



### CHAPTER ccxliii.

An Act to confer further powers on the London County Council for the acquisition and maintenance of Parks and Open Spaces and as to local management and procedure and to make various provisions with regard to Buildings and Streets in the Administrative County of London. A.D. 1890.  
[18th August 1890.]

**W**HEREAS it is expedient that the London County Council (in this Act called "the Council") should subject to the provisions herein-after contained be empowered to acquire hold and manage certain lands in the parish of Saint Mary Lambeth in the county of London known as Brockwell Hall or Brockwell Park :

And whereas for the purpose of identifying the said lands the Council caused a plan of the same to be deposited with the clerk of the peace for the county of London and the said plan is herein-after referred to as "the plan of Brockwell Park" :

And whereas Sir Sydney Waterlow Baronet now of 29 Chesham Place in the county of London has presented to the Council certain lands at Highgate Hill in the parish of Saint Pancras comprising an estate of about twenty-seven acres in extent in the belief that the said property would make an excellent public park for the north of London :

And whereas the whole of the land is or is reputed to be freehold with the exception of about two and three-quarter acres which are held for the residue of a term of fifty-nine and three-quarter years from the twenty-fourth day of June 1865 :

And whereas the said Sir Sydney Waterlow has not only presented as a free gift to the Council his entire interest in the said estate but also proposed to pay over and has since paid over to the Council the sum of six thousand pounds in cash being the estimated value of the freehold interest in the said two and three-quarter acres desiring that the said sum of money should be used in purchasing

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A.D. 1890. this interest or in defraying the cost of laying out the said estate as a public park in perpetuity as the Council might deem most desirable :

And whereas the Council unanimously resolved that the said offer should be accepted :

And whereas the conveyance of the said freehold and leasehold lands to the Council was effected by the two several indentures of the sixteenth day of December 1889 of which copies are set out in Parts I. and II. of Schedule A to this Act and by an indenture of covenant of the same date the Council covenanted to pay the rent reserved by and to observe and perform the covenants and conditions by the lessee contained in the indenture of lease to which the said leasehold lands were subject :

And whereas by an indenture of agreement and declaration of the same date of which a copy is set forth in the fourth part of the said schedule provision is made as to the application of the said sum of six thousand pounds :

And whereas doubts are entertained as to whether the said arrangements can be carried out and it is expedient that the said lands should be vested in the Council by the authority of Parliament for all the estate and interest of the said Sir Sydney Waterlow therein :

And whereas there are certain lands known as North Woolwich Gardens about ten acres in extent at North Woolwich partly in the county of London and partly in the county of Essex abutting on the River Thames which it would be advantageous to retain and preserve for the purpose of a public garden or recreation ground :

And whereas arrangements have been made for the purchase of the said gardens at a cost of nineteen thousand pounds provided partly by a contribution from the Charity Commissioners out of the City Parochial Charities Fund and partly by private subscription :

And whereas the Council desire to contribute towards the completion of the said purchase and are willing to undertake the maintenance and management of the said gardens as a place of public resort and recreation and doubts are entertained as to the power of the Council having regard to the situation of the said lands and the various obligations involved to take over maintain and manage the said lands otherwise than with the authority of Parliament and it is expedient that provision should be made for the objects aforesaid :

And whereas by virtue of the Metropolitan Board of Works Act 1877 the Council has power from time to time to make byelaws as

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regards the parks as therein defined for certain purposes therein specified and has also power in addition to make byelaws as regards any heath or common referred to in that Act for certain purposes also therein specified :

And whereas various parks and open spaces from time to time vested in the Metropolitan Board of Works by various Acts of Parliament are now transferred to and vested in the Council and under the said Acts or some of them powers exist to make byelaws relative to parks gardens and open spaces therein respectively referred to but the provisions of the said Acts in some respects vary :

And whereas it would be convenient that the Council should have power to make one uniform set of byelaws capable of application to all or any of the parks gardens heaths commons and open spaces vested in the Council :

And whereas no central place is at present provided in London to which unidentified dead bodies can be removed and it is expedient that the Council should be empowered to provide and fit up a place or places for that purpose :

And whereas it is expedient that further provisions should be made with regard to buildings and powers conferred with reference thereto as herein-after set forth :

And whereas it is also expedient that the Council should have certain powers conferred on them as to inquiries and negotiations relative to the supply of water :

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

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the London Council (General Powers) Act 1890. Short title.

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

“The Council” means the London County Council ;

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“Street” has the meaning assigned to that term in the Metropolis Management Act 1855 and the Acts amending the same;

“Vestry” means the vestry of a parish and “district board” means the board of works for a district acting under the Metropolis Management Act 1855 and the Acts amending the same;

“Justice” means justice of the peace acting for the county borough liberty or place where the matter requiring the cognizance of any such justice shall arise and who shall not be interested in the matter. When any matter shall require to be done before justices the expression “two justices” shall be understood to mean two justices assembled and acting together in petty sessions or a metropolitan police magistrate sitting alone;

“Lessee” includes any person holding a sub-lease:

For the purposes of this Act the expression “Waterlow Park” means and includes the lands and properties known as Lauderdale House and grounds Fairseat House and grounds and Hertford House and grounds as expressed to be conveyed by the indentures set out in the Schedule A to this Act:

“The plan of Waterlow Park” means the plan signed by Sir Joseph Russell Bailey Baronet the chairman of the committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited at the Parliament Office of the House of Lords and one other copy has been deposited at the Private Bill Office of the House of Commons:

The expression “North Woolwich Gardens” means the lands described in Part V. of the Schedule A to this Act and delineated on the plan of North Woolwich Gardens:

“The plan of North Woolwich Gardens” means the plan thereof as signed by Sir Joseph Russell Bailey Baronet the chairman of the committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited at the Parliament Office of the House of Lords and one other copy has been deposited at the Private Bill Office of the House of Commons:

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

Provided that for the purposes of this Act the expressions “the promoters of the undertaking” and “the company” in the Lands Clauses Acts shall be construed to mean the Council and that for the purposes of this Act the expression “superior courts” or

“court of competent jurisdiction” or any other like expression in this Act or any Act incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

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3. The Lands Clauses Acts are (except where expressly varied by this Act) incorporated with and form part of this Act.

Incorporation of Lands Clauses Acts.

#### BROCKWELL PARK.

4. The Council may purchase and take by agreement certain lands in the parish of Lambeth in the county of London known as Brockwell Park as shown on the plan of Brockwell Park and when the Council shall have acquired the same they shall hold the same and every part thereof as a park and shall lay out maintain and preserve the same and every part thereof as a park for the perpetual use thereof by the public for exercise and recreation and may from time to time exercise all necessary powers for the maintenance and preservation of the same as a park Provided that the Council may if they think fit enclose the said lands or any part thereof with a view to the better or more effectual preservation thereof for public use and retain or remove alter enlarge or adapt any buildings thereon for any purpose which they may think conducive to the public benefit.

Power to purchase Brockwell Park.

5. The Council may erect and maintain in the said park huts and lodges for the accommodation of keepers constables and other persons employed by the Council in connexion with the maintenance and management of the park and also such other convenient and ornamental buildings as they may think requisite for refreshment rooms band-stands conveniences and other like purposes.

Power to erect certain buildings.

