere with the carriageway of such part of the specified improvements for the purpose of laying down any main pipe wire or other apparatus or executing any work whatsoever therein thereon or thereunder (other

than repairs to existing apparatus in case of emergency) except with the previous consent in writing of the highway authority but such consent shall not be unreasonably withheld and may be given subject to such terms and conditions as the highway authority may reasonably determine and any difference between the highway authority and any person under this subsection shall be settled by the Minister.

(4) Nothing in this section shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1943.

(5) In this section the expression "the specified improvements" means the improvements (other than Work No. 2 by this Act authorised) and the parts of Queen Caroline Street Hammersmith Broadway Hammersmith Road King Street and Hammersmith Grove within the limits of deviation shown on the deposited plan.

37. Notwithstanding anything contained in any enactment it shall not be lawful for any person to enter upon break up or interfere with any part of Work No. 2 by this Act authorised except with the consent of the Council in writing and in accordance with such terms and conditions either as to the payment of rent or other valuable consideration or otherwise as the Council may determine.

Prohibiting
interference
with Work
No. 2.

38.—(1) Subject to the provisions of this Act the Council may for the purposes of and during the execution of the improvements stop up interfere with alter or divert temporarily all or any part of the carriageway or footway of any street or part of a street or of any subway within the limits of deviation shown on the deposited plan and may execute and do all necessary works and things for or in connection with such stopping up interference alteration or diversion and for keeping such carriageway or footway open for traffic and may after consultation with the Commissioner of Police for the Metropolis remove or alter any drinking-troughs lamp-posts street refuges lavatories posts and other erections upon the said lands.

Power to stop
up ways
temporarily.

(2) The Council shall provide reasonable access for all persons bona fide going to or returning from any premises in any street of which the carriageway or footway is stopped up interfered with altered or diverted under the powers of this section.

39.—(1) In and for the purposes of this section—

Removal &c.
of apparatus.

"Apparatus" includes sewers drains culverts water-courses and mains pipes valves tubes cables wires or apparatus laid down or used for or in connection

PART III.
—cont.

with the carrying conveying or supplying of a supply of water or water for hydraulic power gas or electricity or for telegraphic or other purposes standards and brackets carrying street lamps and street refuges lavatories posts and other structures and works;

“Undertakers” means the company body or person (other than the Council) to whom any apparatus in relation to which the expression is used belongs;

“The permitted works” means all such works and things as the Council are by this section authorised to execute or do.

(2) The Council for any purpose in connection with the exercise of the powers of this Act may and (if and when reasonably required by the undertakers) shall remove divert alter the position or line or level of or carry out any other alterations to any apparatus in under over or upon the lands acquired by or vested in them under the provisions of this Act and also in any street or part of a street within the limits of deviation shown on the deposited plan and any other apparatus connected with any apparatus so removed diverted or altered and may remove any other obstruction in under or near such lands street or part of a street and shall make such appropriate substituted works either permanent or temporary as may be reasonably necessary and shall cause as little detriment and inconvenience as circumstances admit and shall make reasonable compensation for any damage caused by the execution of the permitted works:

Provided that before the Council execute any of the permitted works relating to any apparatus they shall (except in cases of emergency) give to the undertakers notice of their intention to do so such notice to be given twenty-one days at least before the commencement of the execution of the permitted works and such works shall be done under the superintendence (at the expense of the Council) of the undertakers unless the undertakers refuse or neglect to give such superintendence at the time specified in the notice for the commencement of such works or discontinue the same during the execution of such works and the Council shall execute such works to the reasonable satisfaction of the undertakers.

(3) If within fourteen days after notice under subsection (2) of this section has been served upon any undertakers those undertakers so elect they shall themselves execute such works to their apparatus as may be necessary for the purposes of this section and the reasonable cost of executing such works shall be repaid to them by the Council:

Provided that such works shall be carried out in accordance with the directions and to the reasonable satisfaction of the Council.

PART III.
 —cont.

(4) All sewers drains and watercourses substituted under the provisions of this section for any existing sewers drains or watercourses shall be under the same jurisdiction care management and direction as the existing sewers drains or watercourses for which they may respectively be so substituted.

(5) If any difference arises between the Council and any undertakers touching the amount of any compensation or cost to be paid by the Council under the foregoing provisions of this section or touching any work matter or thing to be done or executed by the Council or by such undertakers under such provisions with reference to any apparatus or touching the mode of doing or executing the same such difference shall be settled by arbitration.

40. If the improvements are not completed on or before the first day of October one thousand nine hundred and fifty-four then as from that date the powers of the Council under this Act for the execution of the improvements shall cease except so far as the same are respectively then completed. Period for completion of improvements.

41. The Council shall abandon the construction of the following work and portions of works situate in the borough of Hammersmith and authorised by the Act of 1936— Abandonment of certain authorised works.

- (a) so much of Work No. 2 as is situate westward of Colet Gardens;
- (b) Work No. 3; and
- (c) so much of Work No. 4 as is situate eastward of Macbeth Street (formerly called Waterloo Street).

PART IV.

PROTECTIVE PROVISIONS.

42. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing in this Act shall authorise the Council to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those commissioners on behalf of His Majesty first had and obtained for that purpose. Crown rights.

