



**CHAPTER clviii.**

An Act to consolidate the enactments relating to streets and buildings in London. A.D. 1930.

[1st August 1930.]

**W**HEREAS it is expedient to consolidate the enactments relating to streets and buildings in London whereby provision is made for the purpose of securing a proper width and direction of streets the sound construction of buildings the diminution of the danger arising from fire the securing of more light air and space round buildings and generally with respect to the control and regulation of streets and buildings :

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

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

**PART I.**

**INTRODUCTORY.**

1. This Act may be cited as the London Building Act 1930. Short title.

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

- |      |  |                                   |
|------|--|-----------------------------------|
| Part | I.—Introductory.                       | Division of<br>Act into<br>Parts. |
| Part | II.—Formation and widening of streets. |                                   |
| Part | III.—Lines of building frontage.       |                                   |

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A.D. 1930.	Part IV.—Naming and numbering of streets.
—	Part V.—Open spaces about buildings and height of buildings.
	Part VI.—Construction of buildings.
	Part VII.—Special and temporary buildings and wooden structures.
	Part VIII.—Means of escape in case of fire.
	Part IX.—Rights of building and adjoining owners.
	Part X.—Dangerous and neglected structures.
	Part XI.—Dangerous and noxious businesses.
	Part XII.—Dwelling-houses on low-lying land.
	Part XIII.—Sky signs.
	Part XIV.—Superintending architect and district surveyors.
	Part XV.—Byelaws.
	Part XVI.—Legal proceedings.
	Part XVII.—Miscellaneous.
Commence- ment of Act.	3. This Act shall come into operation on the first day of October nineteen hundred and thirty.
Extent of Act.	4. This Act shall save so far as is otherwise provided therein extend to London and no further.
Definitions.	5. In this Act save as is otherwise expressly provided therein and unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):— “adjoining owner” and “adjoining occupier” respectively mean any owner and any occupier of land buildings storeys or rooms adjoining those of the building owner; “area” in relation to a building means the superficies of a horizontal section thereof made at the point of its greatest surface inclusive of the external walls and of such portions of the party walls as belong to the building; “base” in relation to a wall means the underside of the course immediately above the footings if any or in the case of a wall carried by a bressummer above the bressummer;

“ basement storey ” means any storey of a building which is under the ground storey ;    A.D. 1930.

“ bressummer ” means a wooden beam or a metallic girder which carries a wall ;

“ builder ” means the person who is employed to build or to execute work on a building or structure or where no person is so employed the owner of the building or structure ;

“ building of the warehouse class ” means a warehouse manufactory brewery or distillery or any other building exceeding in cubical extent one hundred and fifty thousand cubic feet which is neither a public building nor a domestic building ;

“ building owner ” means such one of the owners of adjoining land as is desirous of building or such one of the owners of buildings storeys or rooms separated from one another by a party wall or party structure as does or is desirous of doing a work affecting that party wall or party structure :

“ centre of the roadway ” means—

(a) in relation to any street or way of which the centre of the roadway has whether before or after the commencement of this Act been ascertained or defined by the Council or the superintending architect the centre of the roadway as so ascertained or defined ;

(b) in relation to any street or way of which the centre of the roadway has not been so ascertained or defined by the Council or the superintending architect where the roadway opposite the site of the building in question has since the twenty-second day of July eighteen hundred and seventy-eight been widened the centre of the roadway as existing immediately before the date of such widening or where it has not been so widened the actual centre of the existing roadway ;

“ certified building ” means any building in respect of which the Council have issued a certificate or which the tribunal of appeal has determined to have been provided with means of escape in case of fire in accordance with the provisions of section 96 of this Act ;

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- “ city ” means all parts within the jurisdiction of the common council as the successors of the Commissioners of Sewers of the city ;
- “ common council ” means the Corporation in common council assembled ;
- “ Corporation ” means the mayor aldermen and commons of the city of London ;
- “ cross wall ” means a wall used or constructed to be used in any part of its height as an inner wall of a building for separation of one part from another part of the building that building being or being constructed or adapted to be wholly in one occupation ;
- “ cubical extent ” in relation to the measurement of a building means the space contained within the external surfaces of its walls and roof and the upper surface of the floor of its lowest storey ;
- “ daily penalty ” in relation to any offence means a penalty in respect of every day on which the offence is continued after conviction therefor ;
- “ dangerous business ” means the business of the manufacture of matches or of other substances liable to sudden explosion inflammation or ignition or of turpentine naphtha varnish tar resin or Brunswick black or any other manufacture dangerous on account of the liability of the substances employed therein to cause sudden fire or explosion ;
- “ district surveyor ” means any district surveyor appointed under this Act and includes any person appointed under this Act to act as the deputy of or to assist any district surveyor so appointed ;
- “ domestic building ” includes a dwelling-house and any other building not being either a public building or a building of the warehouse class ;
- “ dwelling-house ” means a building used or constructed or adapted to be used wholly or principally for human habitation ;
- “ external wall ” means an outer wall or vertical enclosure of any building not being a party wall ;

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- " fire-resisting materials " means any of the materials described or referred to in the First Schedule to this Act; A.D. 1930. —
- " first storey " means that storey of a building which is next above the ground storey the successive storeys above the first storey being the second storey the third storey and so on to the topmost storey;
- " foundation " in relation to a wall having footings means the solid ground or artificially formed support on which the footings of the wall rest but in the case of a wall carried by a bressummer means such bressummer;
- " girder " means a metal girder or joist;
- " ground storey " means that storey of a building to which there is an entrance from the outside on or near the level of the ground and where there are two such storeys then the lower of the two but does not include any storey of which the upper surface of the floor is more than four feet below the level of the adjoining pavement;
- " Guildhall " means the lands offices courts and buildings commonly called the Guildhall and the offices courts and buildings adjoining or appurtenant thereto which now are used by or may hereafter be erected for the use of the Corporation or of any committee commission or society appointed by them;
- " habitable " in relation to any room means constructed or adapted to be inhabited;
- " height " in relation to any building means the measurement taken from the level of the footway (if any) immediately in front of the centre of the face of the building or (where there is no such footway) from the 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 wall or (in the case of gabled buildings) to the base of the gable;
- " high building " means any building of which any storey is an upper storey;
- " inhabited " in relation to any room means that the room is one in which some person passes the

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night or which is used as a living room or with respect to which there is a probable presumption (until the contrary is shown) that some person passes the night therein or that it is used as a living room ;

“ Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 ;

“ level of the ground ” means the mean level of the ground as determined by the district surveyor or in the event of disagreement by the superintending architect or on appeal by the tribunal of appeal ;

“ local authority ” in relation to any building structure place land or thing or any proposed building structure or thing means the council of the metropolitan borough within which the building structure place land or thing is or the proposed building structure or thing will be or as respects the city the common council ;

“ London ” means the administrative county of London ;

“ low-lying land ” means any land of which the surface is below Trinity high-water mark and which is so situated that it cannot at all times be efficiently drained by gravitation into an existing sewer of the Council ;

“ Metropolis Management Acts ” means the Metropolis Management Acts 1855 to 1893 as amended by any subsequent Act ;

“ noxious business ” means the business of a blood boiler or bone boiler or any other like business which is offensive or noxious but does not include the business of a soap boiler tallow melter knacker fellmonger tripe boiler or slaughterer of cattle or horses ;

“ occupier ” does not include a lodger and the expressions “ occupy ” and “ occupation ” shall be construed accordingly ;

“ owner ” includes every person in possession or receipt either of the whole or of any part of the rents or profits of any land or tenement or in

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the occupation of any land or tenement otherwise than as a tenant from year to year or for any less term or as a tenant at will;

“ party arch ” means an arch separating adjoining buildings storeys or rooms belonging to different owners or occupied or constructed or adapted to be occupied by different persons or separating a building from a public way or a private way leading to premises in other occupation ;

“ party fence wall ” means a wall used or constructed to be used as a separation of adjoining lands of different owners and standing on lands of different owners and not being part of a building but does not include a wall constructed on the land of one owner the footings of which project into the land of another owner ;

“ party structure ” means a party wall and a partition floor or other structure separating vertically or horizontally buildings storeys or rooms approached by distinct staircases or separate entrances from without ;

“ party wall ” means—

(a) a wall forming part of a building and used or constructed to be used for separation of adjoining buildings belonging to different owners or occupied or constructed or adapted to be occupied by different persons ; or

(b) a wall forming part of a building and standing to a greater extent than the projection of the footings on lands of different owners ;

“ pillar ” means a metal pillar and includes all columns and stanchions and an assemblage of columns or stanchions properly riveted or bolted together ;

“ prescribed distance ” means twenty feet from the centre of the roadway where the roadway is used for the purpose of vehicular traffic and ten feet from the centre of the roadway where the roadway is used for the purposes of foot traffic only ;

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A.D. 1930.      “public building” means—

(a) a building used or constructed or adapted to be used as a church chapel or other place of public worship or as a school college or place of instruction (not being merely a dwelling-house so used) or as a hospital workhouse public theatre public hall public concert-room public ball-room public lecture-room public library or public exhibition-room or as a public place of assembly or used or constructed or adapted to be used for any other public purpose; or

(b) a building used or constructed or adapted to be used as an hotel lodging-house home refuge or shelter where the building extends to more than two hundred and fifty thousand cubic feet or has sleeping accommodation for more than one hundred persons;

and includes the buildings and premises of the Stock Exchange within the city;

“roadway” in relation to any street or way includes the whole space open for traffic whether vehicular traffic and foot traffic or foot traffic only;

“sky sign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part on over or above any building or structure which or any part of which sky sign is visible against the sky from any point in any street or public way and includes—

(a) every part of any such post pole standard framework or other support; and

(b) any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any building structure or erection of any kind or on or over any street or public way;



but does not include—

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(i) any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement; or

(ii) any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building on the cornice or blocking course of any wall or to the ridge of a roof if the board frame or other contrivance is of one continuous face and not open work and does not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported as aforesaid; or

(iii) any such word letter model sign device or representation which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway railway station yard platform or station approach or premises belonging to a railway company and which is so placed that it could not fall into any street or public place;

“square” in relation to the measurement of the area of a building means the space of one hundred superficial feet;

“street” includes any highway road bridge lane mews footway square court alley passage whether a thoroughfare or not and any part of any such highway road bridge lane mews footway square court alley or passage;

“superintending architect” means the superintending architect of metropolitan buildings for the time being;

“the Council” means the London County Council;

“topmost storey” means the uppermost storey in a building whether constructed wholly or partly in the roof or not;

“tribunal of appeal” means the tribunal of appeal constituted in accordance with the provisions of this Act;

A.D. 1930. — “upper storey” means any storey whereof the level of the upper surface of the floor is at a greater height than fifty feet above the level of the footway immediately in front of the centre of the face of the building in which the storey is situate or if there is no such footway above the level of the ground before excavation;

“way” includes any public road way or footpath not being a street and any private road way or footpath which it is proposed to convert into a highway or to form lay out or adapt as a street.

## PART II.

### FORMATION AND WIDENING OF STREETS.

Making of streets. **6.** Streets shall not be made and ways shall not be widened altered or adapted so as to form streets otherwise than subject to and in accordance with the provisions set forth in this Part of this Act.

Sanction to formation of new streets. **7.**—(1) Before any person begins to form or lay out any street whether intended to be used for vehicular traffic or for foot traffic only he shall make an application in writing to the Council for their sanction to the formation or laying out of such street either for vehicular traffic or for foot traffic (as the case may be).

(2) Every such application shall be accompanied by plans and sections with such particulars in relation thereto as may be required by printed regulations issued by the Council and the Council shall forthwith communicate every such application to the local authority.

(3) No person shall begin to form or lay out any street for vehicular traffic or for foot traffic without having obtained the sanction of the Council.

Evidence of beginning of street. **8.** For the purposes of this Part of this Act a person shall be deemed to begin to form or lay out a street if he erects a fence or other boundary or lays down lines of kerbing or levels the surface of the ground so as to define the course or direction of a street or if he forms the foundations of a house in such manner and in such position as that such house will or may

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**Grounds for refusal to sanction plans of streets.**

- sanction  
plans of  
streets.

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A.D. 1930.      (7) where it is proposed to form or lay out any  
— street in such manner as to be in contravention  
of any byelaw of the Council;

it shall be lawful for the Council by order at any time within the period of two months after the receipt of the application to refuse to sanction or to sanction subject to such conditions as they may by such order prescribe the formation or laying out of such street for vehicular traffic or for foot traffic only as the case may be :

Provided that—

- (i) the Council shall within such period give notice to the applicant of such order stating fully all their reasons for such refusal or for the imposition of such conditions as the case may be; and
- (ii) if within the said period of two months the Council fail to give notice of their refusal to sanction the formation or laying out of such street they shall be deemed to have given their sanction thereto.

Adaptation  
of ways for  
streets.

10.—(1) Before any person begins—

- (a) to adapt for vehicular traffic any street or way not previously so adapted or to use or permit to be used for vehicular traffic any street or way not previously so adapted;
- (b) to adapt as a street for foot traffic only or as a public footway any way not previously so adapted;

such person shall make an application in writing to the Council for their sanction thereto and such application shall be accompanied by plans and sections and such particulars in relation thereto as may be required by printed regulations issued by the Council and the Council shall forthwith communicate every such application to the local authority and no person shall begin to execute any such work without having obtained the sanction of the Council.

(2) Within two months after the receipt of any such application the Council shall either sanction the plans and sections or give notice to the applicant of their disapproval thereof stating fully all their reasons for such disapproval :

Provided that if within the said period of two months the Council fail to give notice of their disapproval of any such plan or section they shall be deemed to have given their sanction thereto. A.D. 1930.

(3) A person shall be deemed for the purposes of this Part of this Act to begin to execute a work within the meaning of this section if he erects a fence or other boundary or lays down lines of kerbing or levels the surface of the ground so as to define the course or direction of a work within the meaning of this section or if he forms the foundations of a house in such manner and in such position as that such house will or may become one of three or more houses abutting on or erected beside land on which a street is intended to be or may be thereafter laid out or formed :

Provided that no person shall be deemed to begin to execute a work within the meaning of this section if he does any of the acts in this subsection mentioned for some purpose other than that of executing a work within the meaning of this section.

(4) Before any person begins to widen on either side to a less extent than the prescribed distance any part of a street or way which (being adapted for vehicular traffic) is less than forty feet in width or (being adapted for foot traffic only) is less than twenty feet in width he shall give notice in writing to the Council accompanied by a plan showing the extent of the proposed widening and no person shall begin to execute any such widening until after the expiration of two months from the date of such notice unless with the previous sanction of the Council.

11. In any of the cases following but in no other case (that is to say) :—

- (1) where it is proposed to adapt for vehicular traffic any street or way (not previously so adapted) where there are houses or buildings either on both sides thereof or only on one side thereof without a distance of at least twenty feet clear being left between the centre of the roadway and the nearest external wall of the houses or buildings on the side of the street or way to which the measurement is

Grounds for refusing to sanction adaptation of ways for streets.