6. The vestries of the parishes of Lambeth Saint Mary Newington and Camberwell or any of them may from time to time contribute towards the purchase and acquisition of the said park and the purchase acquisition and extinction of all estates rights and interest in over or affecting the same and any costs charges and expenses incident thereto such sum or sums as they or either of them may from time to time think fit and the said vestries or any of them may for the purpose of paying any such sum or sums or any part thereof borrow of the Council and the Council may (subject to the provisions of any Act of Parliament for the time being in force relating to loans by the Council to vestries) lend to the said vestries or any of them the requisite moneys and for the purpose of

Contributions by vestries to expenses.

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Deed to be stamped.

7. The purchase of the said park in the parish of Lambeth under the powers of this Act shall be evidenced by a duly stamped deed of conveyance and within three months after the completion of such purchase the Council shall produce such deed to the Commissioners of Inland Revenue and in default of such production the ad valorem stamp duty together with interest at the rate of five pounds per centum per annum shall be recoverable from the Council with full costs of suit and all costs and charges attending the same.

Acquisition of Waterlow Park.

8. Notwithstanding anything in the Mortmain and Charitable Uses Act 1888 or any other Act to the contrary Waterlow Park shall as from the passing of this Act vest and remain vested in the Council for all the estate and interest held or possessed by Sir Sydney Waterlow Baronet therein or to which he was entitled on the sixteenth day of December one thousand eight hundred and eight-nine and the indentures of that date set out in Parts I. and II. of Schedule A to this Act and the indenture of covenant set out in Part III. and the indenture of declaration and agreement set out in Part IV. of the said schedule shall as from the passing of this Act have full force and effect and be binding on the said Sir Sydney Waterlow his heirs executors and administrators and the Council in accordance with the terms thereof respectively and the Council shall have power by agreement to purchase or otherwise acquire and to hold the freehold in reversion expectant upon the determination of the said lease of Fairseat House of the twenty-fifth day of August one thousand eight hundred and sixty-five.

Power to Council to let Fairseat House.

9. Whereas that portion of Waterlow Park hitherto called or known as Fairseat House coloured brown on the plan of Waterlow Park being the messuage lands and premises conveyed to the Council by the indenture of the sixteenth day of December 1889 set out in the second part of Schedule A to this Act is held under a lease dated the twenty-fifth day of August 1865 which contains a covenant by the lessee not to permit the premises or any part thereof to be used in any other manner than as and for a private residence which covenant the Council have by the indenture set out in the third part of the said schedule covenanted to observe and

perform And whereas until the Council have acquired the reversion expectant on the determination of the said lease or have obtained a release from the said covenant the said premises cannot be used save in the manner aforesaid but the Council are not authorised to let the same for such purposes Be it therefore enacted that it shall be lawful for the Council to let the said messuage and premises or any part thereof for such time and on such terms and conditions as the Council shall think fit but subject during the continuance of the said lease to the terms of the said covenant by the lessee.

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**10.** (1) The Council may contribute towards the purchase money of North Woolwich Gardens such sum or sums of money as they may think fit and may acquire North Woolwich Gardens and from and after the acquisition thereof by the Council the Council shall hold the same and every part thereof as a public garden or recreation ground and shall lay out maintain and preserve the same and every part thereof for that purpose.

Acquisition  
of North  
Woolwich  
Gardens.

(2) In addition to the contribution which the Council are hereby authorised to make towards the purchase money of North Woolwich Gardens the Council may advance towards the said purchase money the amount of any sum of money which the Charity Commissioners have agreed to contribute to the said purchase money and in case such advance is made by the Council the contribution to be made by the Charity Commissioners shall be paid by them to the Council.

**11.** The Council may from time to time exercise all necessary powers for the maintenance and preservation of Waterlow Park for the purposes mentioned in the said indentures set out in Schedule A to this Act and also for the maintenance and preservation of North Woolwich Gardens as a place of public resort and recreation and as a park and may if they think fit enclose the said lands or any part thereof with a view to the better or more effectual preservation thereof for the said purposes and may retain or remove alter enlarge or adapt any buildings thereon for any purpose which they may think conducive to the public benefit in accordance with the provisions of this Act and the indentures set out in the said schedule.

Power to  
manage  
Waterlow  
Park and  
North  
Woolwich  
Gardens.

**12.** The Council may erect and maintain in Waterlow Park and North Woolwich Gardens respectively huts and lodges for the accommodation of keepers constables and other persons employed by the Council in connexion with the maintenance and management of the said park and gardens.

Power to  
erect certain  
buildings.

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County Council not to interfere with the River Thames.

**13.** Nothing in the provisions of this Act relating to North Woolwich Gardens shall authorise or empower the Council to embank encroach upon or interfere in any manner with any part of the bed soil or shores of the River Thames without the consent in writing of the Conservators of the River Thames.

BYELAWS (PARKS AND OPEN SPACES).

Consolidation of byelaws as to parks and open spaces.

**14.** It shall be lawful for the Council from time to time to make alter and repeal in relation to the parks gardens and open spaces vested in or under the control of the Council byelaws for all or any of the purposes for which under sections 3 and 4 of the Metropolitan Board of Works Act 1877 they are authorised to make byelaws whether as regards the parks or the heaths and commons as referred to and defined in that Act which purposes shall (without restricting the generality of this enactment) be deemed to extend to and include the various matters set out in Schedule B to this Act:

For the purpose of this part of this Act and of the Schedule B to this Act the expression "park garden or open space" includes every park heath common recreation ground garden ornamental enclosure or open space now or hereafter vested in or under the control of the Council.

Application of byelaws.

**15.** It shall be lawful for the Council from time to time by resolution to apply all or any of the said byelaws to any park garden or open space as from a date to be specified in such resolution and as from the date at which by such resolution such byelaws shall be applied to any park garden or open space all other byelaws of the Council relative to such park garden or open space in force at the date of such resolution shall cease to be of any effect.

Byelaws as to prohibition of drill.

**16.** No such byelaw which shall extend to the prohibition of military drill on any heath or common shall have any force until it has received the sanction of the Secretary of State for War nor shall any such byelaw restrict any rights or powers of the said Secretary of State over any park garden or open space in any case of national danger or emergency.

Appointment of constables.

**17.** The Council may from time to time authorise in writing any of their officers to enforce byelaws made under this part of this Act and may procure any such officers to be sworn in as constables.

Arrest of transient offenders.

**18.** Any constable or any officer of the Council authorised in writing to enforce byelaws made under this part of this Act and



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any person called to the assistance of such constable or officer may without other warrant than this Act seize and detain any person committing or having committed any offence against any such byelaw whose name or residence is unknown to and cannot be ascertained by such constable or officer and take him to a police station or before a justice to be dealt with according to law. Provided that any officer of the Council acting under this part of this Act and not being a constable in uniform shall have with him a written authority from the Council to act and shall produce the same if required.

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19. With respect to byelaws under this part of this Act the following provisions shall apply:—

Allowance  
of byelaws  
by Secretary  
of State.