43.—(1) The provisions of the Town and Country Planning Acts 1932 and 1943 the Town and Country Planning Act 1944 and the New Towns Act 1946 and of any order scheme or regulation made under those Acts or under any enactment repealed by those Acts so far as those provisions are from time to time in force in respect of the land on which any development within the meaning of those Acts is carried out under this Act shall apply to that development. Saving for town and country planning. 7 & 8 Geo. 6. c. 47. 9 & 10 Geo. 6. c. 68.

PART IV.
—cont.

(2) This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

For protection
of Postmaster-
General.

44.—(1) The Council shall not under the powers of this Act remove divert alter the position of or otherwise interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of paragraphs (1) to (8) of section 7 of the Telegraph Act 1878.

(2) If in consequence of the exercise or intended exercise by the Council of—

- (a) any of the powers conferred on them by section 22 (Power to execute works) of this Act; or
- (b) any of the powers other than the power to stop up any street or part of a street conferred on them by section 24 (Power to make subsidiary works &c.) of this Act;

the Postmaster-General considers it necessary or expedient that an alteration should be made in any telegraphic line belonging to or used by him and placed in any street affected by the exercise or intended exercise by the Council of any of the said powers the Postmaster-General may himself make such alteration in such telegraphic line as he deems necessary or expedient and the Council shall pay to the Postmaster-General all the expenses incurred by him in respect of such alteration and the amount of any loss or damage sustained by him in consequence thereof:

Provided that—

- (i) before making such alteration the Postmaster-General shall give a notice to the Council containing particulars of the telegraphic line to be altered and of the nature of the alteration he intends to make;
- (ii) the Council may within fourteen days of the receipt of the notice give to the Postmaster-General a notice objecting to the alteration on the ground that it is unnecessary or unreasonable and thereupon a difference shall be deemed to have arisen and sections 4 and 5 of the Telegraph Act 1878 shall apply accordingly and the tribunal by which the difference is determined may make such order as it thinks just as to the alteration (if any) to be made in the telegraphic line and as to the manner in which the proposed work of the Council is to be carried out.

(3) Notwithstanding the stopping up (otherwise than temporarily) of any street or part of a street under the powers of this Act the Postmaster-General may if he so desires

(without derogation from any other right vested in him) remove therefrom any telegraphic line which is in under upon along over or across the same and any Post Office letter box or telephone call box and the Council shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line or of any telegraphic line connected therewith which in consequence will be rendered useless and of such letter box or call box and the substitution of a telegraphic line or letter box or call box (as the case may be) in such other place as the Postmaster-General may require.

(4) In this section the expressions "alter" and "alteration" have the same meanings as in the Telegraph Act 1878.

45.—(1) Before commencing the construction of any part of the improvements so as to involve the temporary closing to vehicular traffic of any street or part of a street either absolutely or to the extent of one-third or more of the width of the carriageway the Council shall give to the Commissioner of Police of the Metropolis (in this section referred to as "the commissioner") not less than two months' notice in writing of their intention so to do and such notice shall specify the part of the improvements to which the notice relates (in this section referred to as "the works") and the streets or parts of streets which will be so closed in the course of the execution of the works.

Notice to
Commissioner
of Police.

(2) The Council shall make such arrangements with the commissioner as shall be reasonably necessary so as to cause as little interference with vehicular traffic as may be reasonably practicable during the execution of the works and the commissioner shall furnish to the Council a list of such of the streets or parts of streets aforesaid in respect of which he requires the Council to give a further notice.

(3) Not less than seven nor more than fourteen days before so closing any street or part of a street mentioned in the said list the Council shall give to the commissioner a further notice specifying the intended date of such closing.

46. The following provisions for the protection of the British Transport Commission (in this section referred to as "the commission") shall unless otherwise agreed in writing between the commission and the Council apply and have effect (that is to say):—

For protection
of British
Transport
Commission.

(1) In this section—

"Work No. 2" and "Work No. 8" mean respectively Work No. 2 and Work No. 8 authorised by this Act;

PART IV.
—cont.

“ The authorised works ” means the works authorised by this Act;

“ The District and Piccadilly lines ” means the District line and the Piccadilly line of the commission;

“ The new bridge works ” means so much of the structure of the bridge with the retaining walls parapets and other works incidental thereto (other than the road surface thereof) as carries Work No. 2 over the District and Piccadilly lines;

“ Trolley vehicle system ” means any posts cables wires or other apparatus connected with a trolley vehicle system;

“ The engineer ” means the chief engineer of the London Transport Executive:

- (2) Except as provided by paragraph (3) of this section the Council shall not under the powers conferred upon them by this Act take any land which is the property of the commission but the Council may in the exercise of the powers of section 8 (Acquisition of easements) of this Act purchase and take such easements as they may require for constructing maintaining renewing and using or altering the authorised works in under or over such land:
- (3) The Council may enter upon take and use the lands belonging or reputed to belong to the commission numbered on the deposited plan 221 and 247 and such parts of the lands belonging or reputed to belong to the commission numbered on the deposited plan 224 243 244 246 248 and 520 in the metropolitan borough of Hammersmith as shall be agreed between the commission and the Council:
- (4) In the construction of Work No. 2 the Council shall not carry the same over the District and Piccadilly lines otherwise than by means of a bridge of not more than two spans with the separating trestle or other means of support in a position to be agreed between the commission and the Council and with a clear headway throughout each span of not less than thirteen feet six inches above the upper surface of the existing rails of the District and Piccadilly lines If the said bridge is constructed in two spans as aforesaid the commission shall at the Council's own expense remove the existing sand drag and substitute an oil resistance buffer stop:
- (5) In the construction of Work No. 8 the Council shall not carry the same over the District and Piccadilly

lines otherwise than by means of a widening of the existing bridge with a clear headway throughout above the upper surface of the existing rails of the District and Piccadilly lines on the north side of the said bridge of not less than thirteen feet six inches and on the south side of not less than the existing headway:

- (6) The Council shall not construct the authorised works where the same shall pass over or under or in any way affect the railways trolley vehicle system or works of the commission and shall not renew or alter the new bridge works otherwise than in accordance with plans sections and specifications to be previously submitted to and approved in writing by the engineer or in case of difference between the engineer and the Council settled by arbitration and the Council shall not commence the intended works until the plans sections and specifications relating thereto have been so submitted and approved or settled:

Provided always that if the engineer shall not within twenty-eight days after the submission to him of any plans sections or specifications signify his disapproval thereof and the grounds of such disapproval he shall be deemed to have approved thereof:

- (7) The authorised works so far as they pass over or under or in any way affect the railways trolley vehicle system or works of the commission shall be executed by the Council under the supervision (if the same be given) and to the reasonable satisfaction of the engineer and when commenced shall be completed with all reasonable dispatch:
- (8) If by reason of the construction of the authorised works or by reason of the repair renewal or alteration of the new bridge works it shall become reasonably necessary either during the execution of the work or within six months after the completion thereof to add to or alter any cables drains signals apparatus structures or works upon the railways of the commission the commission may effect such additions or alterations as may be reasonably requisite and the reasonable expense thereof shall be repaid to the commission by the Council:
- (9) If in the opinion of the engineer it shall be necessary either during the execution of the work or within twelve months after the completion thereof that owing to the construction of the authorised works or owing to the repair renewal or alteration of the new bridge

PART IV.
—cont.

works any part of any of their railways or works or any part of their trolley vehicle system shall be altered reconstructed or strengthened the commission may after reasonable notice to the Council carry out such works as may be reasonably requisite in that behalf and the costs and expenses reasonably incurred by the commission in connection therewith shall be repaid by the Council to the commission:

(10) The Council shall not in constructing the authorised works or in repairing renewing or altering the new bridge works in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the railways of the commission or the conduct of any traffic thereon and if at any time or times hereafter the free uninterrupted and safe user of such railways or the conduct of any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Council shall pay to the commission all reasonable costs and expenses to which the commission may be put as well as full compensation for the loss sustained by them by reason of any such obstruction hindrance or interference:

(11) (a) The Council in constructing the authorised works shall cause as little interference with or delay or interruption to the conduct of traffic on the trolley vehicle system of the commission as may be and shall provide all such temporary substituted apparatus as may be reasonably necessary for continuing the traffic on such trolley vehicle system;

(b) The commission may if they so elect carry out the work of providing such temporary substituted apparatus and the costs and expenses reasonably incurred by the commission in connection therewith shall be repaid by the Council to the commission:

(12) The Council shall before commencing the construction of the authorised works so far as they pass over or under or in any way affect the railways trolley vehicle system or works of the commission and before commencing the repair renewal or alteration of the new bridge works give (except in case of emergency) fourteen days' previous notice in writing to the engineer of the intended works and shall bear and pay to the commission the cost of the employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching the railways trolley vehicle system and works of the commission with reference to and during the execution of the said works and for preventing as far as

may be all interference obstruction danger or accident which may arise from any of the operations of the Council or from any acts or defaults of their contractors or of any person or persons in their employ with reference thereto:

- (13) The Council shall at all times maintain the new bridge works in substantial repair and good order to the reasonable satisfaction in all respects of the engineer:
- (14) The structure of the widened portion of the bridge (including the abutments and piers thereof) carrying Great Church Lane over the District and Piccadilly lines included in Work No. 8 shall when completed vest in the commission and the said structures shall be maintained by the commission. The Council shall pay to the commission such capital sum as may be agreed or determined by arbitration to represent the cost of maintaining and renewing the said structure:
- (15) The Council shall be responsible for and make good to the commission all reasonable costs and expenses and all damages and losses which may be occasioned to the commission by reason of the construction of the authorised works or the repair renewal alteration or failure of the new bridge works (except where such costs losses damages and expenses arise from the neglect or default of the commission their servants or agents) or of any act or omission of the Council or of their contractors and the Council will effectually indemnify and hold harmless the commission from all claims and demands upon or against them by reason of such construction repair renewal alteration failure act or omission:

Provided always that the commission shall give to the Council reasonable notice of any such claim or demand and that no settlement or compromise thereof shall be made except with the consent of the Council who shall (if they so elect) have the sole conduct of any settlement or compromise or of any proceedings necessary to resist the claim or demand. The fact that any work or thing has been executed or done in accordance with the foregoing provisions of this section shall not excuse the Council from any liability under this paragraph:

- (16) Any additional expense which the commission may reasonably incur in maintaining renewing widening altering or reconstructing their railways under

PART IV.
—cont.