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- taken or (if there are forecourts or other spaces left between such external wall and the roadway) unless there is a distance of at least twenty feet between the centre of the roadway and the external fences or boundaries of such forecourts or other spaces;
- (2) where it is proposed to adapt as a street for foot traffic only or as a public footway any way not previously so adapted unless the way is of or is being widened to the full width of twenty feet measured as aforesaid;
  - (3) where any such adaptation would result in the formation of a street exceeding sixty feet in length or a street not exceeding sixty feet in length of which the length is greater than the width and in either case not being open at both ends from the ground upwards;
  - (4) where any such adaptation would result in the formation of a street not being within the city and not affording direct communication between two streets such two streets being (where it is intended to form or lay out such street for vehicular traffic) streets formed and laid out for vehicular traffic;
  - (5) where the adaptation would result in the formation or laying out of a street not being within the city for foot traffic only and it appears to the Council either that such street should not be formed or laid out for foot traffic only or that such street should be formed or laid out for foot traffic only subject to conditions;
  - (6) where the adaptation would result in the formation of a street for vehicular traffic with any gradient steeper than one in twenty;
  - (7) where the adaptation is proposed to be made in such a manner as to be in contravention of any byelaw of the Council;

the Council may by order within the period of two months after the receipt of the application refuse to sanction or sanction (subject to such conditions as they may by such order prescribe) the adaptation proposed by the application:

Provided that—

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- (i) the Council shall within the said period give notice to the applicant of such order stating fully all their reasons for such refusal or the imposition of such conditions as the case may be; and
- (ii) if within the said period the Council fail to give notice of their refusal to sanction such adaptation or of their sanction of the adaptation subject to conditions they shall be deemed to have given their sanction thereto.

**12.** In any case where it is intended—

- (a) to form or lay out any street not being within two miles of Saint Paul's Cathedral for vehicular traffic;
- (b) to adapt or permit to be used for vehicular traffic any street or way (not being within two miles of Saint Paul's Cathedral) not previously so adapted;

Greater width of street may be required in certain cases.

and the Council deem it expedient in the public interest that the street or way should by reason of its length or importance or in consequence of its forming or being so situate as to be likely to form part of an important line of communication or for other sufficient reason be of a greater width than forty feet they may make it a condition of their sanction that the street or way shall be throughout or in such part as they may direct of a greater width than forty feet but nothing in this section shall authorise the Council to require a greater width than sixty feet:

Provided that before requiring that any street or way shall be wider than forty feet the Council shall give notice of their intention to the local authority in order that the local authority if they think fit may make a representation to the Council.

**13.—(1)** Subject to the provisions of this section no person shall without the consent in writing of the Council erect or extend any building or structure or any part thereof in such manner that any external wall of the building or structure or (if there is a forecourt or other space between such external wall and the roadway) any part of the external fence or boundary of the forecourt or other space shall be in any direction at a distance less

Position of buildings with reference to highways.

[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]  
                                 *Act, 1930.*

A.D. 1930.      than the prescribed distance from the centre of the  
—      roadway of any street or way (being a highway).

(2) Where the Council after consultation with the local authority deem it expedient in the public interest either by reason of the length or importance of the street or way or by reason of the street or way forming or being so situate as to be likely to form part of an important line of communication or for other sufficient reason that the distance between any such external wall or part of an external fence or boundary as aforesaid and the centre of the roadway of any such street or way should where such roadway is used for the purpose of vehicular traffic be greater than the prescribed distance it shall be lawful for the Council to determine that the said distance shall be such greater distance not exceeding thirty feet from the centre of the roadway of such street or way on either side or both sides as the Council determine.

This subsection shall not apply to any street or way within two miles of Saint Paul's Cathedral.

(3) If any person intending to erect form or extend any such building structure forecourt or space is dissatisfied with a determination of the Council that any such distance as aforesaid shall be greater than the prescribed distance he may appeal to the tribunal of appeal against that determination.

(4) The Council may in any case where they think it expedient consent to the erection formation or extension of any building structure forecourt or space at a distance less than the prescribed distance from the centre of the roadway of any such street or way and at such distance from the centre of such roadway and subject to such conditions and terms (if any) as they may think proper to sanction :

Provided that—

- (i) the giving of such consent by the Council shall not in any way affect any rights of the owners of adjoining land ; and
- (ii) before giving such consent the Council shall communicate to the local authority their intention to give the consent ; and
- (iii) any person dissatisfied with the determination of the Council under this subsection may appeal to the tribunal of appeal.



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shall be converted into such dwelling-house within a distance of twenty feet from the centre of the roadway so as to exceed such height; and

- (ii) no dwelling-house to be inhabited or adapted to be inhabited by persons of the working class and situate within the city shall without the consent of the Council be erected or re-erected within the prescribed distance to a height exceeding the distance of the front or nearest external wall of such building from the opposite side of such street and that no building or structure shall be converted into such dwelling-house within the prescribed distance so as to exceed such height; and
- (iii) nothing in this section shall prevent the re-erection of any such dwelling-house as afore-said which was erected before the twenty-fifth day of August eighteen hundred and ninety-four by a vestry or district board of works under the Metropolis Management Acts or by the Commissioners of Sewers of the city of London or by the Woolwich Local Board of Health.

(6) 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.

Notice to  
set back  
buildings.

14.—(1) In every case where any building or structure or any part thereof is erected or extended in such manner that any external wall of such building or structure or (if there is a forecourt or other space between such external wall and the roadway) any part of any external fence or boundary of such forecourt or space shall be at a distance in any direction from the centre of the roadway of any street or way (being a highway) less than the distance permitted under this Part of this Act or contrary to the conditions and terms (if any) subject to which the Council or the tribunal of appeal has sanctioned the erection or extension of such building or structure the Council may serve a notice upon the owner or occupier of the said building structure fence or boundary or upon the builder requiring him to cause such building structure fence or boundary or any part thereof to be set back so that every part of

any external wall of such building or structure or of the external fence or boundary of such forecourt or space shall be at a distance in every direction from the centre of the roadway of such street or way not less than the distance permitted under this Part of this Act and shall be in accordance with such conditions and terms (if any) as the Council or the tribunal of appeal may have prescribed. A.D. 1930. —

(2) 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.

**15.—(1)** In any case where—

(i) the Council under this Part of this Act make it a condition of their sanction—

Compensation in certain cases.

(a) to the formation or laying out of any street for vehicular traffic over land which either on the first day of January eighteen hundred and ninety-five or at any time within seven years before that date has been occupied by buildings or by market garden; or

(b) to the adaptation or use for vehicular traffic of any street or way not previously so adapted or used

that the street or way shall be throughout or in any part of a greater width than forty feet; or

(ii) the Council determine under section 13 of this Act that the distance therein mentioned shall be greater than the prescribed distance;

the Council shall be liable to pay to the owner of land or buildings required for such greater width or such greater distance compensation for the loss or injury (if any) sustained by him by such requirement:

Provided that—

(i) within two months from the time of such condition or determination being made or arrived at if the amount of such compensation has not been settled before the expiration of such time the Council may waive such condition or determination; and

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(ii) if the Council waive such condition or determination they shall pay to the owner the reasonable costs charges and expenses incurred by him in consequence of such condition or determination and in connection with the negotiations for the settlement of the amount of compensation.

(2) The amount of such compensation if not agreed within two months from the time of such condition being made or determination arrived at may (unless the Council waive the condition or determination) be recovered in a summary manner except where the amount of compensation claimed exceeds fifty pounds in which case the amount thereof shall be settled by arbitration according to the provisions contained in the Lands Clauses Acts which are applicable where questions of disputed compensation are authorised or required to be settled by arbitration and for that purpose those Acts so far as applicable shall be deemed to be incorporated with this Act.

(3) For the purposes of this section the expression "owner" has the same meaning as in the Lands Clauses Acts.

Position of  
buildings  
with  
reference  
to ways  
not being  
highways.

**16.**—(1) Subject to the provisions of this section if any building or structure is so situate or will when completed be so situate that the distance from the centre of the roadway of any way not being a highway to any part of—

- (i) any external wall of the building or structure;  
or
- (ii) the external fence or boundary of any forecourt  
or other space between any such external wall  
and the roadway;

is less than the prescribed distance or than such other distance as may have been sanctioned by the Council then unless the erection or retention of the building or structure has been sanctioned by the Council and the conditions (if any) subject to which such sanction was given have been observed the way shall not become a highway except subject to the following provisions :—

- (a) A written notice of the proposal to make the way a highway shall be served upon the Council;

(b) The Council may at any time within two months after the receipt of such notice serve a counter notice upon the owner or the builder of the building structure forecourt or space requiring him to cause it or any part thereof to be set back so that every part of any external wall of the building or structure or of the external fence or boundary of the forecourt or space is in every direction at a distance from the centre of the roadway of the way not less than the prescribed distance or at such distance and according to such conditions and terms (if any) as the Council may have sanctioned and prescribed; A.D. 1930.

(c) Unless and until the said notice has been given to the Council and the said counter notice (if any) has been complied with the way shall not become a highway.

(2) This section shall not apply with respect to any building or structure erected or extended within the limits of any area which may have been lawfully occupied by any building or structure at any time within two years before the twenty-second day of July eighteen hundred and seventy-eight.

(3) This section shall not apply with respect to any building or structure erected before the first day of January eighteen hundred and ninety-five but for the purposes of this subsection—

(a) a building which after having been taken down to an extent exceeding one half of its cubical extent has since the thirty-first day of December eighteen hundred and ninety-four been re-erected wholly or partially on the same site;

(b) a space between walls and buildings which since that date has been roofed;

shall be deemed to be a building erected since that date.

17. For the purposes of the last foregoing section the Council may sanction the erection or retention of any building or structure at such distance from the centre of the roadway of any way (not being a highway) as may be specified in the sanction and may attach to the sanction such conditions (if any) as they think fit including a condition that the building or structure shall not be so retained after the expiration of a period specified in

Sanction for erection or maintenance of buildings at less than prescribed distance from ways

A.D. 1930. the sanction Any such sanction may be framed in such manner as to apply to all buildings in any such way or any part thereof :  
 —  
 not being highways.

Provided that the giving of such sanction by the Council shall not in any manner affect any rights of the owners of adjoining land.

Regulations to be printed and supplied. 18. Copies of the printed regulations of the Council issued for the purposes of this Part of this Act shall be kept at the County Hall and supplied at all reasonable times without charge to any applicants for the same.

Appeal. 19. Any applicant under this Part of this Act for the sanction of the Council to the formation or laying out of a street or the adaptation of a street or way for vehicular or foot traffic or for the certificate of a district surveyor being dissatisfied with the refusal or conditional grant of such sanction or with any condition imposed by the Council or with the refusal of such certificate as aforesaid may appeal to the tribunal of appeal.

Superintending architect may define centre of roadway. 20. For the purpose of any enactment in this Act referring to the centre of the roadway the superintending architect may at any time define the line constituting the centre of the roadway in the case of a street formed or laid out after the eighteenth day of August eighteen hundred and ninety and the line so defined shall continue to be deemed the centre for such purpose 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.

Private roads laid out by a railway company. 21. Nothing in this Part of this Act shall extend or apply to any private road formed or laid out by a railway company and used as an approach to a station or station yard or as an approach to land used for railway purposes.

### PART III.

#### LINES OF BUILDING FRONTAGE.

Building beyond general line of buildings. 22.—(1) No building or structure shall without the consent in writing of the Council be erected or brought forward (notwithstanding that there are gardens or vacant spaces between the line of buildings and the highway)—

(a) beyond the general line of buildings in any street or part of a street place or row of houses

in which the same is situate if the distance of such line of buildings from the highway does not exceed fifty feet; or

A.D. 1930.

- (b) within fifty feet of the highway if the distance of the general line of buildings therefrom exceeds fifty feet.

The general line of buildings shall if required be defined by the superintending architect by a certificate to be issued within one month from the date of the application therefor.

(2) Nothing in this section shall affect the erection or bringing forward of any building or structure upon or over land which at any time during the period of seven years immediately preceding the first day of January eighteen hundred and ninety-five was lawfully occupied by a building or structure.

**23.--**(1) If any building or structure which in any part thereof projects beyond the general line of buildings in a street or beyond the front of the building wall or railing on either side thereof is at any time taken down to an extent exceeding one half of the cubical extent of such building or structure or is destroyed by fire or other casualty or demolished pulled down or removed from any other cause to the extent aforesaid it shall be lawful for the Council to require such building or structure or any building or structure proposed to be erected on the site or any part of the site thereof to be set back to such a line and in such a manner as the Council direct.

Buildings projecting beyond general line when taken down to be set back.

(2) The Council shall make compensation to the owner of such building for any damage and expense which he may sustain and incur thereby and the amount of such compensation if not agreed between the Council and the parties concerned shall be recovered in a summary manner except where the amount of compensation claimed exceeds fifty pounds in which case the amount thereof shall be settled by arbitration according to the provisions contained in the Lands Clauses Acts which are applicable where questions of disputed compensation are authorised or required to be settled by arbitration and for that purpose those Acts so far as applicable shall be deemed to be incorporated with this Act.

[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]  
*Act, 1930.*

A.D. 1930.      (3) For the purposes of this section the expression  
—      “ owner ” has the same meaning as in the Lands Clauses  
Acts.

Notices of  
definition  
of general  
line.

**24.** The superintending architect shall within fourteen days after the issue of the certificate defining the general line of buildings in any street or part of a street place or row of houses cause a notice of his certificate to be served on the local authority and on the owner of the building or land to which the certificate relates and on the owner of the houses in the same block or row within a distance not exceeding fifty yards on either side of the building or land to which the certificate relates or where there is no such block or row upon the owner of the adjoining land on either side of the building or land to which the certificate relates.

Certificates made by the superintending architect under this Part of this Act shall be preserved by the Council and be open to inspection at all reasonable times by all persons desiring to inspect the same.

Appeal against  
certificate of  
architect as to  
general line.

**25.** The local authority or any person deeming himself aggrieved by the certificate of the superintending architect may appeal to the tribunal of appeal.

Conditions  
may be  
attached to  
consent to  
building  
beyond  
general line.

**26.** In giving their consent for the erection of any building or structure beyond the general line of buildings in any street or part of a street place or row of houses the Council may attach any conditions to such consent and such conditions may include any or all of the conditions following (that is to say) :—

- (1) That land in front of the building or structure to such an extent as the Council may think proper shall be dedicated to and left open for the use of the public :
- (2) That the building or structure shall be used only for such purposes as may be specified in the consent or shall not be used for any particular purposes specified in the consent unless with the further consent of the Council obtained when a change of purpose is desired :
- (3) Any other condition which the Council may deem it expedient to impose in the public interest.



**27.** The consent by the Council to the erection of any building or structure beyond the general line of buildings in any part of a street or the erection of such building or structure shall not be deemed to affect or alter in that or any other part of the street the general line of buildings existing at the time of such consent.

A.D. 1930.  
—  
Consent not to affect rest of general line.

**28.** The Council shall keep a register of all conditional consents given by them under this Part of this Act and shall keep the same open for inspection by all persons interested at all reasonable times.

Register of conditional consents to be kept and open for inspection.

**29.** The superintending architect shall if required by the Council the local authority or any person interested for the purposes of this Part of this Act determine in any case in what street or streets a building or structure is situate such determination to be evidenced by his certificate Any person aggrieved by such determination may appeal to the tribunal of appeal.

Determination of street in which a building or structure is situate.

**30.** Where any person has erected or brought forward any building or structure in contravention of this Part of this Act or of any condition attached by the Council to any consent given by them in pursuance of this Part of this Act the court before whom proceedings in respect of the contravention are taken by the Council may in addition to imposing any penalty make an order in writing directing the said person to demolish the building or structure or any part thereof or to comply with the condition.

Power of court to make orders.

**31.** This Part of this Act shall not apply within the city.

Part of Act not to apply in city.

**32.** Nothing in this Part of this Act shall affect the exercise of any powers conferred upon any railway company by any special Act of Parliament for railway purposes.

Saving of railway companies' powers.

#### PART IV.

##### NAMING AND NUMBERING OF STREETS.

**33.** Before any name is given to any street notice of the intended name shall be given to the Council and the Council may by notice in writing given to the person by whom notice of such intended name has been given to them at any time within one month after receipt of such notice object to such intended name and it shall not

Notice of new name of street.

A.D. 1930.      —      be lawful to set up any name to any street in London until the expiration of one month after notice thereof has been given as aforesaid to the Council or to set up any name objected to as aforesaid.