(1) The provisions of the Metropolis Management Act 1855 respecting the making contents confirmation approval publication and evidence of byelaws and of proceedings before justices and recovery of penalties thereunder shall extend and apply to such byelaws and such byelaws shall be deemed byelaws within the Metropolis Management Act 1855 and Acts amending the same except that the penalty imposed by such byelaws for each breach of the same may be a sum not exceeding five pounds;

(2) A resolution applying all or any of such byelaws to any park garden or open space shall not have any force unless and until such application be allowed by one of Her Majesty's principal Secretaries of State;

(3) The application of such byelaws to any park garden or open space shall not be allowed until notice of the intention to apply for allowance thereof and of the effect of this section has been published by the Council one month at least before the application by advertisement in two morning daily papers published in London;

(4) During one month at least before the application of such byelaws to any park garden or open space is allowed a copy of the byelaws to be submitted for allowance shall be kept at the office of the Council open for inspection by persons interested and the Council shall furnish a printed copy thereof to every person applying for the same on payment of a sum not exceeding one shilling for each copy and a printed copy of byelaws of the Council under this Act authenticated by their seal shall be conclusive evidence of the existence contents due making confirmation publication and allowance thereof without proof of such seal or of any other thing.

20. Nothing in any such byelaw shall prejudice or affect any rights of the East London Waterworks Company with reference to

Saving rights  
of East Lon-  
don Water  
Company.

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any reservoir or lines of pipe in Finsbury Park under any agreement between such company and the Metropolitan Board of Works or any right or privilege of the said company of access for any purposes for which they now have such rights or privileges to their existing mains pipes or works in Finsbury Park Victoria Park Stoke Newington Common and Millfields (Hackney) or of opening lands in any parks or open spaces in which any of their said mains pipes or works may be situate or laid.

Music in  
parks.

21. It shall be lawful for the Council to maintain one or more public bands to provide music in parks gardens or open spaces under the control of the Council or to make contributions by way of subsidy to any such band or bands and they may provide and maintain stands and other conveniences for the purposes of such bands and seats and chairs.

#### MORTUARY FOR UNIDENTIFIED BODIES.

Mortuary.

22. It shall be lawful for the Council to provide and fit up within the administrative county of London one or two suitable place or places to which dead bodies found within the administrative county and not identified together with any clothing articles and other things found with or on such dead bodies may on the order of a coroner be removed and in which they may be retained and preserved with a view to the ultimate identification of such dead bodies Her Majesty's Secretary of State for the Home Department may from time to time make regulations as to—

The manner in which and conditions subject to which any such bodies shall be removed to any such place and the payments to be made at such place to persons bringing any unidentified dead body for reception ;

The fees and charges to be paid upon the removal or interment of any such dead body which shall have been identified after its reception and the persons by whom such fees and payments shall be made and the manner and method of recovering the same ;

The disposal and interment of any such bodies :

And the Council may provide at such place or places all such appliances as they may think expedient for the reception and preservation of bodies and may make such regulations as they think fit subject to the provisions aforesaid as to the management of the said places and bodies therein and as to the conduct of persons employed therein or resorting thereto for the purpose of identifying any body and any expenses of the Council arising under any of the provisions

of this section shall be defrayed as a payment for general county purposes out of the county fund. A.D. 1890.

Subject to and in accordance with such regulations as may be made by Her Majesty's Secretary of State for the Home Department any such body found within the administrative county may (on the order in writing of the coroner holding or having jurisdiction to hold the inquest on the same) be removed to any place provided under this section and subject as aforesaid the inquest on any such body shall be held by the same coroner and in the same manner as if no order for its removal had been made except that it may be held either in the district in which the body was found or at the place to which it has been removed or partly in such district and partly at such place.

#### PROCEDURE AND CONDUCT OF BUSINESS.

**23.** Notwithstanding anything contained in section 41 paragraph (6) of the Local Government Act 1888 it shall be lawful for the chairman vice-chairman or deputy chairman of the Council or any councillor acting as chairman in their absence to act in the capacity of chairman on any question arising before the Council although they may be councillors elected for the city of London and although the question may regard matters involving expenditure in respect of which the parishes in the city are not for the time being liable to be assessed equally with the rest of the county to county contributions but this section shall not be construed to confer any power of voting. As to cases in which councillors representing the city may act as chairman.

**24.** The powers of the Council to lend and of district boards and vestries to borrow for the purposes of the Metropolis Management Act 1855 under section 183 of that Act are hereby extended to any expenses incurred by any vestry or district board in the provision of any mortuary. Power to lend to vestries for sanitary purposes.

**25.** Where for the purpose of improving or adding to any area included in an improvement scheme under the Artisans and Labourers Dwellings Improvement Act 1875 authorised by a confirming Act the Council shall find it expedient to acquire any additional lands adjoining such area it shall be lawful for the Council with the consent of the confirming authority to purchase such additional lands accordingly by agreement and to pay the costs and expenses thereof in the same manner as the costs and expenses of such improvement scheme. Purchase of land by agreement for artisans schemes.

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SUNDRY POWERS AND PROVISIONS.

Exempting  
members of  
Council from  
juries.

26. Members of the Council shall be exempt from service on any jury within the administrative county of London.

Approval of  
plans under  
Metropolitan  
Building  
Act 1855.

27. The approval by the Council of any plans or particulars under the provisions of the Metropolitan Building Act 1855 or any Act amending the same shall be signified in writing under the hand of the superintending architect of metropolitan buildings and countersigned by the chairman or acting chairman for the time being of the Building Act committee of the Council or by any other person appointed for that purpose by the Council.

Appeal  
against certi-  
ficate of  
architect as  
to general  
line of  
buildings.

28. The superintending architect shall within fourteen days after certifying under the powers of the Metropolis Management Act 1855 and the Acts amending the same the general line of buildings in any street place or row of houses cause a notice of his certificate to be given to or served on the vestry or district board of the parish or district and to be given to or served on the owner of the building or land in reference to which the general line of buildings has been certified and on the owner of the next adjoining houses or land upon each side of the building or land in reference to which the general line of buildings has been certified :

And such notice may be given or served in accordance with the provisions of section 98 of the Metropolitan Building Act 1855 :

The vestry or district board or any person deeming himself aggrieved by the certificate of the superintending architect may within fourteen days after notice of such certificate has been given or served appeal to a tribunal to be constituted as herein-after provided :—

- One member to be from time to time appointed by the Council ;
- One member (who shall not be a member or officer of the Council) to be from time to time appointed by the Council of the Royal Institute of British Architects ; and
- One member (who shall not be a member or officer of the Council) to be from time to time appointed by the Council of the Surveyors' Institution :

And every such appeal shall stand referred to such tribunal who shall have power after hearing the superintending architect and all other persons interested who may deem themselves aggrieved to confirm or reverse or vary such certificate and the decision of such tribunal whether it confirms or reverses or varies such certificate shall finally determine the general line of buildings and the costs of

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any of the parties to such appeal shall be in the discretion of the tribunal. A.D. 1890.

**29.** Notwithstanding anything contained in the Metropolitan Building Act 1855 section 27 sub-section 4 a warehouse or other building used for the purposes of any trade or manufacture not involving the use of explosive or inflammable materials may with the consent of the Council contain any number of cubic feet exceeding two hundred and sixteen thousand but not exceeding four hundred and fifty thousand without being divided by party walls or if consisting of more than one division every or any division thereof may with the like consent contain more than two hundred and sixteen thousand cubic feet provided it do not contain more than four hundred and fifty thousand cubic feet:

Power to authorise larger buildings without party walls.

But the Council shall not grant any such consent unless they are satisfied upon the report of the superintending architect and of the chief officer of the Fire Brigade that the additional dimensions are necessary for the purpose of the trade or manufacture carried on or intended to be carried on in the warehouse or buildings and unless they are satisfied that proper arrangements have been or will be made and maintained for lessening so far as reasonably practicable danger from fire. Provided that in no case shall such consent be given in the case of buildings exceeding sixty feet in height. Provided also that such consent shall continue in force only during such time as the premises to which it relates are bonâ fide used for the purposes of the trade or manufacture in respect of which the same was granted.