powers in existence at the passing of this Act by reason of the existence of the authorised works shall be paid by the Council:

- (17) Subject to the consent of the Council which shall not be unreasonably withheld the commission may without making any payment therefor attach to the new bridge works such signals cables and other apparatus as the commission may require for the purposes of their railways:
- (18) For the purposes of paragraphs (8) (9) (11) and (12) of this section any costs or expenses reasonably incurred by the commission shall be deemed to include the reasonable cost of insurance against the payment of compensation to any workmen or the legal representatives or dependants of workmen who may be injured or killed whilst employed by the commission in and about the works or operations respectively mentioned in the said paragraphs or (if the commission do not insure) a reasonable sum to cover such risks:
- (19) The Council shall not under the powers of this Act stop up or render less convenient the means of ingress and egress to and from the Hammersmith omnibus garage and the Hammersmith trolley vehicle depot of the commission until they have provided alternative means of ingress and egress to the reasonable satisfaction of the Commission:
- (20) Any difference (other than a difference to which the Lands Clauses Acts apply) which may arise between the Council and the commission or the engineer under or with reference to the provisions of this section shall be settled by arbitration.

For protection
of Metro-
politan Water
Board.

47. For the protection of the Metropolitan Water Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the board and the Council apply and have effect (that is to say):—

(1) In this section—

"apparatus" means mains pipes valves hydrants plugs syphons and other works and apparatus;

"the specified improvements" means the improvements other than Work No. 2 by this Act authorised:

(2) In the application to the board and to any apparatus or work of the board of section 36 (As to laying of

pipes &c. in carriageway of improvements) of this Act the expression "the specified improvements" shall have the same meaning as in this section:

(3) Notwithstanding anything contained in section 36 (As to laying of pipes &c. in carriageway of improvements) of this Act the board shall be entitled—

(a) for the purpose of laying down maintaining inspecting repairing renewing or removing apparatus (other than service mains and service pipes) to exercise from time to time either during the construction or after the completion of the specified improvements or any part thereof the like rights of opening and breaking up so much of any existing street on the line of any part of the specified improvements or so much of the specified improvements as is proposed to be laid out as or as consists of—

(i) footway; or

(ii) reserved area; or

(iii) so much of the carriageway situate between severed portions of the reserved area as lies between imaginary lines in continuation of the longitudinal boundaries of such severed portions; and

(b) for the purpose of maintaining inspecting repairing renewing or removing any apparatus for the time being situate in or under the carriageway of—

(i) any existing street on the line of any part of the specified improvements; or

(ii) the specified improvements;

and of making altering repairing or disconnecting service connections between any such apparatus and any premises supplied or to be supplied with water therefrom to exercise from time to time either during the construction or after the completion of the specified improvements or any part thereof the like rights of opening and breaking up such carriageway;

as if the said section 36 had not been enacted:

(4) (a) The Council shall give to the board notice in writing of the passing by them of any resolution to proceed with the execution of Work No. 8 by this Act authorised and if at any time within three months from the receipt of such notice the board give notice in writing to the Council containing particulars of all apparatus which they may require to lay down in

PART IV.
—cont.

upon or along so much of the said Work No. 8 as comprises the widening of the bridge over the District line and the Piccadilly line of the British Transport Commission the Council in constructing the said widening shall provide therein for that apparatus such accommodation and support as may in the opinion of the chief engineer of the Council be reasonably practicable having regard to the accommodation available and the requirements of other statutory undertakers;

(b) The additional cost (if any) reasonably incurred by the Council in providing such accommodation and support shall be repaid to the Council by the board and the board shall at all times be entitled to use such accommodation free of charge for the purpose of laying and placing apparatus therein;

(c) If the provision of such accommodation and support involves any additional cost in maintaining and renewing the structure of the said widening the board shall pay to the Council such capital sum as may be agreed or determined by arbitration to represent that additional cost:

- (5) Whenever by virtue of the provisions of this Act any street or any part of a street in upon or under which any apparatus of the board is for the time being situate is stopped up the board shall be entitled to recover from the Council compensation as if such stopping up were a proceeding giving rise to compensation under Part I of the Fourth Schedule to the Town and Country Planning Act 1944 as amended by the Town and Country Planning Act 1947:

Provided that nothing in this paragraph shall affect the operation of paragraph (8) of this section:

- (6) Notwithstanding the stopping up temporarily of any street or part of a street or of any subway under the powers of section 38 (Power to stop up ways temporarily) of this Act the board their engineers and workmen and others in their employ shall at all times have such rights of access to all or any apparatus of the board situate in or under any such street or part of a street or subway as they had immediately before such stopping up and shall be at liberty to execute and do all such works and things in upon or under such street or part of a street or subway as may be necessary for inspecting repairing maintaining renewing or removing such apparatus:
- (7) If in the exercise of any of the powers of this Act the Council lower or raise the level of any street so as to leave over any apparatus of the board a less depth

of cover (in the case of mains having an internal diameter exceeding twenty-four inches) than four feet or less than the existing covering where the same is less than four feet and (in the case of mains having an internal diameter exceeding twelve inches and not exceeding twenty-four inches) than three feet six inches or less than the existing covering where the same is less than three feet six inches and (in the case of any other mains or apparatus) than three feet or less than the existing covering where the same is less than three feet or a greater depth of cover than five feet where the covering now existing does not exceed five feet or more than the existing covering where the same exceeds five feet the board may lower such apparatus to a depth not exceeding such minimum covering or the existing covering whichever is the less or raise such apparatus to a depth not less than five feet or the existing depth whichever is the greater (as the case may be) and the Council shall repay to the board the expense reasonably incurred by them in so doing:

- (8) Where by reason or in consequence of the exercise of any of the powers of this Act any apparatus of the board is rendered derelict or unnecessary the Council shall pay to the board the value of such apparatus so rendered derelict or unnecessary unless substituted apparatus be provided. Such value shall in case of difference between the board and the Council be determined by arbitration:
- (9) In addition to any rights exercisable by them under the provisions of section 39 (Removal &c. of apparatus) of this Act the board shall be entitled to execute such works as the engineer of the board may reasonably deem necessary for supporting or protecting any apparatus of the board being situate in under across or along the line of the carriageway of the improvements (other than Works Nos. 6 11 and 12) and affected by any of the works or operations of the Council or for maintaining the continuity of the supply of water by means of such apparatus and if it be reasonably necessary so to do the board may substitute steel pipes encased in cement concrete for so much of any main or pipe as will be situate in under across or along the line of the carriageway of the improvements (other than Works Nos. 6 11 and 12) or within a distance of ten feet on either side thereof and the Council shall repay to the board the reasonable cost incurred by them under the provisions of this subsection:

PART IV.
—cont.

- (10) If by reason or in consequence of the provisions of this Act or of anything done thereunder it shall be reasonably necessary for the board to lay a second service main in any street or part of a street in which the board have a single service main from which supplies of water are afforded to premises situate on both sides of such street the Council shall pay to the board the reasonable cost incurred by them in providing and laying such second service main and the service pipes necessary for connecting that main with the premises to be supplied by means thereof:
- (11) If by reason or in consequence of the execution of the improvements any damage to any apparatus or property of the board or any interruption in the supply of water by the board shall be caused the Council shall bear and pay the cost reasonably incurred by the board in making good such damage and shall—
- (a) make reasonable compensation to the board for any loss sustained by them; and
 - (b) indemnify the board against all claims demands proceedings costs damages and expenses which may be made or taken against or recovered from or incurred by the board;
- by reason or in consequence of any such damage or interruption:
- (12) The Council shall not except with the consent of the board (which consent shall not be unreasonably withheld) execute or do any work which may involve any interference with the continuous supply of water by the board from any pipe other than a service main or service pipe during the months of May June July August and September in any year:
- (13) The reasonable expense of all repairs and renewals of any apparatus of the board or any works in connection therewith which may be rendered reasonably necessary by or in consequence of—
- (a) the acts or defaults of the Council their contractors agents workmen or servants or any person in the employ of them or any of them; or
 - (b) any subsidence resulting from the works of the Council whether during the construction of such works or within a period of twelve months after the date or the respective dates of the completion thereof;
- shall be borne and paid by the Council:

(14) The Council shall bear and pay to the board the amount of any expenses reasonably incurred by the board in or in connection with—

(a) the cutting off of any apparatus of the board from any other apparatus and the connecting of any new or substituted apparatus with any existing apparatus of the board rendered necessary by reason or in consequence of the execution of the improvements; or

(b) the removal or any alteration of any communication or supply pipes rendered necessary by reason or in consequence of such execution;

and shall indemnify the board against all claims and demands by the owner of any such communication or supply pipe or by the owners or occupiers of premises supplied by means thereof:

(15) The board may if they deem fit employ watchmen or inspectors to watch and inspect any improvement whereby any apparatus of the board will or may be interfered with or affected during the execution thereof and the reasonable expenses thereof shall be borne by the Council and be paid by them to the board:

(16) If any question or difference shall arise between the Council and the board under this section (other than a difference as to the meaning or construction of this section) such question or difference shall be settled by arbitration:

(17) The provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or of any enactment incorporated therewith to the benefit of which the board would have been entitled if this section had not been enacted.

48. For the protection of the Gas Light and Coke Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the Council apply and have effect (that is to say):—

(1) In this section—

"apparatus" means mains pipes valves stop-cocks or other works or apparatus;

"the specified improvements" means the improvements other than Work No. 2 by this Act authorised:

(2) In the application to the company and to any apparatus or work of the company of section 36 (As

PART IV.
—cont.

to laying of pipes &c. in carriageway of improvements) of this Act the expression "the specified improvements" shall have the same meaning as in this section:

- (3) The Council in constructing so much of Work No. 2 as will be situate on over or across Bridge Avenue shall provide to the reasonable satisfaction of the company a sufficient passage or way so that the company their engineer and workmen may be enabled to obtain access to the existing twenty-four inch gas main of the company in or under Bridge Avenue for the purpose of inspecting repairing maintaining renewing enlarging or removing the same. The said passage or way shall be kept closed by gates to be provided and maintained by the Council. The said gates shall be so designed as to prevent public access to the said passage or way and to ensure adequate ventilation thereof and the Council shall give to the company duplicates of the keys of the said gates:
- (4) Notwithstanding anything contained in subsection (2) of Section 31 (Carriageway footway and other works) of this Act the provisions of the London County Council (Subways) Act 1893 and any by-laws for the time being in force thereunder in their application for the purposes of this Act shall not extend or apply to the company or any of their apparatus:
- (5) Notwithstanding anything contained in the said Section 36 of this Act—
 - (A) The provisions of subsection (2) of the said section of this Act shall not apply to the entering breaking up or interference by the company upon of or with any existing street on the line of any part of the specified improvements for the purpose of laying down any apparatus or executing any work whatsoever therein thereon or thereunder unless such part of the specified improvements shall consist of or include a street laid out to the extent of not less in the aggregate than one-third of the width thereof as footway or reserved area;
 - (B) The provisions of subsection (3) of the said section of this Act shall not apply to the entering breaking up or interference by the company upon of or with the carriageway of any part of the specified improvements for the purpose of laying down any apparatus or executing any work whatsoever