Affixing  
names of  
streets by  
local  
authority.      **34.** The local authority shall cause the name of every street to be painted or affixed on a conspicuous part of some house or building at or near each end or entrance to such street or some other convenient part of the street and shall renew such name whenever it may be obliterated or defaced.

Offences as  
to names of  
streets.      **35.—(1)** No person shall—  
   (a) set up in any street any name thereof different from the name lawfully given to the street; or  
   (b) place or affix any notice or advertisement within twelve inches of any name of a street painted or affixed on any house building or erection in pursuance of the last foregoing section.

(2) Every person who destroys pulls down or defaces (otherwise than in connection with the demolition or alteration of a house building or erection or any part thereof) any inscription of the name of a street which has been lawfully set up shall renew the inscription within one week after the receipt of notice from the local authority requiring him to do so.

(3) Any proceedings for the recovery of a penalty in respect of any contravention of or failure to comply with this section may be taken by the local authority.

(4) This section shall not extend to the city or to the metropolitan borough of Hackney.

Altering  
names of  
streets.      **36.** The Council may by order alter the name of any street to any other name which to the Council may seem fit.

Notice of  
altering  
names of  
streets.      **37.—(1)** One month before making an order altering the name of a street the Council shall notify their intention of making such alteration to the local authority and shall also cause notice of their intention to be posted at each end of the street or in some conspicuous position in the street or at the option of the Council to be notified by circular delivered at every house in the street.

(2) Every such notice shall state that the order altering the name of the street may be issued on or after a day to be therein named if no objection in writing to the proposed alteration is given to the Council. A.D. 1930.

**33.**—(1) The Council may order that any houses or buildings in any street or way or any part thereof shall for the purpose of distinguishing the same be marked with such numbers as they shall deem convenient for that purpose and which they shall specify in their order in that behalf. Numbering houses.

(2) Whenever the Council have made any such order they shall transmit a copy thereof to the local authority and it shall be the duty of the local authority to perform all necessary acts and to take all requisite proceedings for carrying the order of the Council into execution.

(3) The local authority shall give notice to the owners or occupiers of the houses and buildings in such street or way to mark their several houses and buildings with such numbers as the Council have ordered and to renew the numbers of such houses or buildings as often as they are obliterated or defaced.

(4) If any occupier of any such house or building neglects for one week after notice from the local authority to mark such house or building with such number as is required in such notice the local authority shall cause such number to be so marked or renewed and may recover the expenses thereof from the owner or occupier of such house or building in a summary manner.

**39.**—(1) No person shall mark on any house or building with respect to which an order has been made by the Council under the last foregoing section any number which does not conform to the requirements of the order. Offences as to numbering houses.

(2) Every person who—

(a) destroys pulls down or defaces (otherwise than in connection with the demolition or alteration of any house or building or any part thereof) any inscription of the number of any house or building which has been marked in accordance with such an order as aforesaid; or

(b) marks any misleading number on any house or building with respect to which such an order has been made;

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
                                 *Act, 1930.*

A.D. 1930.      shall renew the inscription or remove the misleading  
—      number as the case may be within one week after the  
                 receipt of notice from the local authority requiring him  
                 to do so.

(3) Any proceedings for the recovery of a penalty in  
respect of any contravention of or failure to comply  
with this section may be taken by the local authority.

(4) This section shall not extend to the city.

Naming of      40. Whenever the Council have transmitted a  
streets and      copy of any order made by them in pursuance of the  
numbering      provisions of this Part of this Act to any local authority  
of houses      and such local authority has for the space of three  
by Council      months after the receipt of such order failed to perform  
in default      all or any of the necessary acts or to take all or any  
of local      of the requisite proceedings for carrying such order into  
authority.      execution then and in every such case the Council  
                 may perform all or any of such necessary acts or take all  
                 or any of such necessary proceedings which the local  
                 authority have failed to perform or take and the Council  
                 may exercise all the rights powers authorities and juris-  
                 diction of a local authority with respect thereto including  
                 the recovery of expenses from owners of houses and  
                 buildings.

Register of      41. The Council shall keep a register of all altera-  
alterations      tions made by them in the names of streets and in the  
in names of      numbers of the houses therein and such register shall  
streets and      be kept in such form as to show the date of every such  
numbers of      alteration and the name of the street previous to such  
houses.      alteration as well as the new name thereof It shall  
                 be lawful for any person to inspect such register and  
                 to take a copy of any portion thereof upon payment  
                 of such reasonable fee as the Council may from time  
                 to time determine.

PART V.

OPEN SPACES ABOUT BUILDINGS AND HEIGHT OF  
BUILDINGS.

Meaning of      42. For the purposes of this Part of this Act the  
" domestic      expression " domestic building " does not include any  
building " in      buildings used or constructed or adapted to be used  
Part V of      wholly or principally as offices or counting-houses.  
Act.

**43.**—(1) In the case of domestic buildings which have a habitable basement there shall for the purpose of giving light and air to such basement be provided in the rear of the building and exclusively belonging thereto an open space of an aggregate extent of not less than one hundred square feet free from any erection thereon above the level of the adjoining pavement but notwithstanding anything hereinafter contained this open space need not necessarily adjoin the rear boundary of the premises.

A.D. 1930.  
—  
Light and ventilation of habitable basements.

(2) This section shall apply to domestic buildings erected before the commencement of this Act and after the thirty-first day of December eighteen hundred and ninety-four as well as to domestic buildings erected after the commencement of this Act.

**44.**—(1) With respect to domestic buildings abutting upon a street formed or laid out after the thirty-first day of December eighteen hundred and ninety-four the following provisions shall have effect :—

Space at rear of domestic buildings.

- (i) Subject to the provisions of this section there shall be provided in the rear of every such building an open space exclusively belonging to such building and of an aggregate extent of not less than one hundred and fifty square feet :
- (ii) Where there is a basement storey directly and sufficiently lighted and ventilated by the open space provided under the last preceding section irrespective of any use to which the ground storey is appropriated or where there is no such basement storey and the ground storey is not constructed or adapted to be inhabited the open space required by this section may be provided above the level of the ceiling of the ground storey or above a level of sixteen feet (exclusive of lantern-lights) measured from the level of the adjoining pavement :
- (iii) In all other cases the open space shall be free from any erection thereon above the level of the adjoining pavement except a water-closet earth-closet or privy and a receptacle for ashes and enclosing walls none of which erections shall exceed nine feet in height :

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

A.D. 1930.  
—

(iv) The open space shall extend throughout the entire width of such building and to a depth in every part of at least ten feet from such building :

(v) The height of any such building in relation to the space required in the rear thereof shall be fixed and ascertained as follows :—

(a) An imaginary line (hereinafter referred to as “ the horizontal line ”) shall be drawn at right angles to the roadway formed or to be formed in front of the building and through or directly over a point in front of the centre of the face of the building ;

(b) The horizontal line shall be produced to intersect the boundary of the open space furthest from the said roadway ;

(c) The horizontal line shall be drawn throughout at the level of the pavement formed or to be formed in front of the centre of the building unless the site of the building inclines towards the roadway or site of the roadway in which case the horizontal line shall be drawn directly over the said point in front of the centre of the face of the building at the level throughout of the ground at the boundary of the space furthest from such roadway where such boundary is intersected by the horizontal line ;

(d) A second imaginary line (hereinafter referred to as “ the diagonal line ”) shall be drawn in the direction of the building above and in the same vertical plane with the horizontal line and inclined thereto at an angle of sixty-three and a half degrees and meeting the horizontal line where it intersects the boundary of the space furthest removed from such roadway ;

(e) No part of such building shall extend above the diagonal line except chimneys dormers gables turrets or other architectural ornaments aggregating in all to not more than one third of the width of the rear elevation of such building and except

any building which under the provisions of this section is permitted on the open space; A.D. 1930.  
—

(f) When the pavement in front of a building is not all on one level then for the purpose of compliance with this section the mean level of such pavement shall be deemed to be the level thereof;

(g) When the boundary of the space at the rear of such building is not parallel with the rear wall of the building then for the purpose of this section the horizontal line shall be drawn to a point distant from such rear wall the mean distance from such wall of the boundary of the space at the rear of such building whether such point is beyond the said boundary or not;

(h) When the boundary of the space at the rear of any such building is so irregular in shape that a doubt arises as to how the measurement shall be taken application shall be made to the Council to determine the doubt and the applicant if dissatisfied with the determination of the Council may appeal to the tribunal of appeal;

(i) When the land at the rear of any such building and exclusively belonging thereto abuts immediately upon a street or upon an open space which is dedicated to the public or the maintenance of which as an open space is secured permanently or (to the satisfaction of the Council) by covenant or otherwise the horizontal line shall be produced and the diagonal line may be drawn from the horizontal line at the centre of the roadway of such street at the level of the surface thereof or at the further boundary of such open space and it shall not be necessary to provide any open space at the rear of such building:

(vi) The Council may—

(a) in the case of a building at a corner abutting upon two streets;

A.D. 1930.  
—

(b) in the case of a building at a corner abutting on one side upon a street and on another side upon an open space not less than forty feet wide at any part the maintenance of which as an open space is secured permanently or to the satisfaction of the Council by covenant or otherwise;

permit the erection of buildings not exceeding thirty feet in height upon such part of the space in the rear as they think fit if the Council are satisfied that such buildings will be so placed as not to interfere unduly with the access of light and air to neighbouring buildings;

The applicant if dissatisfied with any refusal of the Council to permit the erection of any such building as aforesaid may appeal to the tribunal of appeal:

(vii) In the case of buildings at a corner as hereinbefore described nothing in this Part of this Act relating to the determination of height by the diagonal line shall prevent the return front of such buildings being carried up to the full height of the front elevation for a distance of forty feet or for such less distance as the requirements for open space at the rear of a building may demand:

(viii) In exceptional cases where owing to the irregular shape of the land any of the preceding provisions of this section cannot be applied the Council upon being satisfied that any proposed modifications will not interfere with due access of light and air may if they think fit allow those modifications and any interested person who is dissatisfied with any determination of the Council under this paragraph may appeal to the tribunal of appeal.

(2) With respect to domestic buildings abutting upon a street formed or laid out before the first day of January eighteen hundred and ninety-five the provisions of this section shall apply with this modification that the horizontal line shall be drawn throughout at a level of sixteen feet above the level of the adjoining pavement



and that in any such case (except in the case of dwelling-houses to be inhabited or adapted to be inhabited by persons of the working class) the open space to be provided in accordance with subsection (1) of this section may be provided above the level of the ceiling of the ground storey or above a level of sixteen feet (exclusive of lantern-lights) measured from the level of the adjoining pavement. A.D. 1930.

(3) Notwithstanding the preceding provisions of this Part of this Act any part of any domestic building may extend above the diagonal line if the Council or the tribunal of appeal are satisfied that an open cubic space of air will be provided at the rear of such building equivalent to the open cubic space which would have been provided at the rear of such building if such diagonal line had been drawn from the ground level in manner provided in paragraph (v) of subsection (1) of this section and if no part of such building (except as permitted under the preceding provisions of this section) had extended above such diagonal line.

Any applicant who is dissatisfied with any determination of the Council under this subsection may appeal to the tribunal of appeal.

(4) The foregoing provisions of this section shall apply to domestic buildings erected before the commencement of this Act and after the thirty-first day of December eighteen hundred and ninety-four as well as to domestic buildings erected after the commencement of this Act.

(5) Nothing in this section shall apply to houses abutting in the rear on the river Thames or on a public park or on an open space of not less than eighty feet in depth which is dedicated to the public or the maintenance of which as an open space is secured permanently or to the satisfaction of the Council by covenant or otherwise.

45. The following provisions shall have effect with respect to dwelling-houses to be inhabited or adapted to be inhabited by persons of the working class and not abutting upon a street :—

- (i) At least one month before beginning to erect any such dwelling-house the person intending to erect the same shall deliver at the County Hall

Open space to be provided about certain buildings not abutting on a street.

[A.D. 1930.  
—

a sufficient plan or plans exhibiting the extent and height of the intended dwelling-house in its several parts and also its position in relation to every other building either already existing or in course of erection which is adjacent thereto :

- (ii) In any case where the Council are satisfied taking all the circumstances of the case into consideration that there will not be provided about such dwelling-house a sufficient open space or spaces for the admission of light and air thereto it shall be lawful for the Council at any time before the expiration of one month from the delivery of the said plan or plans by order to refuse to sanction such plan or plans or to sanction the same subject to such conditions as they may by such order prescribe :

Provided that nothing in this paragraph shall authorise the Council to refuse to sanction such plan or plans or to prescribe any conditions when sanctioning the same in any case where the open space or spaces for the admission of light and air proposed to be provided about such dwelling-house is or are equivalent to the open space or spaces which would be required to be provided about such dwelling-house under the provisions of this Act if the dwelling-house abutted upon a street or way formed or laid out before the first day of January eighteen hundred and ninety-five :

- (iii) No person shall begin to erect any such dwelling-house without having obtained the sanction of the Council to the plan or plans delivered by him :
- (iv) Unless the Council shall within one month after the delivery of the said plan or plans to them give notice to the person delivering the same of their disapproval thereof the Council shall be deemed to have given their sanction thereto :
- (v) If any person intending to erect any such dwelling-house considers that the refusal of the Council to sanction the plan or plans delivered by him or any of the conditions prescribed by the Council is or are unreasonable he may appeal to the tribunal of appeal.

46. When any person intends to erect a domestic building (not being a dwelling-house to be inhabited or adapted to be inhabited by persons of the working class) which will abut upon a street on the site of domestic buildings existing on the first day of January eighteen hundred and ninety-five or on a site which was vacant at that date but was occupied by a domestic building at any time within seven years previous to that date the following provisions shall have effect :—

A.D. 1930.  
—  
Saving for  
certain  
domestic  
buildings on  
old sites.

- (i) It shall be lawful for such person before beginning to erect the intended domestic building to cause to be prepared plans showing the extent of the previously existing domestic building in its several parts (or in the event of such building having been taken down before the first day of January eighteen hundred and ninety-five or having been accidentally destroyed the best plans available under all the circumstances of the case) and to cause such plans to be submitted to the district surveyor who shall (if reasonably satisfied with the evidence of their accuracy) certify the same under his hand and such certificates shall be taken to be conclusive evidence of the correctness of the plans :
- (ii) Such person may then erect the intended domestic building but so that no more land shall be occupied by the newly erected building than was occupied by the previously existing domestic building as so certified :
- (iii) If such person fails to submit such plans to the district surveyor or the district surveyor or the tribunal of appeal refuse to certify the accuracy of the same such person shall in rebuilding be bound by the preceding provisions of this Part of this Act relating to domestic buildings abutting upon a street formed or laid out before the first day of January eighteen hundred and ninety-five :
- (iv) If a person erecting the intended domestic building shall desire to deviate in any respect from the plan or plans certified by the district surveyor it shall be lawful for him to apply to the Council who shall sanction such deviations on such conditions as they think fit :

A.D. 1930.

—      Provided that no such conditions shall in any case be more onerous than the conditions prescribed for domestic buildings abutting on a street formed or laid out before the first day of January eighteen hundred and ninety-five :

- (v) A person dissatisfied with any decision of the Council or of a district surveyor under this section may appeal to the tribunal of appeal.

Laying out  
of new  
streets on  
cleared  
area.

47.—(1) When any person desires to re-arrange a cleared area previously occupied in whole or in part by buildings by forming or laying out or widening a street he may make application to the Council with such plans and sections as may be required by the Council and the Council may if in all the circumstances of the case they think it desirable modify or relax any of the foregoing provisions of this Part of this Act subject to such conditions as the Council may impose.