**30.** For the purpose of any enactment in this Act or the Metropolitan Management Acts referring to the centre of roadway in the case of a street formed or laid out after the passing of this Act the Council may at any time define the line constituting the centre of the roadway and the line so defined shall continue to be deemed the centre for those purposes notwithstanding that the actual centre of the roadway may have become altered by reason of the roadway having been widened either on one side only or on both sides to an unequal extent.

Defining line constituting centre of roadway.

**31.** As from the passing of this Act the Council shall subject to the provisions of Part II. of the Metropolitan Management and Building Acts Amendment Act 1878 have and may exercise with respect to the following matters:—

- (1) The description and quality of the substances of which plastering is authorised to be made;

Power to Council to make bye-laws with respect to materials for plastering and within three feet of sites.

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- (2) The mode in which and the materials with which any excavation made within a line drawn outside the site of a house building or other erection and at a uniform distance therefrom of three feet shall be filled up ;
- (3) The duties of district surveyors in relation to such plastering or excavation and the regulation of the amounts of the fees to be paid to such district surveyors in respect of the duties imposed upon them by any such byelaws ;

the same powers of making enforcing altering varying amending and repealing byelaws as they have with respect to the matters specified in section 16 of the said Act.

Notice to be given to vestry or district board of building or demolishing any house building or wall.

**32.** Every person who shall intend to build or take down any house building or wall (not being within the city of London) within ten feet of any public thoroughfare shall give notice of such intention to the vestry or district board of the parish or district in which such house building or wall is situate and shall before commencing to build or take down any such house building or wall cause to be put up such hoard or fence with a convenient platform and hand-rail (if there be room enough) for the same to serve as a footway for passengers outside of such hoard or fence as the vestry or district board may think to be proper and sufficient and shall continue such hoard or fence and such platform and handrail standing and in good condition to the satisfaction of the vestry or district board during the building or taking down of any such house building or wall unless the vestry or district board shall give their consent in writing to its previous removal and shall when required so to do by the vestry or district board cause such hoard or fence and such platform and handrail to be well lighted from sunset to sunrise :

Every person who fails to give such notice to the vestry or district board or who commences to build or take down any such house building or wall without causing to be put up such hoard or fence with or without such convenient platform and handrail or who does not continue such hoard or fence with or without such convenient platform and handrail in good condition to the satisfaction of the vestry or district board as aforesaid or who does not when required so to do cause such hoard or fence with or without such platform and handrail to be well lighted from sunset to sunrise shall for every such offence be liable to a penalty not exceeding five pounds and a further penalty not exceeding forty shillings for every day on which such offence shall continue after conviction thereof such penalties to be recovered by summary proceeding.

**33.** The superintending architect to the Council for the time being shall in setting out the general line of building in any street place or row of houses decide so far as affects any building structure or erection to be erected after the passing of this Act other than on the site of a building or on land held with a building existing at the time of the passing of this Act or on land laid out for building at the time of the passing of this Act and which will abut on any other street or streets place or places or row or rows of houses the general line of building in such other street or streets place or places or row or rows of houses and no building structure or erection to be erected after the passing of this Act shall without the consent in writing of the Council be erected beyond the general line of building in such other street or streets place or places or row or rows of houses in case the distance of any such general line of building from any highway does not exceed fifty feet or within fifty feet of any highway when the distance of any such general line of building therefrom amounts to or exceeds fifty feet notwithstanding there being gardens or vacant spaces between the general line of buildings and any highway and in case any building structure or erection be erected or be begun to be erected or raised after the passing of this Act without such consent or contrary to the terms and conditions on which the same may have been granted the owner or occupier of the premises or the builder shall be deemed to be engaged in a work contrary to the provisions of section 75 of the Metropolis Management Act 1862 and it shall be lawful for the Council the vestry of the parish or the district board for the district in which such building structure or erection is situate to take proceedings against such owner or occupier or builder under the provisions of the said section :

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Buildings  
abutting on  
more than  
one street.

Provided that any such certificate may be appealed against to the tribunal constituted under section 28 of this Act ("Appeal against certificate of architect as to general line of buildings") and that if any dispute shall arise between any owner of land alleged to be laid out as building land and any other person as to whether the same was in fact laid out for building at the time of the passing of this Act so as to justify objection to the line set out by the superintending architect the same shall be settled by the same tribunal and such tribunal shall decide such dispute in their discretion as a matter of fact and all the provisions of the said section as to costs and otherwise shall apply to any appeal under this section :

Nothing in this section shall affect the exercise of any powers conferred upon any railway company by any special Act of Parliament.

A.D. 1890.

As to extension of any part of a building within certain distance from centre of road.

**34.** No person shall after the passing of this Act extend any building structure or erection upon a site not previously occupied in whole by a building in such manner that any part of the external wall of such extension shall be in any direction at a less distance than twenty feet from the centre of any roadway used as a public carriageway or than ten feet from the centre of any public footway used for foot traffic only (not being an approach road passage or way to a single private dwelling-house) without the consent in writing of the Council and the Council may give their consent subject to such conditions and limitations as the Council may think proper to prescribe :

If any person shall without the consent in writing of the Council extend or begin to extend any such building structure or erection in such manner that any part of the external wall thereof shall be at a distance less than twenty feet from the centre of any roadway used as a public carriageway or than ten feet from the centre of any public footway used for foot traffic or without conforming to the conditions and limitations which the Council have thought proper to prescribe he shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding forty shillings for every day on which such offence shall continue after conviction thereof such penalties to be recovered by summary proceeding :

Nothing in this section shall affect the exercise of any powers conferred upon any railway company by any special Act of Parliament.

Laying out of new carriageways.

**35.** No road passage or way which will not directly communicate at both ends with a public carriageway shall be formed or laid out as a public carriageway without the consent in writing of the Council and in giving their consent the Council may prescribe all such conditions as they may think fit :

Provided always that in case any person intending to form or lay out any road passage or way as a public carriageway considers that any of the conditions prescribed by the Council are unreasonable such person may within fourteen days after the receipt of the order of the Council serve notice of appeal against the same upon the Council and thereupon such appeal shall stand referred to an arbitrator to be appointed by one of Her Majesty's principal Secretaries of State at the request of either party whose decision shall be final upon the question and such arbitrator shall have power to make such order as to payment of costs as he may think expedient :

Any person forming or laying out any such road passage or way without the consent in writing of the Council or without complying



with all such conditions as the Council or the arbitrator may have prescribed shall for every such offence be liable to a penalty not exceeding forty shillings and to a further penalty not exceeding twenty shillings for every day on which the offence is continued after conviction thereof such penalties to be recovered by summary proceeding :

A.D. 1890.

This section shall not apply within the city of London nor to a road formed or laid out by a railway company as an approach to a station-yard or land used for railway purposes.

**36.** (1) No building (not being a church or chapel and not being a building contracted to be erected before the passing of this Act) shall be erected after the passing of this Act of a greater height than ninety feet (exclusive of two storeys in the roof and of ornamental towers turrets or other architectural features or decorations) without the consent in writing of the Council nor shall the height of any building be at any time subsequently increased so as to exceed the height of ninety feet (exclusive as aforesaid) without such consent In determining the height of any such building the measurement shall be taken from the level of the footway (if any) immediately in front of the centre of the façade or (where there is no such footway) from the natural level of the ground before excavation to the level of the top of the parapet or where there is no parapet to the level of the top of the external vertical wall Provided always that in the case of gabled buildings the prescribed height of ninety feet (exclusive as aforesaid) shall be measured from the level of the footway immediately in front of the centre of the façade or (where there is no such footway) from the natural level of the ground before excavation to the base of such gable :

Limiting  
height of  
buildings.