therein thereon or thereunder unless the street of which such carriageway forms part is laid out to the extent of not less in the aggregate than one-third of the width of such street as footway or reserved area;

(C) For the purpose of the foregoing subparagraphs (A) and (B) of this paragraph the width of Work No. 1 and Work No. 3 shall be deemed to be the width of Work No. 1 or Work No. 3 (as the case may be) measured at the narrowest part thereof;

(D) The company shall be entitled—

(i) for the purpose of laying down maintaining inspecting repairing renewing or removing apparatus to exercise from time to time either during the construction or after the completion of the specified improvements or any part thereof the like rights of opening and breaking up so much of any existing street on the line of any part of the specified improvements or so much of the specified improvements as is proposed to be laid out as or as consists of—

(a) footway; or

(b) reserved area; or

(c) so much of the carriageway situate between severed portions of reserved area as lies between imaginary lines in continuation of the longitudinal boundaries of such severed portions; and

(ii) for the purpose of maintaining inspecting repairing renewing or removing any apparatus for the time being situate in or under the carriageway of—

(a) any existing street on the line of any part of the specified improvements; or

(b) the specified improvements;

and of laying altering repairing or disconnecting service pipes between any such apparatus and any premises supplied or to be supplied with gas therefrom to exercise from time to time either during the construction or after the completion of the specified improvements or any part thereof the like rights of opening and breaking up such carriageway;

as if the said section 36 had not been enacted:

PART IV.
—cont.

Provided that nothing in the foregoing item (i) of this sub-paragraph shall entitle the company to open or break up any part of any reserved area or carriageway for the purpose of laying down any new service mains or any new service pipes other than service pipes between an existing service main and any premises supplied or to be supplied with gas therefrom:

(6) The highway authority shall not withhold their consent under subsection (3) of section 36 (As to laying of pipes &c. in carriageway of improvements) of this Act to the laying by the company (as part of a trunk gas main one section whereof is now being laid by the company outside the county) of a gas main having an internal diameter not exceeding thirty-six inches along the line of Works Nos. 1 3 4 6 8 and 10 authorised by this Act and in giving such consent the highway authority shall not impose any terms or conditions other than those contained in the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes:

(7) (a) The Council shall give to the company notice in writing of the passing by them of any resolution to proceed with the execution of Work No. 8 by this Act authorised and if at any time within three months from the receipt of such notice the company give notice in writing to the Council containing particulars of all apparatus which they may require to lay down in upon or along so much of the said Work No. 8 as comprises the widening of the bridge over the District line and the Piccadilly line of the British Transport Commission the Council in constructing the said widening shall provide therein for that apparatus such accommodation and support as may in the opinion of the chief engineer of the Council be reasonably practicable having regard to the accommodation available and the requirements of other statutory undertakers;

(b) The additional cost (if any) reasonably incurred by the Council in providing such accommodation and support shall be repaid to the Council by the company and the company shall at all times be entitled to use such accommodation free of charge for the purpose of laying and placing apparatus therein;

(c) If the provision of such accommodation and support involves any additional cost in maintaining

10 & 11 Vict.
c. 15.

and renewing the structure of the said widening the company shall pay to the Council such capital sum as may be agreed or determined by arbitration to represent that additional cost:

PART IV.
—cont.

- (8) Whenever by virtue of the provisions of this Act any street or any part of a street in upon or under which any apparatus of the company is for the time being situate is stopped up the company shall be entitled to recover from the Council compensation as if such stopping up were a proceeding giving rise to compensation under Part I of the Fourth Schedule to the Town and Country Planning Act 1944 as amended by the Town and Country Planning Act 1947 but nothing in this paragraph shall affect the operation of paragraph (11) of this section:
- (9) Notwithstanding the stopping up temporarily of any street or part of a street or of any subway under the powers of section 38 (Power to stop up ways temporarily) of this Act the company their engineer and workmen and others in their employ shall at all times have such rights of access to all or any apparatus of the company situate in or under any such street or part of a street or subway as they had immediately before such stopping up and shall be at liberty to execute and do all such works and things in upon or under such street or part of a street or subway as may be necessary for inspecting repairing maintaining renewing or removing such apparatus:
- (10) If in the exercise of any of the powers of this Act the Council lower or raise the level of any street so as to leave over any apparatus of the company situate thereunder a less depth of cover than two feet where the covering now existing is not less than two feet or less than the existing covering where the same is less than two feet or a greater depth of cover than four feet where the covering now existing does not exceed four feet or more than the existing covering where the same exceeds four feet the company may lower such apparatus to a depth not exceeding two feet or the existing cover whichever is the less or raise such apparatus to a depth not less than four feet or the existing depth whichever is the greater (as the case may be) below the surface of the street and the Council shall repay to the company the expense reasonably incurred by them in so doing:

PART IV.
—cont.