(2) Within two months after the receipt of the application the Council shall either sanction the plans and sections or give notice to the applicant of their refusal to sanction them stating fully all their reasons for the refusal :

Provided that if within the said period of two months the Council fail to give notice of their refusal to sanction any such plans or sections they shall be deemed to have given their sanction thereto.

(3) Any applicant who is dissatisfied with any determination of the Council under this section may appeal to the tribunal of appeal.

Courts  
within  
buildings.

48. Where any court being wholly or partly open at the top and enclosed on every side is constructed or used in connection with any domestic building for the purpose of admitting light or air to the building and the depth of the court measured from the eaves or top of the parapet thereof to the level of the ceiling of the ground storey of the building exceeds the length or breadth of the court there shall be made and maintained by the owner of the building adequate provision for the ventilation of the court by means of a communication between the lower part of the court and the external air.

49.—(1) No habitable room shall be constructed in any building in such manner that any window of the room opens into a court enclosed on every side unless the distance measured horizontally from that window to the wall of the court opposite thereto is at least equal to half the distance measured vertically from the level of the sill of the window to the eaves or top of the parapet of that wall :

A.D. 1930.

—  
Windows of  
habitable  
rooms  
opening  
into courts.

Provided that in any such court as aforesaid whereof the greater horizontal dimension is not more than twice the smaller horizontal dimension the first-mentioned distance may be deemed to be the same as it would have been in a square court having the same area.

(2) No habitable room shall be constructed in any building above the level of the ground storey thereof in such manner that any window of the room opens into a court open on one side (being a court whereof the length measured from the open side exceeds twice the width) unless the distance measured horizontally from that window to the wall of the court opposite thereto or to the nearest building opposite to the window is at least equal to half the distance measured vertically from the level of the sill of the window to the top of that wall or building as the case may be.

(3) Nothing in this section shall apply with respect to any habitable room provided with one or more windows which directly open into the external air but do not open into any such court as is in this section mentioned.

50. In any case when it may be necessary the superintending architect shall determine which is the front and which is the rear of a building and shall duly certify his determination by his certificate and any person who is dissatisfied with such determination may appeal to the tribunal of appeal.

Superin-  
tending  
architect  
may define  
front or rear  
of buildings.

51.—(1) A building (not being a church or chapel) shall not be erected or be subsequently increased to a greater height than eighty feet (exclusive of two storeys in the roof and of ornamental towers turrets or other architectural features or decorations) without the consent of the Council.

Height of  
buildings  
limited.

[Ch. clviii.]      *London Building*    [20 & 21 GEO. 5.]  
   *Act, 1930.*

A.D. 1930.      This subsection shall not apply to the rebuilding  
— of any building to the same height as its height on  
the twenty-fifth day of August eighteen hundred and  
ninety-four.

(2) Where any building which existed on the said  
twenty-fifth day of August and which forms part of a  
continuous block or row of buildings exceeds the height  
prescribed by this section nothing in this section shall  
prevent any other building in the same block or row  
belonging at that date to the owner of the first-men-  
tioned building from being carried to a height not  
exceeding the height of that building.

(3) 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.

Procedure  
where  
greater  
height  
allowed.

52.—(1) Whenever the Council consent to the  
erection of any building of a greater height than that  
prescribed by this Act notice of such consent shall  
within one week after such consent has been given be  
published and served in such manner as the Council  
may direct and the consent shall not be acted on until  
the expiration of twenty-one days after such publication  
or service or in the event of any appeal against such  
consent until after the determination of such appeal.

(2) (a) The owner or lessee of any building or land  
within one hundred yards of the site of any  
intended building who may deem himself  
aggrieved by the grant of such consent in  
respect of the last-mentioned building; or

(b) any applicant for consent which has been  
refused ;

may within twenty-one days after the publication of  
notice of the consent or after the date of the refusal  
(as the case may be) appeal to the tribunal of appeal.

(3) Whenever such consent has been refused and  
the applicant to whom it has been refused intends to  
appeal against the refusal the applicant shall give  
notice within twenty-one days of the refusal in such  
manner as the Council may direct to the owner or lessee  
of any building or land within one hundred yards of  
the site of the building to which the refusal relates that  
he intends to appeal against the refusal.

(4) In the case of an appeal against the refusal of consent any owner or lessee of any building or land within one hundred yards of the site of the intended building may appear and be heard before the tribunal of appeal against any application to reverse or vary the refusal. A.D. 1930. —

**53.**—(1) No building (other than a church or chapel) being a building which is on the side of a street formed or laid out after the seventh day of August eighteen hundred and sixty-two and of a less width than fifty feet shall without the consent of the Council be raised and no building shall without the consent of the Council be erected on the side of any such street so that the height of such building exceeds the distance of the front or nearest external wall of such building from the opposite side of such street. Height of buildings in certain cases.

Where any such building is erected or raised or intended to be erected or raised on a corner plot so as to abut upon more than one street the height of the building shall (unless the Council otherwise consent) be regulated by the wider of such streets so far as it abuts or will abut upon such wider street and also so far as it abuts or will abut upon the narrower of such streets to a distance of forty feet from the wider street.

(2) Notwithstanding anything in the last foregoing subsection any building erected or raised before the first day of January eighteen hundred and ninety-five to a height to which no objection could have been taken under any law then in force may be re-erected to its then existing height.

(3) 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.

**54.** Nothing in this Part of this Act shall prevent the raising of any building by increasing the height of the topmost storey thereof to such an extent only as may be necessary for the purpose of bringing any habitable rooms constructed in such topmost storey into conformity with the provisions of this Act relating to habitable rooms. Raising of buildings so as to comply with provisions of Act as to habitable rooms.

A.D. 1930.  
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Re-erection  
of certain  
working  
class  
dwellings  
of local  
authority.

**55.** Nothing in this Part of this Act shall prevent the re-erection on the same site and of not greater dimensions of any dwelling-house inhabited or adapted to be inhabited by persons of the working class and erected before the twenty-fifth day of August eighteen hundred and ninety-four by a vestry or district board of works under the Metropolis Management Acts or by the Commissioners of Sewers of the city of London or by the Woolwich Local Board of Health.

Saving for  
certain  
domestic  
buildings  
with mews  
in rear.

**56.** In the case of a domestic building and buildings erected or adapted for use as stables upon a site which abuts in the front upon a street and in the rear upon a mews and is of a depth of not more than one hundred and fifty feet measured from street to mews the following provisions shall have effect:—

If the stable buildings are limited to a depth of fifty feet measured from the mews frontage and to a height of twenty-five feet measured from the level of the mews and if the open space required for the domestic building under section 44 of this Act is provided between the domestic building and the stable buildings the domestic building and the stable buildings may for all other purposes of the said section whether in one occupation or not be deemed to be one domestic building with the rear abutting upon a street.

## PART VI.

### CONSTRUCTION OF BUILDINGS.

Structure  
and thick-  
ness of walls.

**57.**—(1) Subject to the provisions of this Act and of any byelaws or regulations made thereunder—

- (a) every building shall be enclosed with walls constructed of brick stone or other hard and incombustible substance; and
- (b) walls shall be constructed in accordance with the provisions of the Second Schedule to this Act.

(2) Notwithstanding anything in this Act open sheds not exceeding sixteen feet in height and not exceeding four squares in area may be constructed of any such materials and in any such manner as may be approved by the district surveyor.



**58.**—(1) Notwithstanding anything in this Act it shall be lawful in accordance with the provisions of the Third Schedule to this Act to erect buildings wherein the loads and stresses are transmitted through each storey to the foundations by a skeleton framework of metal or partly by a skeleton framework of metal and partly by a party wall or party walls.

A.D. 1930.  
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 Provision  
 with respect  
 to buildings  
 of metal  
 skeleton  
 construc-  
 tion.

(2) Buildings so erected shall be subject to and comply with all the provisions of this Act and any byelaws in force thereunder but only in so far as such provisions and byelaws are not inconsistent with or contrary to the provisions of the said schedule or this section.

(3) (a) In order to facilitate such erection of buildings as aforesaid the Council may modify or waive upon and subject to such terms and conditions as they think fit any of the provisions of the said schedule numbered (1) to (26) inclusive and (28).

(b) Any person applying for a modification or waiver of any of the said provisions numbered (3) (4) (7) (8) (10) (11) (b) or (c) (16) (19) (23) or (25) and being dissatisfied with the refusal of the Council to modify or waive the provision or with any term or condition which the Council may attach to any modification or waiver thereof may appeal to the tribunal of appeal.

(c) If the Council within a period of one month after the receipt of a written application for the modification or waiver of any of the provisions specified in paragraph (b) of this subsection fail to give notice to the applicant of their refusal thereof the Council shall be deemed to have granted such application :

Provided that if in any case the said period of one month would begin or expire on any day between the eighth day of August and the fourteenth day of September (both inclusive) the foregoing provisions of this subsection shall have effect as if there were therein substituted for the words "one month after the receipt" the words "two months after the receipt."

(4) In the case of the erection of a building of metal skeleton framework or the making of any addition or alteration or the carrying out of other work under the provisions of this section and of the Third Schedule to this Act the notice required to be served on the district

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
                                 *Act, 1930.*

A.D. 1930. surveyor under section 161 of this Act shall be accompanied—  
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(a) in the case of the erection of a building by plans and sections of sufficient detail to show the construction thereof together with a copy of the calculations of the loads and stresses to be provided for and particulars of the materials to be used and should such plans sections calculations or particulars be in the opinion of the district surveyor not in sufficient detail the person depositing the same shall furnish the district surveyor with such further plans sections calculations or particulars as he may reasonably require; and

(b) in the case of an alteration or addition or other work as aforesaid by such plans sections calculations and particulars as the district surveyor may reasonably require.

(5) The district surveyor may for the purpose of due supervision of the construction of a building to which this section applies require to be furnished with reasonable proof as to the quality of metal to be used in such construction and may require the builder or other person causing or directing the work to be executed to make any tests which the district surveyor may consider necessary and to drill any pillar (in all cases if reasonably practicable before it is encased) at any point to ascertain its thickness.

(6) Any person dissatisfied with any requirement of the district surveyor under this section or under the Third Schedule to this Act may within fourteen days of the date of the service of a notice from the district surveyor of such requirement appeal to a petty sessional court who may make an order affirming such requirement or otherwise.

(7) Nothing in this section or in the Third Schedule to this Act shall apply in the case of the erection or alteration of or the making of any addition to or the doing of other work to in or upon any building in accordance with the provisions of this Act other than this section and the said schedule.

Reinforced  
concrete.

59.—(1) Notwithstanding anything in this Act it shall be lawful subject to any regulations made under this

section to construct buildings wholly or partly of reinforced concrete and to convert any building or part of a building constructed wholly or partly of reinforced concrete so however that buildings so constructed or converted shall be subject to and comply with all the provisions of this Act and of any byelaws in force thereunder but only in so far as such provisions and byelaws are not inconsistent with or contrary to the provisions of this section or of any such regulations as aforesaid.

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(2) The Council may make regulations with respect to—

- (a) the construction of buildings wholly or partly of reinforced concrete;
- (b) the conversion of any building or part of a building constructed wholly or partly of reinforced concrete;
- (c) the use and composition of reinforced concrete in such construction or conversion;

and for the purpose of framing such regulations may carry out such investigations and make such tests as they may deem necessary and the provisions of this section and of any such regulations shall have effect notwithstanding any provisions of this Act or any byelaw in force thereunder which may be inconsistent therewith or contrary thereto.

(3) No such regulations shall have any force or effect until they have been submitted to and confirmed at a meeting of the Council subsequent to that at which such regulations have been made nor shall any such regulations have any force or effect until they have been allowed by the Minister of Health. In allowing any such regulations the Minister shall fix a date upon which the regulations are to come into operation.

(4) The Council shall give to the Surveyors' Institution the Institution of Civil Engineers the Royal Institute of British Architects and the Institution of Structural Engineers notice of their intention to apply to the Minister of Health for allowance of any regulations made under this section.

(5) Any such regulations made under this section as relate to the stability of a building or part of a building shall be so described in the regulations.

Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
   *Act, 1930.*

A.D. 1930.

(6) All regulations made and confirmed and allowed as aforesaid shall be printed and hung up at the County Hall and be open to public inspection without payment and copies thereof shall be delivered to any person applying for the same on payment of such sum not exceeding twopence per copy as the Council direct and the Council shall publish in the London Gazette notice of the making and allowance of such regulations with an intimation as to the place at which the regulations can be inspected and copies thereof can be obtained.

(7) Any such regulations as respects which such notice as aforesaid has been published shall come into operation upon the date fixed by the Minister and the production of a printed copy thereof authenticated by the seal of the Council shall be sufficient evidence of the existence of the regulations and of the due making confirmation and allowance and publication of notice thereof in all prosecutions or other proceedings thereunder.

(8) In order to facilitate the erection of any particular building or part of a building intended to be constructed wholly or partly of reinforced concrete or the conversion of any particular building or part of a building so constructed the Council may in relation to that building or part of a building modify or waive upon and subject to such terms and conditions as they think fit any of the requirements of any regulation made under this section.

(9) Any person dissatisfied with the refusal of the Council to modify or waive any of the requirements of any such regulation (other than a regulation described as relating to stability in accordance with subsection (5) of this section) or with any term or condition which the Council have attached to any such modification or waiver may appeal to the tribunal of appeal.

(10) For the purposes of this section a building or part of a building shall be deemed to be converted not only when it is structurally altered but also if and whenever any change which in the opinion of the district surveyor affects or is likely to affect the safety of persons occupying or resorting thereto or the stability of such building or part of a building is made in the purposes for which the building or part of a building is used.

(11) Any regulations for the time being in force under this section shall be deemed to form part of this Part of this Act. A.D. 1930.  
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(12) This section shall not apply in the case of the erection or alteration of or the making of any addition to or the doing of other work to in or upon any building in accordance with the provisions of this Act other than this section and nothing in this section shall apply to any building which conforms to the requirements of the said provisions of this Act.

60.—(1) For the purposes of this section the expression “area” means in reference to a wall or recess the area of the vertical face or elevation of that wall or recess. Rules as to  
recesses and  
openings.

(2) Recesses and openings may be made in external walls provided that—

- (a) the backs of such recesses shall not be of less thickness than eight and a half inches; and
- (b) the area of such recesses and openings above the ground storey shall not taken together exceed one half of the whole area of the wall above the ground storey in which they are made.

(3) Recesses may be made in party walls provided that—

- (a) the backs of such recesses shall not be of less thickness than thirteen inches; and
- (b) over every recess so formed an arch of at least two rings of brickwork of the full depth of the recess shall be turned on every storey except in the case of recesses formed for lifts but where such recess does not exceed five inches in depth corbelling in brick or stone may be substituted for the arching; and
- (c) the area of such recesses shall not taken together exceed one half of the whole area of the wall of the storey in which they are made; and
- (d) such recesses do not come within thirteen and a half inches of the inner face of the external walls.

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
   *Act, 1930.*

A.D. 1930.      (4) An opening shall not be made in any party  
— wall except in accordance with the provisions of this  
Act in relation thereto.

(5) It shall be lawful for the superintending architect on application made to him in accordance with any rules made in that behalf by the Council to give consent in writing to any modification or relaxation of the requirements of this section with respect to the area of recesses and openings in any special cases where he may think proper.

Rules as to  
timber in  
external  
walls.

**61.**—(1) Save as hereafter in this section provided all woodwork fixed in any external wall except bressummers and storey posts thereunder and frames of doors and windows of shops on the ground storey of any building shall be set back four inches at the least from the external face of such wall.

(2) Loophole frames and frames of doors and windows may be fixed flush with the face of any external wall.

(3) It shall be lawful for the Council by byelaw or otherwise to exempt from the provisions of this section oak teak or other wood on condition that the work is constructed to the satisfaction of the district surveyor.