Provided always that where any existing buildings forming part of a continuous block of buildings exceed the height prescribed by this section any other building in the same block may be carried to a height equal to but not exceeding that of the existing buildings anything in this section contained to the contrary notwithstanding :

Any person committing any offence under this enactment shall be liable to a penalty of one hundred pounds and in case of a continuing offence to a further penalty of ten pounds for every day during which such offence shall continue after conviction such penalties to be recovered by summary proceeding.

(2) Notice of the consent to erect any building of a greater height than that prescribed by this section shall within one week after such consent has been given be published by the person to whom the consent is given in a London daily newspaper and no consent shall be acted upon until twenty-one days after such notice.

A.D. 1890.

(3) Any owner or lessee to whom consent may have been refused to erect a building of a greater height than that prescribed by this section may within twenty-one days after the date of such refusal—and the owner or lessee of any building or land within one hundred yards of the site of any intended building of a greater height than that prescribed by this section who may deem himself aggrieved by the grant of any consent under this section may within twenty-one days after notice of such grant shall have been published as aforesaid—appeal to the tribunal herein-before constituted and such tribunal may confirm reverse or vary such refusal or grant and may also determine any question which may arise as to the meaning of the word “block” in this section mentioned and the costs of any such appeal shall be borne and paid as the said tribunal shall direct.

(4) This section shall not apply to the rebuilding to the same height as at present of any building existing at the passing of this Act of a greater height than ninety feet.

(5) Nothing in this section shall affect the exercise of any powers conferred upon any railway company by any special Act of Parliament for railway purposes.

Exemption  
of Govern-  
ment pro-  
perty from  
building  
regulations.

**37.** There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in and in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in and in the occupation of any department of Her Majesty's Government for public purposes or for the public service and any building erected or to be erected in accordance with any plan and in a manner approved or directed by the Local Government Board in pursuance of any statutory provision in that behalf.

Inquiries as  
to water  
supply.

**38.** It shall be lawful for the Council from time to time to prosecute and conduct inquiries and negotiations relative to the supply of water or companies supplying water in or near the administrative county of London and to pay out of the county fund the costs and expenses of such inquiries not exceeding five thousand pounds Provided that if the Council intend that any such inquiry should be open to the public they shall give notice of the time and place thereof by advertisement published once in each of two successive weeks in two London daily newspapers.

39. Any person found within or attempting to enter any sewer of the Council without their permission shall be liable to a penalty of not exceeding forty shillings or in default to imprisonment for not exceeding one month and it shall be lawful for any officer of the Council to eject and remove any such person from any such sewer and in the event of the name and address of such person not being known to detain him and hand him over to any police constable and any such person may be dealt with before any court of summary jurisdiction in accordance with the Summary Jurisdiction Acts.

A.D. 1890.  
As to trespassers in sewers.

40. All penalties which may be recovered under any of the bye-laws made by the Council under the powers of this Act shall notwithstanding anything contained in an Act made and passed in the session holden in the second and third years of the reign of Her present Majesty chapter 71 or in any other Act or Acts to the contrary be paid to the Council and may be carried by them to the credit of the county fund.

Penalties under bye-laws to be paid to Council.

41. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888 and the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Council in like manner.

As to payments under this Act.

A.D. 1890.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

PART I.

THIS INDENTURE made the sixteenth day of December one thousand eight hundred and eighty-nine between Sir SYDNEY HEDLEY WATERLOW of No. 29 Chesham Place in the county of London Baronet of the one part and the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF LONDON (herein-after called "the Council") of the other part.

WHEREAS the said Sir Sydney Hedley Waterlow is seised of and entitled to the hereditaments herein-after expressed to be hereby conveyed for an estate of inheritance in fee simple in possession free from incumbrances :

And whereas the said Sir Sydney Hedley Waterlow in consideration of his affection for the great city in which he has worked for more than half a century desires to present as a free gift to the Council the said hereditaments herein-after expressed to be hereby conveyed for the purpose of a public park for the people in perpetuity :

Now this indenture witnesseth that for effectuating his said desire he the said Sir Sydney Hedley Waterlow as beneficial owner hereby conveys unto the Council their successors and assigns—

First all that messuage or dwelling-house called or known as Hertford House and the lawn garden or meadow ground yard stable and coach-house thereunto belonging situate at Highgate in the parish of Saint Pancras in that part of the county of London which was formerly in the county of Middlesex and containing together 4a. 3r. 14p. or thereabouts and delineated on the plan drawn in the margin of these presents and therein coloured blue And secondly all and singular the capital messuage or tenement called or known by the name of Lauderdale House and the gardens pleasure grounds stables and coach-houses and other buildings thereto belonging and the several closes or pieces of land adjoining thereto situate at Highgate aforesaid and delineated in the plan and therein coloured pink which secondly described premises with certain buildings since pulled down were formerly described as "all that capital messuage or  
" tenement called or known by the name of Lauderdale House situate at  
" Highgate in the parish of Saint Pancras in the county of Middlesex and also  
" so much of a piece of ground containing in breadth 1 pole 14½ feet or there-  
" abouts and of another piece of ground containing in length 14 poles or there-  
" abouts as are in front of the said capital messuage and premises and also the  
" pleasure garden to the said messuage belonging on the east south and west

[53 & 54 VICT.] *London Council (General Powers) Act, 1890.* [Ch. ccxliii.]

A.D. 1890.

“ sides thereof and one kitchen garden adjoining to the said pleasure garden at  
“ the south side thereof formerly called the upper kitchen garden as the same  
“ premises were formerly in the occupation of William Gittens And also all  
“ that tenement some time since converted into a messuage called Elms Court  
“ (but then pulled down) with the coach-house stable buildings and out-buildings  
“ thereto belonging and the garden fishpond and grounds adjoining the same  
“ And all those several closes of land containing 17 acres more or less as the same  
“ messuage and premises or some parts thereof were formerly in the occupation  
“ of Dr. Benjamin Duncan afterwards of Addison and as the whole  
“ thereof were some time since in the occupation of Thomas Howe Esq. his  
“ assigns or under-tenants And also all that capital messuage or tenement  
“ situate at Highgate aforesaid together with the gardens and appurtenances  
“ thereto belonging in the occupation of Flexmore Deakins afterwards of Mary  
“ Charnells and Parden afterwards of Ware after that of Sarah  
“ Walker and subsequently of Eliza Walker spinster and then or late in the  
“ occupation of Mr. Duckham and also all that plot or parcel of land formerly  
“ belonging to the London Cemetery Company bounded by the middle line of a  
“ certain public footway and lying to the north eastward and northward of such  
“ middle line :

“ And also all that piece or parcel of ground formerly part of the waste of the  
“ manor of Cantlowes situate at Swains Lane Highgate within the same manor  
“ adjoining to a piece of garden ground there formerly occupied by Charles  
“ Lyne as the said piece of waste land was inclosed and holden of the said  
“ manor by the yearly quitrent of two shillings and sixpence together with the  
“ messuage formerly two cottages or tenements erected thereon by the said  
“ Charles Lyne deceased and then or theretofore in the occupations of William  
“ Underwood and Ann Smith spinster and then of the General Cemetery  
“ Company ” :

To hold the said hereditaments and premises herein-before expressed to be hereby conveyed unto and to the use of the Council their successors and assigns in fee simple to the end and intent that the same premises shall and may for ever hereafter be used and enjoyed as and for a public park to be dedicated to the recreation of the public with or without a public museum or public museums as defined by the Mortmain and Charitable Uses Act 1888.