- (11) Where by reason or in consequence of the exercise of any of the powers of this Act any apparatus of the company is rendered derelict or unnecessary the Council shall pay to the company the value of such apparatus so rendered derelict or unnecessary unless substituted apparatus be provided. Such value shall in case of difference between the company and the Council be determined by arbitration in manner hereinafter provided:
- (12) In addition to any rights exerciseable by them under the provisions of Section 39 (Removal &c. of apparatus) of this Act the company shall be entitled to execute such works as the company may reasonably deem necessary for supporting or protecting any apparatus of the company being situate in under across or along the line of the carriageway of the improvements and affected by any of the works or operations of the Council or for maintaining the continuity of the supply of gas by means of such apparatus and if it be reasonably necessary so to do the company may substitute steel pipes encased in cement concrete for so much of any main or pipe as will be situate in under across or along the line of the carriageway of the improvements (other than Works Nos. 6 11 and 12) or within a distance of ten feet on either side thereof and the Council shall repay to the company the reasonable cost incurred by them under the provisions of this subsection:
- (13) If by reason or in consequence of the provisions of this Act or of anything done thereunder it shall be reasonably necessary for the company to lay a second service main in any street or part of a street in which the company have a single service main from which supplies of gas are afforded to premises situate on both sides of the street the Council shall pay to the company the reasonable cost incurred by them in providing and laying such second service main and the communication pipes necessary for connecting that main with the premises to be supplied by means thereof:
- (14) If by reason or in consequence of the execution of the improvements any damage to any apparatus or property of the company or any interruption in the supply of gas by the company shall be caused the Council shall bear and pay the cost reasonably incurred by the company in making good such damage and shall—
- (a) make reasonable compensation to the company for any loss sustained by them; and

(b) indemnify the company against all claims demands proceedings costs damages and expenses which may be made or taken against or recovered from or incurred by the company;

by reason or in consequence of any such damage or interruption:

(15) The reasonable expense of all repairs and renewals of any apparatus of the company or any works in connection therewith which may be rendered reasonably necessary by or in consequence of—

(a) the acts or defaults of the Council their contractors agents workmen or servants or any person in the employ of them or any of them; or

(b) any subsidence resulting from the works of the Council whether during the construction of such works or within a period of twelve months after the date or the respective dates of the completion thereof;

shall be borne and paid by the Council:

(16) The Council shall bear and pay to the company the amount of any expenses reasonably incurred by the company in or in connection with—

(a) the cutting off of any apparatus of the company from any other apparatus and the connecting of any new or substituted apparatus with any existing apparatus of the company rendered necessary by reason or in consequence of the execution of the improvements; or

(b) the removal or any alteration of any communication pipes rendered necessary by reason or in consequence of such execution;

and shall indemnify the company against all claims and demands by the owner of any such communication pipe or by the owners or occupiers of premises supplied by means thereof.

In this paragraph the expression "existing apparatus" means apparatus existing at the date of the commencement of the execution of the improvement to which such cutting off and connecting is related:

(17) The company may if they deem fit employ watchmen or inspectors to watch and inspect any improvement whereby any apparatus of the company will or may be interfered with or affected during the execution thereof and the reasonable expense of such watching and inspection shall be borne by the Council and be paid by them to the company:

PART IV.
—cont.

- (18) If any question or difference (other than a difference as to the meaning or construction of this section) shall arise between the Council and the company under this section such question or difference shall be settled by arbitration:
- (19) The provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or of any enactment incorporated therewith to the benefit of which the company would have been entitled if this section had not been enacted.

For protection
of Western
Exits Im-
provement
Company
Limited.

49. Notwithstanding anything in this Act or in any other Act (including any Act passed or to be passed in the present session of Parliament) the following provisions for the protection of Western Exits Improvement Company Limited (in this section referred to as "the company") shall unless otherwise agreed in writing between the Council and the Company have effect:—

- (1) In this section "the agreement" means the agreement dated the eighteenth day of April one thousand nine hundred and thirty-nine and made between the Council of the one part and the company of the other part:
- (2) Within three months after the date of the passing of this Act the Council shall serve notice to treat upon the company for the acquisition of the lands of the company numbered 165 and 167 on the deposited plan:
- (3) In addition to any sum payable by the Council to the company in respect of the acquisition by the Council of the said lands of the company the Council shall pay to the company the value of any land conveyed to the Council by the company before the passing of this Act in part performance of the agreement and also a sum equal to the amount of any loss suffered by the company by reason or in consequence of the abandonment by the Council pursuant to this Act of part of Work No. 2 and Work No. 3 authorised by the Act of 1936 or the non-fulfilment by the Council of the terms of the agreement and shall also reimburse to the company a sum equal to any abortive expenditure reasonably incurred by the company on the faith of the agreement:
- (4) The amount of any sum to be paid by the Council to the company in respect of the acquisition by the Council of the said lands of the company and of any sum to be paid to the company pursuant to paragraph (3) of this section shall in default of agreement be referred to and determined by an arbitrator

to be agreed upon between the Council and the company or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Royal Institution of Chartered Surveyors. In determining the amount of compensation to be paid by the Council in respect of the acquisition of the said lands of the company the arbitrator shall be governed by the rules laid down by the Acquisition of Land (Assessment of Compensation) Act 1919 and any Act or Acts amending the same and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and determination.