Rules as to  
bressum-  
mers.

**62.**—(1) Every bressummer whether of wood or metal shall have a bearing in the direction of its length of four inches at least at each end upon a sufficient pier of brick or stone or upon a timber or iron storey post fixed on a solid foundation in addition to its bearing upon any party wall or external wall and the district surveyor may require that every bressummer shall have such other storey posts iron columns stanchions or piers of brick or stone or corbels as may be sufficient to carry the superstructure and the ends of such bressummer if of wood shall not be placed nearer to the centre line of the party walls than four inches.

(2) At each end of every metallic bressummer a space shall be left equal to one quarter of an inch for every ten feet and also for any fractional part of ten feet of the length of such bressummer to allow for expansion.

(3) A bond timber or wood plate shall not be built into any party wall and the ends of any wooden beam or joist bearing on such walls shall be at least four inches distant from the centre line of the party walls. A.D. 1930.

(4) Every bressummer bearing upon a party wall shall be borne by a templet or corbel of stone or iron tailed through at least half the thickness of the wall and of the full breadth of the bressummer.

(5) The end of any timber not permitted to be placed in or to have a bearing on a party wall may be carried on a corbel or templet of stone or iron or vitrified stoneware tailed into the wall to a distance of at least eight and a half inches or otherwise supported to the satisfaction of the district surveyor.

63. If any gutter any part of which is formed of combustible materials adjoins an external wall such wall shall be carried up so as to form a parapet one foot at the least above the highest part of the gutter and the thickness of the parapet so carried up shall be at least eight and a half inches throughout. Height and thickness of parapets to external walls.

64. In either of the following cases—

(a) where a wall has after the thirty-first day of December eighteen hundred and ninety-four been built as a party wall in any part; or Cases in which a wall to be deemed a party wall.

(b) where a wall has after that date become a party wall in any part;

the wall shall be deemed a party wall to the extent of such part of its length as is used as such a wall.

65.—(1) Every party wall shall be carried up above the roof flat or gutter as the case may be of the highest building adjoining the wall in such manner that— Height of party walls above roof.

(a) the thickness of the part of the wall so carried up—

(i) in the case of any building of the warehouse class is equal to the thickness of the wall in the topmost storey; or

(ii) in the case of any other building is eight and a half inches; and

(b) the distance measured either from the roof at right angles to the slope thereof or vertically

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from the level of the highest part of the flat or gutter as the case may be to the top of the said part of the wall—

(i) in the case of any building of the warehouse class exceeding thirty feet in height is at least three feet; or

(ii) in the case of any other building is at least fifteen inches.

(2) Every party wall—

(a) shall be carried up above the level of the highest part of any turret dormer lantern-light or other erection constructed of combustible materials and fixed upon the roof or flat of any building and distant less than four feet from the party wall in such manner that—

(i) the part of the wall so carried up is of the thickness required by the foregoing provisions of this section; and

(ii) the party wall extends at least twelve inches higher and wider on each side than the turret dormer lantern-light or other erection; and

(b) shall be carried up above the level of every part of any roof opposite to the party wall which is distant less than four feet therefrom.

Rules as to  
chases in  
party walls.

66.—(1) In a party wall a chase shall not be made wider than fourteen inches nor more than four and a half inches deep from the face of the wall nor so as to leave less than eight and a half inches in thickness at the back or opposite side thereof and a chase shall not be made within a distance of seven feet from any other chase on the same side of the wall or within thirteen inches from an external wall.

(2) No chase shall be made in a wall of less thickness than thirteen inches.

Rules as to  
construction  
of roofs.

67.—(1) The flat gutter and roof of every building and every turret dormer lantern-light skylight or other erection placed on the flat or roof thereof shall be externally covered with slates tiles metal or other incombustible materials except wooden cornices and barge-boards to



dormers not exceeding twelve inches in depth and the doors door frames windows and window frames of such turrets dormers lantern-lights skylights or other erections. A.D. 1930.  
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(2) The plane of the surface of the roof of a building of the warehouse class shall not incline from the external or party walls upwards at a greater angle than forty-seven degrees with the horizon and the plane of the surface of the roof of any other building shall not incline from the external or party walls upwards at a greater angle than seventy-five degrees with the horizon.

This subsection shall not apply to towers turrets or spires.

**68.**—(1) Not more than two storeys shall be constructed in the roof of any domestic building. Storeys in roofs.

(2) Any storey constructed in the roof of any domestic building the upper surface of the floor of which storey is at a greater height than sixty feet above the street level shall be constructed of fire-resisting materials throughout.

**69.**—(1) Chimneys built on corbels of brick stone or other incombustible materials may be erected if the work so corbelled out does not project from the wall more than the thickness of the wall measured immediately below the corbel but all other chimneys shall be built on solid foundations and with footings similar to the footings of the wall against which they are built unless they are carried upon iron girders with direct bearings upon party external or cross walls to the satisfaction of the district surveyor. Rules as to chimneys and flues.

(2) Chimneys and flues having proper soot doors of not less than forty square inches may be constructed at any angle but in no other case shall any flue be inclined at a less angle than forty-five degrees to the horizon and every angle shall be properly rounded.

All soot doors shall be at least fifteen inches distant from any woodwork.

(3) An arch of brick or stone or a bar of wrought iron of sufficient strength shall be built over the opening of every chimney to support the breast thereof and if the breast projects more than four inches from the face of the wall and the jamb on either side is of less width than seventeen and a half inches the abutments shall be

A.D. 1930.      tied in by an iron bar or bars of sufficient strength turned  
—      up and down at the ends and built into the jambs for  
at least eight and a half inches on each side.

(4) A flue shall not be adapted to or used for any new oven furnace cockle steam-boiler or close fire used for any purpose of trade or business or to or for the range or cooking apparatus of any hotel tavern or eating-house unless the flue is surrounded with brickwork at least eight and a half inches thick from the floor on which the oven furnace cockle steam-boiler or close fire is situate to the level of the ceiling of the room next above the room in which it is situate.

(5) A flue shall not be used in connection with a steam-boiler or hot-air engine unless the flue is at least twenty feet in height measured from the level of the floor on which the engine is placed.

(6) The inside of every flue and also the outside where passing through any floor or roof or behind or against any woodwork shall be rendered pargeted or lined with fire-resisting piping of stoneware.

(7) The position and course of every flue shall be distinguished on the outside of the work as it is carried up by outline marks in some durable manner except when the exterior face of the flue forms part of the outer face of an external wall not likely to be built against.

(8) The jambs of every fireplace opening shall be at least eight and a half inches wide on each side of the opening thereof.

(9) The breast of every chimney and the brickwork surrounding every smoke flue shall be at least four inches in thickness.

(10) The back of every fireplace opening in a party wall from the hearth up to the height of twelve inches above the mantel shall be at least eight and a half inches thick.

(11) The thickness of the upper side of every flue when its course makes with the horizon an angle of less than forty-five degrees shall be at least eight and a half inches.

(12) Every chimney shaft or smoke flue shall be carried up in brick or stone work at least four inches thick throughout to a height of not less than three feet

above the roof flat or gutter adjoining thereto measured at the highest point in the line of junction with such roof flat or gutter.    A.D. 1930.  
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(13) The highest six courses of every chimney stack or shaft shall be built in cement.

(14) The brickwork or stonework of any chimney shaft except that of the furnace of any steam engine brewery distillery or manufactory shall not be built higher above the roof flat or gutter adjoining thereto than a height equal to six times the least width of such chimney shaft at the level of such highest point in the line of junction unless such chimney shaft is built with and bonded to another chimney shaft not in the same line with the first or otherwise rendered secure.

(15) There shall be laid level with the floor of every storey before the opening of every chimney a slab of stone slate or other incombustible materials at least six inches longer on each side than the width of such opening and at least eighteen inches wide in front of the breast thereof.

(16) On every floor except the lowest floor such slab shall be laid wholly upon stone or iron bearers or upon brick trimmers or other incombustible materials but on the lowest floor it may be bedded on concrete covering the site or on solid materials placed on such concrete.

(17) The hearth or slab of every chimney shall be bedded wholly on brick stone or other incombustible materials and shall together with those materials be solid for a thickness of six inches at least beneath the upper surface of such hearth or slab.

(18) A flue shall not be built in or against any party structure unless it is surrounded with new brickwork at least four inches in thickness properly bonded.

(19) A chimney breast or shaft built with or in any party wall shall not be cut away unless the district surveyor certifies that it can be done without injuriously affecting the stability of any building.

(20) A chimney shaft jamb breast or flue shall not be cut into except for the purposes of repair or of any of the following operations:—

- (a) letting in or removing or altering flues pipes or funnels for the conveyance of smoke hot air or steam or letting in removing or altering smoke jacks;

A.D. 1930.  
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- (b) forming openings for soot doors such openings to be fitted with a close iron door and frame;
- (c) making any opening for the insertion of ventilating valves if the opening is not made nearer than twelve inches to any timber or combustible materials.

(21) Timber or woodwork shall not be placed—

- (a) in any wall or chimney breast nearer than twelve inches to the inside of any flue or chimney opening;
- (b) under any chimney opening within ten inches from the upper surface of the hearth of such chimney opening;
- (c) within two inches from the face of the brickwork or stonework about any chimney or flue where the substance of such brickwork or stonework is less than eight and a half inches thick unless the face of such brickwork or stonework is rendered.

(22) Wooden plugs shall not be driven nearer than six inches to the inside of any flue or chimney opening nor any iron holdfast or other iron fastening nearer than two inches thereto.

Furnace  
chimney  
shafts.

**70.** Unless the Council otherwise permit every chimney shaft for the furnace of a steam engine brewery distillery or manufactory shall be constructed in conformity with the following rules :—

- (1) Every shaft shall be carried up throughout in brickwork and mortar of the best quality and if detached shall taper gradually from the base to the top of the shaft at the rate of at least two and a half inches in ten feet of height :
- (2) The thickness of brickwork at the top of the shaft and for twenty feet below the top shall be at least eight and a half inches and shall be increased at least one half brick for every additional twenty feet measured downwards :
- (3) Every cap cornice pedestal plinth string-course or other variation from plain brickwork shall be provided as additional to the thickness of brickwork required under this Act and every cap shall be constructed and secured to the satisfaction of the district surveyor :

- (4) The foundation of the shaft shall be made to the satisfaction of the district surveyor on concrete or other sufficient foundation : A.D. 1930  
 (5) The footings shall spread all round the base by regular offsets to a projection equal to the thickness of the enclosing brickwork at the base of the shaft and the space enclosed by the footings shall be filled in solid as the work progresses :  
 (6) The width of the base of the shaft if square shall be at least one-tenth of the proposed height of the shaft or if the same is round or of any other shape then one-twelfth of the height :  
 (7) Any fire bricks built inside the lower portion of the shaft shall be provided as additional to and independent of the thickness of brickwork prescribed by these rules and shall not be bonded therewith.

71.—(1) The floor under every oven copper steam-boiler or stove which is not heated by gas and the floor around it for a space of eighteen inches shall be formed of materials of an incombustible and non-conducting nature not less than six inches thick. Rules as to close fires and pipes for conveying vapour &c.

(2) A pipe for conveying smoke or other products of combustion heated air steam or hot water shall not be fixed against any building on the face adjoining any street or public way.

(3) A pipe for conveying smoke or other products of combustion shall not be fixed nearer than nine inches to any combustible materials.

(4) A pipe for conveying heated air or steam shall not be fixed nearer than six inches to any combustible materials.

(5) A pipe for conveying hot water shall not be placed nearer than three inches to any combustible materials.

(6) The restrictions imposed by this section with respect to the distance at which pipes for conveying hot water or steam may be placed from any combustible materials shall not apply in the case of pipes for conveying hot water or steam at low pressure.

A.D. 1930. — For the purposes of this subsection hot water or steam shall be deemed to be at low pressure when provided with a free blow-off.

Floors above  
furnaces  
and ovens. **72.** The floor over any room or enclosed space in which a furnace is fixed and any floor within eighteen inches from the crown of an oven shall be constructed of fire-resisting materials.

Rules as to  
accesses and  
stairs in  
certain  
buildings. **73.** In every public building and in every other building of which the cubical extent exceeds one hundred and twenty-five thousand feet and which is constructed or adapted to be used as a dwelling-house for separate families the floors of the lobbies corridors passages and landings and the flights of stairs shall be of fire-resisting materials and carried by supports of fire-resisting materials.

Ventilation  
of staircases. **74.—(1)** In every building constructed or adapted to be occupied in separate tenements by more than two families the principal staircase used by the several families in common shall be ventilated upon every storey above the ground storey by means of windows or skylights opening directly into the external air or shall be otherwise adequately ventilated.

(2) The principal staircase in every building being a dwelling-house and not subject to the provisions of subsection (1) of this section shall be ventilated by means of a window or skylight opening directly into the external air.

Rules as to  
habitable  
rooms. **75.—(1)** The height of every habitable room in a building shall throughout the room be at least eight feet six inches measured from the floor to the ceiling :

Provided that the height of any such room being wholly or partly in the roof of the building shall be deemed to conform to the requirements of this subsection if it is at least eight feet so measured as aforesaid throughout at least one-half of the area of the room.

(2) In every habitable room in the basement of a dwelling-house being a room whereof the floor is constructed of wood other than solid wood bedded on concrete there shall be provided between the surface of the floor of the room and the surface of the ground thereunder a space sufficient to admit of ventilation by means of air bricks or otherwise.

(3) (a) Every habitable room over any stable shall be separated therefrom by a floor so constructed that— A.D. 1930.  
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- (i) every part of the floor not occupied by any joist or girder has a layer either of concrete pugging of good quality or of some other solid material three inches in thickness properly supported and finished smooth as to its upper surface; and
- (ii) the underside of the floor is ceiled with lath and plaster of good quality or of other solid construction.

(b) If any staircase gallery or structure leading to any such room adjoins any stable it shall be separated from the stable by a brick wall at least nine inches thick.

(4) No person shall knowingly suffer to be inhabited any room constructed after the thirty-first day of December eighteen hundred and ninety-four with respect to which the provisions of this section are not complied with.

**76.**—(1) Every habitable room in a building shall be provided with one or more windows directly opening into the external air or into a conservatory and conforming to the next following subsection. Windows in  
habitable  
rooms.

(2) In order to conform to this subsection the windows of a habitable room must be so constructed that—

- (a) the superficial area of the windows is at least equal in the aggregate to one-tenth of the area of the floor of the room; and
- (b) the windows can to an extent at least equal in the aggregate to one-twentieth of the area of the said floor be opened in such manner that the top of the opening in the case of any window is at least seven feet above the level of the floor:

Provided that any such room having no external wall or being wholly or partly in the roof of the building shall be deemed to conform to this subsection if it is lighted through the roof by means of—

(a) a dormer window whereof—

- (i) the superficial area is at least equal to one-twelfth of the area of the floor of the room; and

A.D. 1930.  
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(ii) a part at least equal in area to one twenty-fourth of the area of the said floor can be opened in such manner that the top of the opening is at least five feet above the level of the floor; or

(b) a lantern-light whereof a part at least equal in area to one-twentieth of the area of the said floor can be opened.

(3) In this section the expression “superficial area” in relation to any window means the total superficial area of the window exclusive of the sash frames thereof and of any obstruction to the light.

(4) No person shall knowingly suffer to be inhabited any such room constructed after the thirty-first day of December eighteen hundred and ninety-four which is not provided with one or more windows conforming to the requirements of this section.

Rules as to  
party arches  
over public  
ways &c.

**77.**—(1) The following arches and floors shall be formed of brick stone or other incombustible materials (that is to say):—

(a) every party arch or party floor;

(b) every arch or floor which is either over any passage leading through or under a building or part of a building to premises in other occupation or over any public way.