In witness whereof the said Sir Sydney Hedley Waterlow hath hereunto set his hand and seal and the Council have caused their common seal to be hereunto affixed the day and year first before written.

SYDNEY H. WATERLOW.

L.S.

Signed sealed and delivered by the within-named Sir Sydney Hedley Waterlow in the presence of

JAMES ROBERT PIKE, Solicitor,  
25 Austin Friars.  
GEORGE R. RAND, Solicitor,  
14 Spring Gardens, S.W.

A.D. 1890.

PART II.

THIS INDENTURE made the sixteenth day of December one thousand eight hundred and eighty-nine between Sir SYDNEY HEDLEY WATERLOW of No. 29 Chesham Place in the county of London Baronet of the one part and the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF LONDON (herein-after called "the Council") of the other part.

WHEREAS by an indenture dated the twenty-fifth day of August 1865 and made between Jane Bloxam Louisa Bloxam and Emily Bloxam (therein-after called "the lessors") of the first part John Killick of the second part and the said Sir Sydney Hedley Waterlow (therein-after called "the lessee") of the third part all that capital messuage or dwelling-house with the forecourt hot-house green-house garden pleasure ground orchard yard stables coach-house edifices buildings and appurtenances thereto belonging containing altogether by recent admeasurement including the site of buildings 2a. 2r. 15p. or thereabouts as the same were then occupied by the said lessee which buildings however did not include two several buildings the property of the said lessee and then standing on part of the demised premises one whereof partly wood and partly glass was used as a billiard-room and the other building chiefly glass and used as a fernery or conservatory which two buildings the said lessee his executors administrators and assigns were to be at liberty to remove during or at the end of the said term making good all damage done all which premises were at Highgate on the south-west side of the road leading from Holloway to Highgate together with the appurtenances (except all minerals quarries gravel brick earth and marl being in or under the said premises or any part thereof but not so as to enable the said lessors or either of them to dig for remove take away or use such minerals at any time during the said term) were demised unto the said lessee his executors administrators and assigns for the term of fifty-nine and three-quarter years from the 24th day of June 1865 at the yearly rent of 180*l.* and subject to covenants by the lessee and conditions therein contained:

And whereas the said Sir Sydney Hedley Waterlow in consideration of his affection for the great city in which he has worked for more than half a century desires to present as a free gift to the Council the hereditaments herein-after expressed to be hereby conveyed for the purpose of a public park for the people:

Now this indenture witnesseth that for effectuating his said desire he the said Sir Sydney Hedley Waterlow as beneficial owner hereby conveys unto the Council their successors and assigns All and singular the capital messuage land hereditaments and premises by the herein-before recited indenture of lease expressed to be demised (the site of which premises is delineated in the plan drawn in the margin of these presents and is therein coloured green) to hold the same unto the Council their successors and assigns for the residue of the said term of fifty-nine and three-quarter years at the rent reserved by and subject to the covenants by the lessee and conditions contained in the herein-before recited indenture of lease and henceforth to be paid and performed and observed Nevertheless to the end and

[53 & 54 VICT.] *London Council (General Powers)* [Ch: ccxliii.]  
Act, 1890.

intent that the same premises shall and may at all times during the whole residue of the said term be used and enjoyed as and for a public park to be dedicated to the recreation of the public with or without a public museum as defined by the Mortmain and Charitable Uses Act 1888 :

A.D. 1890.

And the Council hereby covenant with the said Sir Sydney Hedley Waterlow his heirs executors and administrators that they the Council their successors or assigns will henceforth indemnify the said Sir Sydney Hedley Waterlow his heirs executors and administrators against all actions proceedings costs damages claims and demands and liability for the non-payment of the said rent or any part thereof or the breach or non-performance or non-observance of the said covenants or any of them.

In witness whereof the said Sir Sydney Hedley Waterlow hath hereunto set his hand and seal and the Council have caused their common seal to be hereunto affixed the day and year first before written.

SYDNEY H. WATERLOW.

L.S.

Signed sealed and delivered by the within-named Sir Sydney Hedley Waterlow in the presence of

JAMES ROBT. PIKE, Solicitor,  
25, Austin Friars.

GEORGE R. RAND, Solicitor,  
14, Spring Gardens, S.W.

PART III.

THIS INDENTURE made the sixteenth day of December one thousand eight hundred and eighty-nine between Sir SYDNEY HEDLEY WATERLOW of 29 Chesham Place in the county of London Baronet of the first part the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF LONDON (herein-after called "the Council") of the second part and WILLIAM TUCKER BLOXAM of No. 1 Lincoln's Inn Fields in the county of London Solicitor of the third part.

WHEREAS by an indenture of lease dated the twenty-fifth day of August 1865 and made between Jane Bloxam Louisa Bloxam and Emily Bloxam of the first part John Killick of the second part and the said Sir Sydney Hedley Waterlow of the third part certain hereditaments including a messuage or dwelling-house now known as Fairseat House situate at Highgate in that part of the county of London which was at the date of the said indenture of lease in the county of Middlesex were demised unto the said Sir Sydney Hedley Waterlow his executors administrators and assigns for the term of fifty-nine and three-quarter years from

[Ch. ccxliii.] *London Council (General Powers)* [53 & 54 VICT.]  
Act, 1890.

A.D. 1890.

the twenty-fourth day of June 1865 at the yearly rent of 180 $\%$ , and subject to the covenants by the lessee and conditions therein contained and by the said indenture it was covenanted or provided that in case the lessee his executors administrators or assigns should at any time during the term wish to let set demise assign or in any way part with the demised premises or any part thereof or the indenture now in recital for all or any part of the term the lessee his executors administrators and assigns should be at liberty so to do on condition that the person or persons to whom such premises or the indenture now in recital should be so let set demised or assigned became party or parties to an indenture or indentures and thereby covenanted to be answerable or accountable to the said lessors their heirs and assigns for the observance and performance of the covenants in the indenture now in recital contained on the part of the lessee but so nevertheless that the provision lastly before contained should not extend to an assignment or demise by way of mortgage nor to a bequest by will nor to an under-lease for a term not exceeding twenty-one years at the then fair annual rackrent And it was thereby further provided that nothing in such indenture or indentures to be contained should be construed to discharge or release the said lessee his heirs executors or administrators from the covenants therein contained on the parts and behalves of the said lessee his heirs executors administrators or assigns And such indenture also contained a covenant by the lessee that he his executors administrators and assigns should not at any time during the term without the license or consent in writing of the said lessors their heirs or assigns under their hands specially obtained for that purpose use exercise or carry on or permit or suffer to be used exercised or carried on in or upon the said premises or any part thereof any trade or business whatsoever or otherwise permit or suffer the same premises or any part thereof to be used occupied or inhabited in any other manner than as and for a private residence under pain of paying by way of forfeiture nomine pœnæ ten pounds per month during such time as the same premises or any part thereof should be used occupied or inhabited contrary to that covenant :