PART IV.
—cont.

PART V.

MISCELLANEOUS.

50.—(1) The Council may make and enforce byelaws for the regulation control and protection of Work No. 2 by this Act authorised and of persons resorting to or using the same and for the management regulation direction and control of traffic of every description using the said work with power to prohibit the passage of particular traffic including pedestrians, either generally or during particular hours. Byelaws.

(2) For the purpose of the provisions contained in Part VIII (Byelaws) of the London Government Act 1939 the Minister shall be the confirming authority as respects byelaws made under this Act. 2 & 3 Geo. 6.
c. 40.

51.—(1) The Council on the one hand and the Hammer-smith Council or any company body or person having the control or management of water gas or other pipes or electric or other wires or apparatus on the other hand may with the approval of the Minister enter into and carry into effect agreements with reference to any of the provisions of this Act relating to or affecting only the parties to such agreements respectively. Agreements.

(2) (a) The Council on the one hand and the British Transport Commission on the other hand may with the approval of the Minister enter into and carry into effect agreements with reference to any of the provisions of this Act relating to or affecting only the parties to such agreements respectively.

(b) Notwithstanding anything contained in this Act any agreement entered into between the Council and the said commission may with the approval of the Minister provide for the variation of any of the provisions of this Act (so far as they relate only to the powers rights obligations or interests

PART V.
—cont.

of the Minister or of the parties to any such agreement) or of the provisions of any previous agreement between the same parties.

(3) The Minister and the Council may enter into and carry into effect agreements with reference to any matters arising out of the carrying of this Act into execution and may by any such agreement vary any of the provisions of this Act but not so as to affect prejudicially the rights or interests of any person other than the Minister and the Council.

(4) For the purposes of this Act the provisions and purposes of any agreement entered into under this section shall be deemed to be provisions and purposes of this Act.

Contributions
by Hammersmith Council.

52.—(1) The Hammersmith Council may contribute towards the costs and expenses of the Council in connection with the improvements and the acquisition of lands for or in connection with the improvements such sums as the Hammersmith Council may by resolution determine.

(2) For the purpose of paying to the Council any such contribution the Hammersmith Council may borrow the requisite money in accordance with the provisions of Part VII of the London Government Act 1939.

(3) It shall not be lawful for the Hammersmith Council to exercise the powers of borrowing conferred by this section otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 and of any Orders for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

8 & 9 Geo. 6.
c. 18.
9 & 10 Geo. 6.
c. 58.

Separate
accounts of
receipts and
payments.

53.—(1) Notwithstanding anything contained in this or any other Act all receipts and payments by the Council relating to the provisions and purposes of this Act shall be carried or charged to separate accounts to be kept by the Council in relation to this Act.

(2) The said accounts shall at all times be available for examination by officers appointed for the purpose by the Minister.

Costs of
execution of
Act.

54. All costs and expenses of the Council in the execution of this Act shall be defrayed as payments for general or special county purposes within the meaning of the London Government Act 1939 as they may decide.

Arbitration.

55. Any question or difference which pursuant to this Act is to be settled by arbitration (other than a question or difference to which the provisions of the Lands Clauses Acts apply and except as otherwise provided by this Act) shall be referred

to and determined by an arbitrator to be agreed upon between the parties in difference or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and determination.

56. Save as otherwise expressly provided all offences against this Act and all fines forfeitures penalties costs charges and expenses imposed or recoverable thereunder may be prosecuted and recovered in a summary manner: Recovery of penalties &c.

Provided that costs charges and expenses except such as are recoverable along with a fine shall not be recovered as penalties but may be recovered summarily as civil debts.

57. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate. Judges not disqualified.

58. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act: Saving for indictments &c.

Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

59. The Minister may hold or cause to be held such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents or approvals under this Act and the provisions of subsections (2) (3) (4) and (5) of section 189 of the London Government Act 1939 shall apply to any such inquiry as they apply to local inquiries held under that section but as if for references to a department there were substituted therein references to the Minister. Inquiries by Minister.

The SCHEDULE referred to in the foregoing Act.

STREETS AND PARTS OF STREETS WHICH MAY BE STOPPED UP.

In the borough of Hammersmith—

So much of Mall Road and Bridge Avenue as lies between Rutland Grove and the northern side of Work No. 4 by this Act authorised;

So much of Angel Walk as lies southwards of Black's Road;

Salem Place;

The pedestrian passageways between Angel Walk and Bridge Avenue;

So much of the western side of Hammersmith Bridge Road as lies between Works Nos. 4 and 5 by this Act authorised;

Sussex Place;

So much of Fulham Palace Road as lies between Works Nos. 8 and 11 by this Act authorised;

Rednall Terrace;

Lurgan Street;

Elric Street;

Montgomery Street;

So much of Wilson's Road as lies between Work No. 3 by this Act authorised and Great Church Lane;

Butterswick Cottages;

So much of Great Church Lane as lies within the line of Work No. 2 by this Act authorised.

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