(2) Every such arch being formed of brick or stone shall be of the thickness of eight and a half inches at least and the centre of such arch shall be higher than the springing at the rate of one inch at least for every foot and also for any fractional part of a foot of span.

(3) Every such arch or floor being formed of incombustible materials other than brick or stone shall be constructed in such manner as may be approved by the district surveyor.

Rules as to  
certain  
arches &c.

**78.**—(1) Every arch or other construction under any passage leading to premises in other occupation or under any public way or intended public way shall be formed of brick stone or other incombustible materials.

(2) Every such arch being formed of brick or stone shall—

(a) where its span does not exceed ten feet be of the thickness of eight and a half inches at least;



(b) where its span exceeds ten but does not exceed fifteen feet be of the thickness of thirteen inches at least; and A.D. 1930. —

(c) where its span exceeds fifteen feet be of such thickness as may be approved by the district surveyor.

(3) Every such arch or other construction being formed of incombustible materials other than brick or stone shall be constructed in such manner as may be approved by the district surveyor.

**79.** Unless the Council otherwise permit the following provisions shall apply to projections from buildings :— Rules as to projections.

(1) Every coping cornice string-course fascia window-dressing portico porch balcony verandah balustrade outside landing outside stairs and outside steps and architectural projection or decoration whatsoever and also the eaves barge-boards and cornices to any overhanging roof (except the cornices and dressings to the window fronts of shops and except the eaves barge-boards and cornices to detached and semi-detached dwelling-houses and to other dwelling-houses in which the party walls are corbelled out so as to project four inches beyond such eaves barge-boards or cornices) shall be of brick tile stone artificial stone slate cement or other fireproof materials :

For the purposes of this paragraph a pair of semi-detached houses shall be deemed to be one building :

(2) Every balcony cornice or other projection shall be tailed into the wall of the building and weighted or tied down to the satisfaction of the district surveyor and no cornice shall exceed in projection two feet six inches over the public way :

(3) In a street or way of a width not greater than thirty feet any shop front may project beyond the external wall of the building to which it belongs to any extent not exceeding five inches and any cornice of any such shop front may project to any extent not exceeding thirteen inches and in any street or way of a width greater than thirty feet any shop front may

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project to any extent not exceeding ten inches and any cornice of any such shop front may project to any extent not exceeding eighteen inches beyond the external wall of the building to which it belongs over the ground of the owner of the building :

Provided that nothing in this paragraph shall authorise in any such street the projection of any part of any such shop front other than the cornice on or over the public way or any land to be given up to the public way :

- (4) No part of the woodwork of any shop front shall be fixed higher than twenty-five feet above the level of the pavement of the public footpath in front of the shop. No part of the woodwork of any shop front shall be fixed nearer than four inches to the centre of the party wall where the adjoining premises are separated by a party wall or nearer than four inches to the face of the wall of the adjoining premises where the adjoining premises have a separate wall unless a pier or corbel of stone brick or other incombustible materials four inches wide at the least is placed as high as such woodwork and projecting throughout an inch at the least in front thereof between such woodwork and the centre of the party wall or the separate wall as the case may be :
- (5) In any dwelling-house being either situated in a street not less than forty feet wide or so situated in any street that the front wall of the dwelling-house is distant not less than forty feet from the opposite boundary of the street bay windows may notwithstanding the provisions of this Act relating to buildings beyond the general line of buildings in streets be constructed on land belonging to the owner of the dwelling-house :

Provided that no such bay windows shall—

(a) exceed three storeys in height above the level of the footway of the street ; or

(b) project more than three feet from the main wall of the dwelling-house ; or

(c) project in any part nearer to the centre of the roadway of the street than the prescribed distance; or

(d) be in any part nearer to the centre of the nearest party wall than the extreme extent of their projection from the main wall of the dwelling-house; or

(e) in the aggregate exceed in width three-fifths of the frontage of the building towards the street to which the bay windows face; or

(f) be constructed upon any part of the public way or upon any land agreed to be given up to the public way; or

(g) be used for purposes of trade :

Bay windows to which the foregoing provisions of this paragraph do not apply shall not be constructed unless the Council after consultation with the local authority consent thereto :

(6) In any building being either situate in a street not less than forty feet wide or so situate in any street that the front wall of the building is distant not less than forty feet from the opposite boundary of the street projecting oriel windows or turrets may be constructed so however that—

(a) no part of any such projection shall extend more than three feet from the face of the front wall of the building or more than twelve inches over the public way; and

(b) no part of any such projection shall be less than ten feet above the level of the footway of the street; and

(c) no part of any such projection (where it overhangs the public way) shall be within a distance of four feet of the centre of the nearest party wall; and

(d) on no floor shall the widths of any such projections in the aggregate exceed three-fifths of the length of the wall of the building on the level of that floor; and

(e) every such projection shall be constructed to the satisfaction of the district

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surveyor or in the event of disagreement to the satisfaction of the superintending architect whose determination shall be final :

Oriel windows or turrets to which the foregoing provisions of this paragraph do not apply shall not be constructed unless the Council after consultation with the local authority consent thereto :

- (7) The roof flat or gutter of every building and every balcony verandah shop front or other similar projection or projecting window shall be so arranged and constructed and so supplied with gutters and pipes as to prevent the water therefrom dropping upon or running over any public way :
- (8) Except in so far as is permitted by this section in the case of shop fronts and projecting windows and with the exception of water pipes and their appurtenances copings string-courses cornices fascias window dressings and other like architectural decorations no projection from any building shall extend beyond the general line of buildings in any street unless the Council after consultation with the local authority consent.

Separation  
of buildings.

80.—(1) Every building shall be separated either by an external wall or by a party wall or other proper party structure from any adjoining building.

(2) In every building exceeding ten squares in area used in part for purposes of trade or manufacture and in part as a dwelling-house the part used for purposes of trade or manufacture shall be separated from the part used as a dwelling-house by walls and floors constructed of fire-resisting materials and all passages staircases and other means of approach to the part used as a dwelling-house shall be constructed throughout of fire-resisting materials :

Provided that there may be constructed in the walls of such staircases and passages such doorways as are necessary for communicating between the different parts of the building and there may be formed in any walls of such building openings fitted with fire-resisting doors.

(3) In every building exceeding twenty-five squares in area containing separate sets of chambers or offices or rooms tenanted or constructed or adapted to be tenanted by different persons the floors and principal staircases shall be of fire-resisting materials. A.D. 1930.

Nothing in this subsection shall entitle the district surveyor to charge for the inspection of each set of chambers as a separate building.

**81.**—(1) Subject to the provisions of this section no building of the warehouse class and no building or part of a building used for purposes of trade or manufacture shall be of a cubical extent exceeding two hundred and fifty thousand cubic feet unless it is divided by division walls in such manner that no division of the building or part of a building (as the case may be) is of a cubical extent exceeding two hundred and fifty thousand cubic feet and no addition shall be made to any such building part of a building or division so as to make it contravene the provisions of this subsection. Cubical extent of buildings.

(2) Where the Council are satisfied on the report of the superintending architect and of the chief officer of the London Fire Brigade that additional cubical extent is necessary for any such building part of a building or division as aforesaid and are satisfied that proper arrangements have been or will be made and maintained for lessening so far as reasonably practicable danger from fire the Council may consent to such building part of a building or division containing additional cubical extent but such consent shall continue in force only while such building part of a building or division is actually used for the purposes of the trade or manufacture (if any) in respect of which the consent was granted.

(3) The Council may in any case in which they think fit so to do consent to any such building or part of a building as aforesaid being divided (wholly or in part) horizontally by floors to be constructed in such manner and of such materials and in all other respects as the Council may require or approve and in such case such floors shall for the purposes of this section be deemed to be division walls.

(4) The provisions of this section shall not apply to any building which being at a greater distance than two miles from Saint Paul's Cathedral is used wholly for

A.D. 1930. the manufacture of the machinery and boilers of steam  
— vessels or for a retort house or for the manufacture  
of gas or for generating electricity and which consists  
of one floor only and is constructed of brick stone iron  
or other incombustible materials throughout and is not  
used for any purpose other than such purposes as are  
specified in this subsection.

Every such building shall for the purposes of Part VII  
of this Act be deemed a building to which the general  
provisions of this Part of this Act are inapplicable.

Rules as to  
uniting  
buildings.

**82.**—(1) Buildings shall not without the consent  
of the Council be united unless they are wholly in one  
occupation and when so united and considered as one  
building would be in conformity with this Act.

(2) An opening shall not be made in any division  
wall separating divisions of a building of the warehouse  
class or used for purposes of trade or manufacture or  
in any party wall or in two external walls separating  
buildings in any case in which such divisions or buildings  
(as the case may be) if taken together would extend to  
more than two hundred and fifty thousand cubic feet  
except under the following conditions :—

- (a) the opening shall have the floor jambs and head  
formed of brick stone iron or other incombustible  
materials and be closed by two wrought iron  
doors sliding doors or shutters each not less than  
one-fourth of an inch thick in the panel at a  
distance from each other of the full thickness of  
the wall fitted to grooved or rebated iron frames  
without woodwork of any kind and all such doors  
sliding doors and shutters shall be fitted with  
sufficient and proper bolts or other fastenings  
and be capable of being opened from either side  
and shall have on each face thereof styles and  
rails at least four inches wide and one-fourth of  
an inch thick and shall be constructed fitted and  
maintained in an efficient condition Provided  
that in lieu of being constructed and fitted as  
aforesaid such doors sliding doors and shutters  
may be constructed of any such fire-resisting  
materials and be fitted in any such manner as  
may be approved by the Council;

- (b) the opening shall not exceed in width seven feet or in height eight feet and the width of any such opening in any wall of a storey (or if there is more than one such opening in any such wall the widths of all such openings taken together) shall not exceed one-half of the length of such wall : A.D. 1930. —

Provided that—

(i) any such opening may be nine feet six inches in height in a wall of which the thickness is not less than twenty-four inches or if the doors sliding doors or shutters closing such opening are placed at a distance of not less than twenty-four inches from each other; and

(ii) the Council may consent to any such opening being of such greater height or width as they may think fit.

(3) Whenever any buildings which have been united cease to be in one occupation the owner thereof or if the buildings are the property of different owners then each of such owners shall forthwith give notice of such change of occupation to the district surveyor and shall cause all openings uniting the same in any party wall or in any external wall to be stopped up (unless the Council consent to such openings or any of them being retained) with brick or stone work not less than thirteen inches in thickness (except in the case of a wall eight and a half inches in thickness in which case eight and a half inches shall be sufficient) and properly bonded with such wall and any timber placed in the wall and not in conformity with this Act shall be removed.

(4) Buildings shall be deemed to be united when any opening is made in the party wall or the external walls separating such buildings or when such buildings are so connected that there is access from one building to the other without passing into the open air.

(5) The provisions of this section shall apply—

- (a) to all openings at any time after the thirty-first day of July nineteen hundred and eight made or proposed to be made in any party wall or two external walls or in any division

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wall notwithstanding the existence in any such wall of an opening uniting buildings or affording communication between divisions of a building (as the case may be); and

(b) to such buildings as if they had not been previously united.

Division  
walls to be  
subject to  
provisions  
of this Act  
relating to  
party walls.

**83.** The provisions of this Act with respect to party walls shall apply to such division walls as are referred to in this Part of this Act :

Provided that in the case of any such division wall the Council may if they think fit consent to such departure as they may consider expedient from such of the said provisions as are contained in this Part of this Act and in the Second Schedule to this Act.

Copy of plans  
and particulars  
approved by  
Council to be  
furnished to  
district sur-  
veyor.

**84.** A copy of any plans and particulars approved by the Council under this Part of this Act shall be furnished by the Council to the district surveyor within whose district the building to which such plans and particulars relate is situate.

Construc-  
tion of  
public  
buildings.

**85.**—(1) Notwithstanding anything in this Act every public building including the walls roofs floors galleries and staircases and every structure and work constructed or done in connection with or for the purposes of the same shall be constructed in such manner as may be approved by the district surveyor or in the event of disagreement may be determined by the tribunal of appeal and save so far as respects the rules of construction every public building shall throughout this Act be deemed to be included in the expression “ building ” and be subject to all the provisions of this Act in the same manner as if it were a building other than a public building.

(2) No public building shall be used as such until the district surveyor or the tribunal of appeal has or have declared his or their approval of the construction thereof.

(3) After the district surveyor has so declared his approval of the construction or has certified that it complies with the directions of the tribunal of appeal any work affecting or likely to affect the building shall not be done to in or on the building without the approval of the district surveyor or such certificate as aforesaid.



86. Where it is proposed to convert any building into a public building such conversion shall be carried into effect and the public building thereby formed including the walls roofs floors galleries and staircases thereof shall be constructed in such manner as may be approved by the district surveyor or in the event of disagreement may be determined by the tribunal of appeal and the provisions of this Act shall apply to such conversion as though it were the construction of a public building.

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 Conversion  
 of buildings  
 into public  
 buildings.

87. The following rules shall be observed with respect to new churches chapels meeting-houses public halls public lecture rooms public exhibition rooms and public places of assembly and with respect to additions or alterations to any existing church chapel meeting-house public hall public lecture room public exhibition room or public place of assembly being additions or alterations whereby increased accommodation is to be provided :—

Staircases  
 &c. in  
 certain  
 public  
 buildings.

- (a) Every staircase for the use of the public shall be supported and enclosed by brick walls not less than nine inches thick and the treads of each flight of stairs shall be of uniform width :
- (b) No staircase internal corridor or passageway for the use of the public shall be less than four feet six inches wide :

Provided that where not more than two hundred persons are to be accommodated in such church chapel meeting-house hall lecture room exhibition room or place of assembly such staircase internal corridor or passageway may be of the width of three feet six inches :

- (c) Every staircase corridor or passageway for the use of the public which communicates with any portion of the building intended for the accommodation of a larger number of the public than four hundred shall be increased in width by six inches for every additional one hundred persons until a maximum width of nine feet is obtained :

Provided that—

- (i) every such staircase being six or more feet wide shall be divided by a hand rail; and

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(ii) in lieu of a single staircase corridor or passageway of the width prescribed by this section it shall be lawful to substitute two staircases corridors or passageways each being of a width at least equal to two-thirds of the width so prescribed for the single staircase corridor or passageway but so that neither of such two substituted corridors staircases or passageways shall be less than three feet six inches wide :

(d) In all cases where a portion of the public is to be accommodated over or at a higher level than others of the public a separate means of exit of the width so prescribed for staircases internal corridors or passageways and communicating directly with a street or open space shall be provided from each floor or level :

(e) All doors and barriers shall be made to open outwards and no outside locks or bolts shall be affixed thereto.

Application of Act to buildings under railway arches.

88. Where a building erected after the thirty-first day of December eighteen hundred and ninety-four under or in or by inclosure of a railway arch or abutting thereon is constructed or adapted to be used for human habitation this Act shall apply to the building and to every work done to in or on the same in like manner and to the like extent as far as may be as if the building were built in any other position.

## PART VII.

### SPECIAL AND TEMPORARY BUILDINGS AND WOODEN STRUCTURES.

Application to Council for buildings to which rules of Act are inapplicable.

89.—(1) Before any builder erects an iron building or structure or any other building or structure to which the general provisions of Part VI of this Act are inapplicable or in the opinion of the Council inappropriate having regard to the special purpose for which the building or structure is designed and intended to be used he shall make an application to the Council accompanied by a plan of the proposed building or structure with such particulars as to the construction thereof as may be required by the Council.

(2) The Council if satisfied with such plan and particulars shall signify their approval thereof in writing and thereupon the building or structure may be constructed according to such plan and particulars but the Council shall not authorise any building of the warehouse class to be erected of greater cubical extent than two hundred and fifty thousand cubic feet except in accordance with the foregoing provisions of this Act.