And whereas the said Jane Bloxam Louisa Bloxam and Emily Bloxam being seized of the copyhold or customary messuage hereditaments and premises demised by the said recited lease by a surrender dated the sixth day of February 1871 surrendered the same into the hands of the lord of the manor to the use of the said William Tucker Bloxam party hereto his heirs and assigns for ever according to the custom of the manor whereof the same was and is held :

And whereas on the said sixth day of February 1871 the said William Tucker Bloxam was duly admitted tenant of the said copyhold hereditaments and premises and the said William Tucker Bloxam became and still is entitled to the copyhold reversion of the said demised premises expectant on the determination of the said lease and to the benefit of the covenants and provisions therein contained :

And whereas the said John Killick party to the said recited lease died on the sixth day of June 1874 :

And whereas by an indenture bearing even date with and executed before the execution of these presents and made between the said Sir Sydney Hedley Waterlow of the one part and the Council of the other part the said Sir Sydney Hedley Waterlow has conveyed the lands hereditaments and premises comprised in the said indenture of lease unto the Council their successors and assigns for the residue of the said term at the rent and subject to the covenants by the lessee and conditions contained in the said indenture of lease :



And whereas the said Sir Sydney Hedley Waterlow in pursuance of the covenant or provision in this behalf contained in the said indenture of lease has requested the Council to enter into such covenant with the said William Tucker Bloxam as herein-after contained which they have agreed to do in accordance with the provision contained in the said recited indenture of lease:

A.D. 1890.

Now this indenture witnesseth that in pursuance of the said agreement in this behalf and in consideration of the premises the Council hereby covenant with the said William Tucker Bloxam his heirs and assigns that they the Council their successors or assigns will henceforth pay the rent reserved by and observe and perform the covenants and conditions by the lessee contained in the herein-before recited indenture of lease and by and on the part of the lessee his executors administrators or assigns henceforth to be paid observed and performed Provided always and it is hereby expressly agreed and declared that nothing herein contained shall in anywise prejudice the rights of the said William Tucker Bloxam his heirs or assigns or in anywise release the said Sir Sydney Hedley Waterlow his heirs executors or administrators from the covenants and provisions contained in the said recited indenture of lease.

In witness whereof the parties hereto of the first and third parts have hereunto set their hands and seals and the Council have caused their common seal to be hereunto affixed the day and year first above written.

SYDNEY H. WATERLOW.

L.S.

Signed sealed and delivered by the within-named Sir Sydney Hedley Waterlow in the presence of

(Signed) JAMES ROBT. PIKE, Solicitor,  
25, Austin Friars.  
GEORGE R. RAND, Solicitor,  
14, Spring Gardens, S.W.

Sealed by order,  
H. DE LA HOOKE,  
Clerk to the Council.

L.S.

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#### PART IV.

THIS INDENTURE made the sixteenth day of December one thousand eight hundred and eighty-nine between Sir SYDNEY HEDLEY WATERLOW of No. 29 Chesham Place in the county of London Baronet of the one part and the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF LONDON (herein-after called "the Council") of the other part.

WHEREAS by an indenture bearing even date with but executed before these presents and made between the said Sir Sydney Hedley Waterlow of the one

[Ch. ccxliii.] *London Council (General Powers)* [53 & 54 VICT.]  
Act, 1890.

A.D. 1890. — part and the Council of the other part certain freehold messuages lands and hereditaments situate at Highgate in the parish of Saint Pancras in that part of the county of London which was formerly in the county of Middlesex have been conveyed by the said Sir Sydney Hedley Waterlow unto and to the use of the Council their successors and assigns in fee simple for the purpose of a public park to be dedicated to the recreation of the public with or without a public museum or public museums as defined by the Mortmain and Charitable Uses Act 1888 :

And whereas by another indenture bearing even date with and executed before these presents and made between the said Sir Sydney Hedley Waterlow of the one part and the Council of the other part certain leasehold hereditaments situate at Highgate aforesaid including a messuage known as Fairseat House have been assigned by the said Sir Sydney Hedley Waterlow to the Council their successors and assigns for the residue of a term of fifty-nine and three-quarter years from the twenty-fourth day of June 1865 granted by an indenture of lease dated the twenty-fifth day of August 1865 and made between Jane Bloxam Louisa Bloxam and Emily Bloxam of the first part John Killick of the second part and the said Sir Sydney Hedley Waterlow of the third part subject to the rent and the covenants by the lessee therein reserved and contained and thenceforth to be performed and observed as and for the purpose of a public park to be dedicated to the recreation of the public with or without a public museum as so defined as aforesaid :

And whereas it was recited in the said indentures that the said Sir Sydney Hedley Waterlow in consideration of his affection for the great city in which he had worked for more than half a century desired to present as a free gift to the Council the said hereditaments thereby conveyed for the purpose of a public park for the people in perpetuity :

And whereas for better enabling his said desire to be carried into effect the said Sir Sydney Hedley Waterlow has paid to the Council the sum of six thousand pounds to the intent that the same may be held and applied as hereinafter mentioned :

Now this indenture witnesseth that for effectuating the said desire of the said Sir Sydney Hedley Waterlow and in consideration of the premises it is hereby agreed and declared that the said sum of six thousand pounds shall be applied by the Council for all or some or one of the purposes hereinafter mentioned or partly for one and partly for others of such purposes as the Council may think fit namely :—

- (A) In or towards the acquisition by purchase for the purposes of the said public park of the copyhold reversion expectant upon the said lease of the said hereditaments comprised therein.
- (B) In or towards the acquisition by purchase or enfranchisement for the purposes of the said public park of the freehold and inheritance of and in the same hereditaments.
- (C) In or towards the laying out or otherwise maintaining all or any of the said hereditaments comprised in the herein-before recited indentures of even date as such public park as aforesaid with or without such public museum or museums as aforesaid [in such manner as the Council may think proper.

In witness whereof the said Sir Sydney Hedley Waterlow hath hereunto set his hand and seal and the Council have caused their common seal to be hereunto affixed the day and year first before written.

A.D. 1890.

SYDNEY H. WATERLOW.

L.S.

Signed sealed and delivered by the within-named Sir Sydney Hedley Waterlow in the presence of

JAMES ROBERT PIKE, Solicitor,  
25, Austin Friars.

GEORGE R. RAND, Solicitor,  
14, Spring Gardens, S.W.

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#### PART V.

Certain land about ten acres in extent known as North Woolwich Gardens abutting on Ferry Road Woolwich and the River Thames near North Woolwich Station situate partly in the parish of East Ham in the county of Essex and partly in the parish of Woolwich in the county of London and bounded on the north by the back premises of the houses facing Albert Road on the east by the Barge Dock and Woolwich Manor Way on the south by the River Thames and on the west by the Hotel Grounds the Ferry Road and the piece of vacant land at the junction of Ferry Road and Albert Road.

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#### SCHEDULE B.

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#### LONDON COUNCIL.

##### SUBJECTS OF GENERAL BYELAWS FOR PARKS GARDENS AND OPEN SPACES.

1. Removing or injuring any of the fountains statues monuments busts posts chains railings fences seats barriers gates lamps lamp-posts notice-boards or plates watch-boxes houses buildings sheds urinals waterclosets military or other flags marks or signals magazines rifle-butts signals mantlets military appliances or other matters or things or defacing or disfiguring the same by posting or affixing in any way any bill placard or notice or cutting or writing stamping printing drawing or marking on any property of the Council.

2. Cutting digging up felling burning plucking breaking climbing up or upon or doing damage or injury to timber or to any trees shrubs brushwood fencing posts poles plants flowers grass gorse heather furze fern or turf or going

[Ch. ccxliii.] *London Council (General Powers)* [53 & 54 VICT.]  
*Act, 1890.*

A.D. 1890. or attempting to go within any temporary inclosure formed for the purpose of reviving or renewing the turf or into any part which is closed for repairs or alterations.

3. Committing any encroachment or making any enclosure.

4. Erecting or placing any post rail fence photographic apparatus pole peg spike tent booth screen stand swing or any building erection or obstruction of any kind whatsoever without the consent of the Council under the hand of their clerk.

5. Using any part for shaking or beating any carpet mat or other thing or as a drying or bleaching ground by placing clothes or other things on any of the trees or bushes or on the turf grass or ground or putting up any pole or line or other support for clothes or other articles or for shaking beating or brushing carpets mats or other things.

6. Committing any nuisance in or on any park garden or open space or against any of the trees shrubs walls railing fences magazines butts or mantlets or under any arch or in any lake or river therein or thereon.

7. Depositing or leaving in or on any park garden or open space or in any lake river or pond therein or thereon any timber bricks sand stone refuse rubbish paper manure snow dead animals or other matter or things or removing ice from any lake river or pond or fishing with net or rod therein or in any other way interfering with the fish or waterfowl or bathing or washing any dog or other animal or allowing any such dog or other animal to swim in any lake river or pond.

8. Going or attempting to go on any pond lake or river when it is frozen after notice that the ice is dangerous has been affixed in a prominent place by the Council's officers or the police or damaging ice or interfering with skating or sliding.

9. Bathing except at such places and within such hours (if any) as may be prescribed by the Council or washing or washing clothes or any other thing in any lake river pond or water or in any trough or other thing.

10. Taking digging cutting damaging or removing any grass gorse furze fern heather timber trees brushwood gravel sand sods bog-earth clay turf mould soil or other substance without right or without the consent of the Council in writing under the hand of their clerk.

11. Lighting any fire burning or doing any act which might cause any timber wood brushwood gorse heather furze fern earth paper rubbish or other substance to be burned or sorting rags or matter of like nature or mending any chair or other article or causing a litter.

12. Plying for hire with or letting out any horse pony mule ass goat or other animal or using any part of a park garden or open space as a standing-place for any horse pony mule ass goat or other animal or for any carriage or goat-chaise without a license from the Council or at times other than those named in such license.

13. The manner of wearing any badge to be supplied by the Council to persons licensed by them.

14. Transferring or lending such badge to any other person or not returning the same after the owner's license has been revoked.

15. Using as standing-places for saddle-horses ponies mules asses goats or other animals or for carriages or goat-chaises any portion of the above-mentioned places except that set apart for the purpose (if any) and marked on duplicate

[53 & 54 VICT.] *London Council (General Powers)* [Ch. ccxliii.]  
*Act, 1890.*

A.D. 1890.

plans deposited at the offices of the Council Spring Gardens and with the officers in charge of the above-mentioned places or not fastening such animals to the inside railing of such standing-place or being outside such railing for the purpose of plying for hire.

16. Turning out to graze or feed or allowing or suffering to stray or remain any cattle sheep swine horse ass mule goose duck fowl or other animal without right or without the consent of the Council in writing under the hand of their clerk.

17. Unlawfully constructing or laying any sewer drainpipe or waterway or other matter of like nature.

18. Making or forming any new road or path over or across the parks without the consent of the Council in writing under the hand of their clerk.

19. Bird-catching bird-trapping or laying or placing any net or trap for the taking of birds taking birds eggs or nests or shooting or chasing or attempting to shoot or chase any bird game or animal or throwing any stone or stick or other missile with intent to injure or catch any bird game or animal.

20. Firing any gun pistol revolver or other firearm loitering with any firearm discharging any fireworks or throwing any stone or stick or other missile or playing or making sounds on any musical instrument without the consent of the Council in writing under the hand of their clerk or doing anything which may endanger the public or be deemed a nuisance obstruction or annoyance to the public or gambling playing at any game of chance betting or playing with cards or dice.

21. Brawling fighting quarrelling cursing swearing or using indecent or improper language or holding or taking part in any running fighting boxing wrestling or walking match on or in the parks sleeping on any of the seats or sleeping sitting or resting in an indecent posture or being disorderly or wilfully or designedly doing any act which outrages public decency or which comes within the meaning of the 4th section of the Vagrant Act 5 George IV. cap. 83 whether the offence shall have been or be committed with intent to insult any female or not.

22. Drawing driving standing or placing any gun or gun-carriage limber or wagon cart carriage van velocipede bicycle tricycle truck wheelbarrow or vehicle on or across the ground or turf on or over any footpath or in any shrubbery or taking or driving any omnibus cart or business conveyance in any of the parks or gardens which are closed at night or on such roads as to which the use is restricted by the Council to light traffic without the consent of the Council in writing under the hand of their clerk.

23. Riding or driving above the rate of eight miles per hour or so as to endanger the public or riding leading lunging or breaking-in any horse ass mule or other animal on or over or across the turf or any footpath or except where sanctioned by the Council or especially allowed by Act of Parliament which places (if any) are defined by notices and are shown on plans deposited with the officers in charge.

24. Exercising as volunteers or playing or making preparation to play at cricket football golf or any other game without the consent of the Council in writing under the hand of their clerk except on the parts (if any) set apart for games or military exercises.

[Ch. ccxliii.] *London Council (General Powers)* [53 & 54 VICT.]  
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A.D. 1890.

25. Interfering with obstructing or annoying any person or persons who are exercising as volunteers or are playing or have made preparation to play at cricket football golf or other game with the consent of the Council in writing under the hand of their clerk or in pursuance of any general authority or as defined by Act of Parliament.

26. Delivering uttering or reading any public speech lecture prayer scripture sermon or address of any kind or description whatever or singing any sacred or secular song or entering into any public discussion maintaining the right to deliver utter or read any public speech lecture prayer scripture sermon or address or holding or causing or taking part in any public assemblage except between sunrise and sunset and on the site or sites (if any) approved by the Council which site or sites shall be defined by notice-boards and also be shown on duplicate plans deposited at the Home Office and at the offices of the Council.

27. Soliciting or gathering money or other thing except within the limits of the site or sites upon which public meetings are allowed to be held.

28. Refusing to leave any park or garden which is closed to the public at night or at or after the time of closing the gates in the evening if requested to do so by any officer or police constable or wilfully remaining in such park or garden after the gates are closed in the evening or climbing on or over the gates fences or railings.

29. Selling any article or distributing any bill or like thing without the consent of the Council in writing under the hand of their clerk.

30. Taking into or on any portions of any park or garden which are closed at night any dog or dogs not being led by a chain or string or other sufficient fastening.

31. The regulation of waterclosets urinals or other convenience and the charges to be made in respect thereof.

32. Excluding or removing hawkers (whether licensed or not) gipsies beggars and rogues and vagabonds.

33. Assaulting or resisting or aiding or inciting any person to assault or resist any officer of the Council or other person in the execution of his duty or the lawful exercise of any authority.

34. Fixing the penalties for breaches of byelaws and for defining offences.

35. Defining the parks gardens and open spaces to which the byelaws or any of them shall apply.

36. Generally for the good rule and government of the parks gardens and open spaces.

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