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(3) The Council may for the purpose of regulating the procedure in relation to such applications issue such general rules as they think fit as to the time and manner of making applications and as to the plans to be presented the expenses to be incurred and any other matter connected therewith.

(4) All expenses incurred in and about obtaining the approval of the Council shall be paid by the builder to the superintending architect or to such other person as the Council may appoint and in default of payment may be recovered in a summary manner.

(5) A copy of any plans and particulars approved by the Council shall be furnished to the district surveyor within whose district the building or structure to which such plans and particulars relate is situate and it shall be his duty to ascertain that the same is built in accordance with the said plans and particulars.

90.—(1) Where an application is made to the Council under the last foregoing section with respect to a building or structure of a temporary character the Council may if they approve of the plan and particulars of the building or structure limit the period during which it shall be allowed to remain and may make their approval subject to such conditions as to the removal of the building or structure or otherwise as they think fit.

Control by  
Council of  
certain  
temporary  
buildings.

(2) If at the expiration of that period the building or structure is not removed in accordance with those conditions the Council may serve a notice on the occupier or owner of the building or structure requiring him to remove it within a reasonable time specified in the notice and if the occupier or owner fails to remove the building or structure within the time named the Council may notwithstanding the imposition and recovery of any penalty cause complaint thereof to be made before a

A.D. 1930. — petty sessional court who shall thereupon issue a summons requiring the occupier or owner to appear to answer the complaint.

(3) If the complaint is proved to the satisfaction of the court the court may make an order in writing authorising the Council to enter upon the land upon which the building or structure is situate and to remove or take down the building or structure and to do whatever may be necessary for that purpose and to remove the materials of which the building or structure is composed to a convenient place and (unless the expenses of the Council are paid to them within fourteen days after such removal) to sell the materials as they think proper.

Wooden structures not to be erected without licence of local authority.

**91.**—(1) No person shall set up in any place any wooden structure (unless it is exempt from the operation of this Part of this Act) except hoardings enclosing vacant land and not exceeding in any part twelve feet in height without having first obtained for that purpose a licence from the local authority and the licence may contain such conditions with respect to the structure and the time for which it is to be permitted to continue in the said place as the local authority think expedient :

Provided that in the case of any wooden structure of a movable or temporary character erected by a builder for his use during the construction alteration or repair of any building a licence shall only be required if the structure is not taken down or removed immediately after such construction alteration or repair.

(2) Any proceedings for any default in obtaining or observing the conditions of any licence granted under this section may be taken by the local authority as respects their area.

(3) This section shall not extend to the city or apply to any hoarding duly licensed by the local authority under any other Act.

Power of court to make orders.

**92.** Where any person has—

- (a) failed to comply with any notice duly served on him under this Part of this Act requiring him to remove a building or structure; or
- (b) set up erected retained or adapted any building or structure to which this Part of this Act applies without having obtained the approval or licence required by this Part of this Act; or

- (c) contravened or failed to comply with any condition contained in such an approval or licence; A.D. 1930. —

the court before whom proceedings in respect of the contravention or non-compliance are taken by the Council or the local authority as the case may be may in addition to imposing any penalty and without prejudice to any other powers conferred on them by this Act make an order in writing directing the said person to demolish the building or structure or any part thereof or to comply with the condition.

93. This Part of this Act shall not apply to a pile stack or store of timber not being a structure affixed or fastened to the ground. Piles of loose timber not regarded as structures.

94. This Part of this Act shall not apply to structures or erections set up or erected upon the premises of any railway company and used for the purposes of or in connection with the traffic of such railway company. Structures of railway companies.

## PART VIII.

### MEANS OF ESCAPE IN CASE OF FIRE.

95. In this Part of this Act unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):— Interpretation for Part VIII of Act.

“new building” means any building the actual erection of which above the footings was not bonâ fide and substantially begun on the first day of January nineteen hundred and six or which has been taken down burnt or destroyed for more than one-half of its cubical extent and re-erected or begun to be re-erected on or after that date or of which the cubical extent has been increased on or after that date by an amount equal to the cubical extent of the building as existing before the increase and any old building which by reason of any alteration thereof or addition thereto has become a high building on or after that date;

“old building” means any building which is not a new building;

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

A.D. 1930.      “owner” in relation to any premises means the  
—      person for the time being receiving the rackrent  
                 of the premises whether on his own account or  
                 as agent or trustee for any other person or who  
                 would so receive the same if such premises were  
                 let at a rackrent;

“plans” means plans sections and elevations;

“rackrent” means rent which is not less than  
two-thirds of the full annual value of the  
premises and the full annual value shall be  
taken to be the annual rent which a tenant  
might reasonably be expected taking one year  
with another to pay for the premises if the  
tenant undertook to pay all usual tenant’s  
rates and taxes and tithe commutation rent-  
charge (if any) and if the landlord undertook to  
bear the cost of the repairs and insurance and  
the other expenses (if any) necessary to maintain  
the premises in a state to command such rent.

Protection  
against fire  
in certain  
new  
buildings.

96.—(1) Every new building (except a dwelling-  
house occupied as such by not more than one family)  
which is—

(a) a high building; or

(b) a building in which sleeping accommodation  
is provided for more than twenty persons or  
which is occupied or constructed or adapted  
to be occupied by more than twenty persons  
or in which more than twenty persons are  
employed or which is constructed or adapted  
for the employment therein of more than  
twenty persons;

shall be provided in accordance with plans approved  
by the Council or (in the event of an appeal) the tribunal  
of appeal with all such means of escape therefrom in  
case of fire as can be reasonably required under the  
circumstances of the case.

(2) The owner of the building shall before or at  
the same time that the building notice under section 161  
of this Act in respect of such building is served on the  
district surveyor deposit or cause to be deposited at  
the County Hall a notice stating the like matters and  
particulars as are required by the last-mentioned section  
to be stated in a building notice thereunder together  
with a copy (which may be a sun-print or photographic

reproduction on paper) of the plans prepared for such new building showing so far as may be necessary for the purposes of this Part of this Act the means of escape proposed to be provided in connection with such building. A.D. 1930.  
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(3) The Council at any time within a period of one month after the deposit as aforesaid of such plans may refuse to approve such plans or may approve them subject to such conditions (if any) as they may prescribe but the Council shall within the said period of one month give notice to the applicant of such refusal or conditional approval stating fully all their reasons for such refusal or for the imposition of such conditions as the case may be and if within that period the Council fail to give notice of their refusal to approve any such plans or of the conditions subject to which they approve any such plans they shall be deemed to have approved such plans without conditions :

Provided that if in any case the said period would begin or expire on any day between the first day of August and the fourteenth day of September (both inclusive) the foregoing provisions of this subsection shall have effect as if there were therein substituted for the words "one month" the words "two months."

(4) No upper storey in any high building other than a building of the class referred to in paragraph (b) of subsection (1) of this section and no part of any building of the class referred to in the said paragraph shall be occupied or let for occupation until the Council have issued a certificate or (in the event of an appeal) the tribunal of appeal has determined that such building has been provided with means of escape in accordance with plans approved as aforesaid by the Council or the tribunal of appeal and that the conditions (if any) subject to which such plans were so approved have been complied with :

Provided that—

- (a). unless the Council within fourteen days after notice of completion of the building has been given to the Council by the owner notify to the owner that such certificate has been refused and the grounds of the refusal the certificate shall be deemed to have been duly issued; and

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—

(b) nothing in this subsection shall prevent the continuous occupation during rebuilding of any portion of any building to which the subsection applies and which has been partially taken down burnt or destroyed.

(5) If—

(a) by reason of any structural alteration or addition of a substantial character of or to any certified building (being a building of the class referred to in paragraph (b) of subsection (1) of this section) the sleeping accommodation in the building is substantially increased and the risk of fire in the building or the difficulty of escaping therefrom in case of fire is thereby substantially increased; or

(b) the number of persons occupying or employed or dwelling in the upper storeys of any certified building (being a high building but not being a building of the class referred to in the said paragraph) or in any part of any certified building (being a building of the class referred to in the said paragraph) is substantially increased and the risk of fire in the upper storeys of the building (being a high building) or in any part of the building (being a building of the class referred to in the said paragraph) or the difficulty of escaping from any such upper storey or part of a building (as the case may be) in case of fire is thereby substantially increased; or

(c) by reason of any change of circumstances in or affecting any certified building or of the user thereof the risk of fire in the building or the difficulty of escaping therefrom in case of fire is substantially increased;

the certificate issued by the Council or the determination of the tribunal of appeal in respect of that building shall thenceforth be void and such building shall cease to be a new building and be deemed to be an old building.

(6) Nothing in this section shall authorise the Council to require in the case of a building being a



high building and not being a building of the class referred to in paragraph (b) of subsection (1) of this section any means of escape from any storey other than an upper storey. A.D. 1930. —

**97.**—(1) In the case of any old building (except a dwelling-house occupied as such by not more than one family) which is— Protection against fire in certain old buildings.

(a) a high building; or

(b) a building in which sleeping accommodation is provided for more than twenty persons or which is occupied by more than twenty persons or in which more than twenty persons are employed;

the Council if in their opinion such building is not provided with proper and sufficient means of escape therefrom in case of fire may at any time serve on the owner of such building a notice requiring him to provide such means of escape as can be reasonably required in the circumstances of the case :

Provided that as respects any building deemed under subsection (5) of the last foregoing section to be an old building—

(i) if the owner thereof makes a written request to the Council (giving particulars of any proposed or completed alteration addition or change of circumstances) that such notice as aforesaid be served on him the Council shall within a period of two months after receiving the request serve the notice upon him; and

(ii) if notwithstanding such written request no such notice is served upon the owner within the period aforesaid the building or the upper storeys of the building (as the case may be) shall be deemed to be in the opinion of the Council provided with proper and sufficient means of escape in case of fire.

(2) The notice shall specify in detail the requirements of the Council and the owner of the building shall subject to the provisions of this Part of this Act execute and do all such works and things as may be necessary in order to comply with any requirements made by the Council under this section and (in the

**[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]**  
***Act, 1930.***

A.D. 1930. — event of an appeal) confirmed or varied by the tribunal of appeal within such period as may be required by the Council or (in the event of an appeal) the tribunal of appeal :

Provided that if the owner within twenty-one days after the service of such notice has submitted to the Council alternative proposals for the provision of means of escape in case of fire and the Council have in writing accepted the same as satisfactory it shall not be necessary for the owner to comply with any of the requirements contained in the notice served on him by the Council but he shall with all practicable dispatch after such acceptance as aforesaid execute and do all such works and things as may be necessary in order to provide the means of escape specified in the alternative proposals.

(3) Where any owner of a building has been convicted of an offence against this Act by reason of a failure—

(a) to comply with any requirement made by the Council under this section and (in the event of an appeal) confirmed or varied by the tribunal of appeal within the period required by the Council or the tribunal of appeal (as the case may be); or

(b) to execute and do with all practicable dispatch after such acceptance as aforesaid all such works and things as may be necessary to provide the means of escape specified in the alternative proposals;

a petty sessional court may notwithstanding the imposition of any penalty make an order—

(i) prohibiting the occupation of the building or any part thereof if the building is a building of the class referred to in paragraph (b) of subsection (1) of this section; or

(ii) prohibiting the occupation of any upper storey thereof if the building is a high building and is not a building of the class referred to in the said paragraph.

The costs of the proceedings before the petty sessional court and of the order shall be in the discretion of the court.

(4) Any order made under the last foregoing subsection may be at any time amended or discharged by the order of a petty sessional court. A.D. 1930.  
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(5) The Council shall keep at the County Hall a register (which shall be open at all reasonable times to inspection) of all orders made under this section.

(6) Nothing in this section shall authorise the Council to require in the case of a building (being a high building and not being a building of the class referred to in paragraph (b) of subsection (1) of this section) any means of escape from any storey other than an upper storey.

98.—(1) Where any part of any building which is used or adapted to be used as a shop projects for a distance of seven feet or more beyond the main front of any building of which it forms part and in which any persons are employed or sleep the projecting portion of such shop shall be provided by the owner with a roof constructed of fire-resisting materials not less than five inches thick. Projecting shops.

(2) It shall be lawful to construct or place in or upon the roof of the portion of any shop so projecting beyond the main front of a building as aforesaid lantern-lights or ventilating cowls:

Provided that—

- (i) no such lantern-light or ventilating cowl shall be constructed or placed so that any part thereof will be at a less distance than six feet from the main front of the building from which the shop projects or within such distance as is reasonable in the circumstances of the case from any other external or party wall; and
- (ii) the sides of such lantern-light or ventilating cowl (except the side facing away from the main building) shall be carried up in fire-resisting materials for two feet above the roof in or upon which it is constructed or placed; and
- (iii) no part of any such lantern-light or ventilating cowl shall project above the roof in or upon which the same is constructed or placed to a greater extent than five feet.

A.D. 1930. — (3) The Council or (in the event of an appeal) the tribunal of appeal may in any case where it is reasonable so to do sanction subject to such conditions (if any) as the Council or the tribunal of appeal may impose the exemption of any building from all or any of the provisions of this section.

Rules for living rooms or permit to be used either as a living room or as a workshop or workroom any room constructed over premises used for communicating directly with any part of a building used for the storage of petroleum being petroleum within the meaning of the Petroleum (Consolidation) Act 1928 or bisulphide of carbon or ether or turpentine or methylated spirit or any other inflammable liquid kept for sale or trade purposes in such quantities or in such manner as to be liable to cause fire or explosion unless there is provided in connection with such room according to the requirements and to the satisfaction of the Council—

- (i) adequate safeguards to prevent the spread of fire from the part of the building used for the storage of any such inflammable liquid to the room; and
- (ii) means of ready escape from the room in case of fire.

(2) Nothing in this section shall affect the jurisdiction of the Corporation under the Petroleum (Consolidation) Act 1928.

Means of access to roofs. 100.—(1) The following buildings (that is to say):—  
 (a) every old building to which section 98 of this Act applies and every other old building except a dwelling-house occupied as such by not more than two families; and

(b) every new building;

shall if it has more than two storeys above the ground storey or if it exceeds thirty feet in height be provided (unless and except so far as the Council otherwise allow) by the owner with either—

- (i) a dormer window or a door opening in a suitable position approved by the district surveyor on to the roof with proper access thereto; or

- (ii) a trap-door in a suitable position approved by the district surveyor being a door covered with copper or zinc and hung on hinges so as to admit of it opening to the fullest extent and furnished with a counter-weight so as to ensure that it will open automatically when unfastened and also with a fixed or hinged step ladder leading to the roof; or

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—

(iii) other proper means of access to the roof; and with a sufficient parapet or guard-rail where reasonably practicable and necessary to prevent persons slipping off the roof.

Any dormer window or trap-door provided under this subsection shall only be fastened in such a manner as to ensure access to the roof being always readily available from the inside of the building.

(2) The Council or (in the event of an appeal) the tribunal of appeal may in any case where it is reasonable so to do sanction subject to such conditions (if any) as the Council or the tribunal of appeal may impose the exemption of any building from all or any of the provisions of this section.

(3) This section shall not apply to any building to which section 96 or section 97 of this Act applies.

**101.**—(1) No person shall without the consent in writing of the Council or (in the event of an appeal) the tribunal of appeal convert a building in such manner that such building when so converted will not be in conformity with the provisions of this Part of this Act or without such consent knowingly or wilfully permit or suffer any building when so converted to be used or occupied :

Conversion  
of buildings.

Provided that if the Council do not within the period of one month or in the event of such period of one month beginning or expiring on any day between the first day of August and the fourteenth day of September both inclusive then within the period of two months after written application to the Council by the owner for such consent notify to the owner that such consent is refused and the grounds of such refusal such consent shall be deemed to have been duly given.

(2) For the purposes of this section the expression "convert" includes any change of user whether involving any structural alteration or not.

[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]  
*Act, 1930.*

A.D. 1930.      (3) Notice of such conversion shall be given to  
—      the district surveyor by the owner or occupier of the  
building intended to be converted.

Means of      102. All means of escape in case of fire provided  
escape to be in accordance with any of the provisions of this Part  
maintained. of this Act or otherwise shall be kept and maintained  
by the owner of the building in respect whereof they  
are provided in good condition and repair and in efficient  
working order and no person shall knowingly or wilfully  
obstruct or render less commodious or permit or suffer  
to be obstructed or rendered less commodious any such  
means of escape as aforesaid.

Power to      103. For the purpose of carrying out or main-  
owner      taining any work required to be done or maintained  
to enter      by the owner under any of the provisions of this Part  
notwith-      of this Act it shall be lawful for the owner of any  
standing      building notwithstanding any provision to the contrary  
provisions      contained or implied in any lease or contract affecting  
of lease.      such building to enter such building or any part thereof  
and do all such things therein or in relation thereto  
as may be necessary or proper in that behalf.

Duties of      104.—(1) Particulars of any means of escape re-  
district      quired by the Council or (in the event of an appeal)  
surveyors      the tribunal of appeal or to be provided in accordance  
under this      with plans approved by the Council under the provisions  
Part of Act. of this Part of this Act shall be furnished by the Council  
to the district surveyor within whose district the build-  
ing to which such particulars relate is situated and  
it shall be the duty of the district surveyor to ascertain  
that such means of escape are properly provided in  
accordance with those particulars and to report to the  
Council any failure to provide such means.

(2) Where any of the provisions of section 98 or  
section 100 of this Act are applicable to any building  
the district surveyor shall as soon as he discovers that  
such building does not comply with such provisions  
report the non-compliance to the Council.

District      105. The district surveyor shall notify in writing  
surveyors to      to the Council every building about to be erected in  
notify      his district to which in his opinion section 96 of this  
Council in      Act would apply and within a reasonable time after  
certain      being requested in writing by the Council shall from  
cases.      time to time ascertain and notify in writing to the

Council any building within his district or any part thereof to which in his opinion section 97 of this Act applies and also upon completion of any works required to be carried out under either of such sections shall notify to the Council whether all the requirements made by the Council or the tribunal of appeal (as the case may be) have been complied with. A.D. 1930  
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**106.**—(1) Where an offence under paragraph (20) of section 222 of this Act for which the owner of any building is liable under this Part of this Act to a penalty has in fact been committed by an occupier or any other person that occupier or other person shall be liable to the same penalty as if he were the owner. Exemption of owner from penalty on conviction of actual offender.

(2) Where the owner is charged with any such offence he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge against himself and if after the commission of the offence has been proved the owner proves to the satisfaction of the court that he has used due diligence to enforce the execution of the provisions of this Part of this Act and that such other person has committed the offence in question without his knowledge consent or connivance that other person shall be summarily convicted of the offence and the owner shall be exempt from any penalty.

The person so convicted shall in the discretion of the court be also liable to pay any costs incidental to the proceedings.

**107.** The owner of any building who has paid or incurred the expenses of executing any work in respect of such building which he is required to execute under any provisions of this Part of this Act or has paid any other expenses which by any such provision as aforesaid are required to be borne or paid by him may apply to the county court of the district in which the building is situate and the court may thereupon issue a summons requiring the several persons entitled to any estate or interest in the building to appear before the court and the court may make such order concerning such expenses or their apportionment among the several persons entitled to any estate or interest in the building as appears to Apportionment of expenses borne by owners.

A.D. 1930. — the court to be just and equitable in the circumstances of the case regard being had to the terms of any lease or contract affecting the building.

Arbitration as to incidence of damage. **108.** Where the occupier of any building claims to have sustained any damage directly and solely caused by the construction of any works carried out under this Part of this Act the claim shall be referred to arbitration and the arbitrator shall determine how the damage shall be borne by the persons interested in the said building having regard to all the circumstances of the case including the terms of any lease or contract affecting the building.

Appeals under this Part of Act. **109.** At any time within two months after—  
 (a) the refusal or conditional grant by the Council of their approval of any plans deposited pursuant to section 96 of this Act or the refusal by the Council to issue a certificate pursuant to the same section; or  
 (b) the service on the owner of any building of notice of any requirement of the Council under section 97 of this Act; or  
 (c) the making of any requirement with respect to any building under section 98 of this Act or any refusal or conditional grant of the sanction of the Council to any exemption under the last-mentioned section or section 100 of this Act; or  
 (d) the making of any requirement by the Council with respect to any building under section 99 of this Act; or  
 (e) any refusal of the consent of the Council under section 101 of this Act;

the owner of the building to which such requirement or refusal or conditional grant relates may appeal to the tribunal of appeal.

Power of entry to Council and their officers and district surveyors. **110.—(1)** For the purpose of exercising their powers or performing their duties under this Part of this Act the Council or any officer of the Council duly authorised in writing by the Council in that behalf (which authority such officer shall produce if required) may at all reasonable times and after reasonable notice enter inspect and



examine any building structure or premises to which he has reasonable grounds for thinking that the provisions of this Part of this Act apply. A.D. 1930.  
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(2) For the purpose of performing his duties under this Part of this Act the district surveyor may at all reasonable times enter inspect and examine any building structure or premises.

**111.** Nothing in this Part of this Act shall empower the Council to require as regards any building while used in part as a factory or workshop means of escape in case of fire to be provided from or in respect of the part so used of such building if within three years before the eleventh day of August nineteen hundred and five means of escape in case of fire had been provided from such part in compliance with the Factory and Workshop Act 1901. Exemption  
of certain  
buildings  
while used  
as factories  
or work-  
shops.

**112.** The following provisions respectively contained in Parts XIV XVI and XVII of this Act shall not apply with respect to this Part of this Act (that is to say):— Certain  
provisions  
of other  
Parts of Act  
not to apply  
to this Part.

Section 164 (District surveyor to enforce execution of Act);

Section 166 (Power of entry to inspect buildings);

Section 167 (Emergency works may be begun without notice);

Section 168 (Service of notice of objection on builder or building owner) ;

Section 169 (Notice by district surveyor in case of irregularity);

Section 170 (Notice of irregularity after completion of building);

Section 171 (Summary proceedings on non-compliance with notice of irregularity);

Section 178 (Power of Council to pay salaries to district surveyors);

Section 179 (Council may proceed on behalf of district surveyor);

Section 181 (Return to be a certificate that works are in accordance with Act);

Section 183 (District surveyor to notify certain irregularities to Council);

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- A.D. 1930. ---
- Section 191 (Council may demolish buildings and sell materials and recover expenses);
  - Section 214 (Power of owner &c. to enter buildings and execute work);
  - Section 215 (Limitation of time for proceedings where notice not given);
  - Section 230 (Buildings not to be altered so as not to conform to Act);
  - Section 232 (Additions to and alterations of buildings);
  - Section 233 (Application of Act to buildings erected before commencement of Act);
  - Paragraph (c) of subsection (1) of section 235 (Savings).

PART IX.

RIGHTS OF BUILDING AND ADJOINING OWNERS.

Rights of owners of adjoining lands respecting erection of walls on line of junction.

113. Where lands of different owners adjoin and are unbuilt on at the line of junction and either owner is about to build on any part of the line of junction the following provisions shall have effect :—

- (1) If the building owner desires to build a party wall on the line of junction he may serve notice thereof on the adjoining owner describing the intended wall :
- (2) If the adjoining owner consents to the building of a party wall the wall shall be built half on the land of each of the two owners or in such other position as may be agreed between the two owners :
- (3) The expense of the building of the party wall shall be from time to time defrayed by the two owners in due proportion regard being had to the use made or to be made of the wall by the two owners respectively :
- (4) If the adjoining owner does not consent to the building of a party wall the building owner shall not build the wall otherwise than as an external wall placed wholly on his own land :

(5) If the building owner does not desire to build a party wall on the line of junction but desires to build an external wall placed wholly on his own land he may serve notice thereof on the adjoining owner describing the intended wall: A.D. 1930.

(6) Where in either of the cases aforesaid the building owner proceeds to build an external wall on his own land he shall have a right at his own expense at any time after the expiration of one month from the service of the notice to place on the land of the adjoining owner below the level of the lowest floor the projecting footings of the external wall with concrete or other solid substructure thereunder making compensation to the adjoining owner or occupier for any damage occasioned thereby the amount of such compensation if any difference arises to be determined in the manner in which differences between building owners and adjoining owners are hereinafter directed to be determined.

114. The building owner shall have the following rights in relation to party structures (that is to say):— Rights of building owner.

- (1) A right to make good underpin or repair any party structure which is defective or out of repair :
- (2) A right to pull down and rebuild any party structure which is so far defective or out of repair as to make it necessary or desirable to pull it down :
- (3) A right to pull down any timber or other partition which divides any buildings and does not conform to this Act and to build instead a party wall conforming thereto :
- (4) In the case of buildings having rooms or storeys being the property of different owners inter-mixed a right to pull down such of the said rooms or storeys or any part thereof as are not built in conformity with this Act and to rebuild the same in conformity with this Act :
- (5) In the case of buildings connected by arches or communications over public ways or over passages belonging to other persons a right to pull down such of the said buildings arches

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- or communications or such parts thereof as are not built in conformity with this Act and to rebuild the same in conformity with this Act :
- (6) A right to raise and underpin any party structure permitted by this Act to be raised or underpinned or any external wall built against such party structure upon condition of making good all damage occasioned thereby to the adjoining premises or to the internal finishings and decorations thereof and of carrying up to the requisite height all flues and chimney stacks belonging to the adjoining owner on or against such party structure or external wall :
  - (7) A right to pull down any party structure which is of insufficient strength for any building intended to be built and to rebuild the same of sufficient strength for the above purpose upon condition of making good all damage occasioned thereby to the adjoining premises or to the internal finishings and decorations thereof :
  - (8) A right to cut into any party structure upon condition of making good all damage occasioned to the adjoining premises by such operation :
  - (9) A right to cut away any footing or any chimney breasts jambs or flues projecting or other projections from any party wall or external walls in order to erect an external wall against such party wall or for any other purpose upon condition of making good all damage occasioned to the adjoining premises by such operation :
  - (10) A right to cut away or take down such parts of any wall or building of an adjoining owner as may be necessary in consequence of such wall or building overhanging the ground of the building owner in order to erect an upright wall against the same on condition of making good any damage sustained by the wall or building by reason of such cutting away or taking down :
  - (11) A right to perform any other necessary works incident to the connection of a party structure with the premises adjoining thereto :
  - (12) A right to raise a party fence wall or to pull the same down and rebuild it as a party wall :

Provided that all the rights conferred by paragraphs (1) to (11) inclusive of this section shall be subject to this qualification that any building which was erected previously to the first day of January eighteen hundred and ninety-five shall be deemed to comply with the provisions of this Act if it complies with the provisions of the Acts of Parliament regulating buildings in London before that date.

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**115.**—(1) Where a building owner proposes to exercise any of the foregoing rights with respect to party structures the adjoining owner may by notice require the building owner to build on any such party structure such chimney copings jambs or breasts or flues or such piers or recesses or any other like works as may fairly be required for the convenience of such adjoining owner and are specified in the notice and it shall be the duty of the building owner to comply with such requisition in all cases where the execution of the required works will not be injurious to the building owner or cause to him unnecessary inconvenience or unnecessary delay in the exercise of his right.

Rights of adjoining owner.

(2) Any difference between a building owner and an adjoining owner in respect of the execution of any such works shall be determined in the manner in which differences between building owners and adjoining owners are hereinafter directed to be determined.

**116.**—(1) A building owner shall not except with the consent in writing of the adjoining owner and of the adjoining occupiers or in cases where any wall or party structure is dangerous (in which cases the provisions of Part X of this Act shall apply) exercise any of his rights under this Act in respect of any party fence wall unless at least one month or in respect of any party wall or party structure other than a party fence wall unless at least two months before doing so he has served on the adjoining owner a party wall or party structure notice stating the nature and particulars of the proposed work and the time at which the work is proposed to be commenced.

Rules as to exercise of rights by building and adjoining owners.

(2) When a building owner in the exercise of any of his rights under this Part of this Act lays open any part of the adjoining land or building he shall at his own expense make and maintain for a proper time a proper

A.D. 1930. — hoarding and shoring or temporary construction for protection of the adjoining land or building and the security of the adjoining occupier.

(3) A building owner shall not exercise any right by this Act given to him in such manner or at such time as to cause unnecessary inconvenience to the adjoining owner or to the adjoining occupier.

(4) A party wall or party structure notice shall not be available for the exercise of any right unless the work to which the notice relates is begun within six months after the service thereof and is prosecuted with due diligence.

(5) Within one month after receipt of such notice the adjoining owner may serve on the building owner a notice requiring him to build on any such party structure any works to the construction of which he is hereinbefore declared to be entitled.

(6) The last-mentioned notice shall specify the works required by the adjoining owner for his convenience and shall if necessary be accompanied by explanatory plans and drawings.

(7) If either owner does not within fourteen days after the service on him of any notice under this section express his consent thereto he shall be considered as having dissented therefrom and thereupon a difference shall be deemed to have arisen between the building owner and the adjoining owner.

Settlement  
of difference  
between  
building and  
adjoining  
owners.

**117.—**(1) In all cases not specially provided for by this Act where a difference arises between a building owner and an adjoining owner in respect of any matter connected with any work to which any notice given under this Part of this Act relates unless both parties concur in the appointment of one surveyor they shall each appoint a surveyor and the two surveyors so appointed shall select a third surveyor and such one surveyor or three surveyors or any two of them shall settle any matter from time to time during the continuance of any work to which the notice relates in dispute between such building and adjoining owner with power by his or their award to determine the right to do and the time and manner of doing any work and generally any other matter arising out of or incidental to such difference but any time so appointed for doing any work shall

not unless otherwise agreed begin until after the expiration of the period by this Part of this Act prescribed for the notice in the particular case. A.D. 1930.  
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(2) Any award given by such one surveyor or by such three surveyors or by any two of them shall be conclusive and shall not be questioned in any court with this exception that either of the parties to the difference may appeal therefrom to the county court within fourteen days from the date of the delivery of the award and the county court may subject as hereafter in this section provided rescind the award or modify it in such manner as it thinks just.

(3) If either party to the difference makes default in appointing a surveyor for ten days after notice has been served on him by the other party to make such appointment the party giving the notice may make the appointment in the place of the party so making default.

(4) The costs incurred in making or obtaining the award shall be paid by such party as the surveyor or surveyors determine.

(5) If the appellant from any such award on appearing before the county court declares his unwillingness to have the matter decided by that court and proves to the satisfaction of the judge of that court that in the event of the matter being decided against him he will be liable to pay a sum exclusive of costs exceeding fifty pounds and gives security to be approved by the judge duly to prosecute his appeal and to abide the event thereof all proceedings in the county court shall thereupon be stayed and the appellant may bring an action in the High Court against the other party to the difference.

(6) The plaintiff in such action shall deliver to the defendants an issue whereby the matters in difference between them may be tried and the form of such issue in case of dispute or in case of the non-appearance of the defendant shall be settled by the High Court and such action shall be prosecuted and issue tried in the same manner and subject to the same incidents in and subject to which actions are prosecuted and issues tried in other cases within the jurisdiction of the High Court or as near thereto as circumstances admit.

(7) If the parties to any such action agree as to the facts a special case may be stated for the opinion of the High Court and any case so stated may be brought before

A.D. 1930. the court in like manner and subject to the same incidents in and subject to which other special cases are brought before such court or as near thereto as circumstances admit and any costs incurred in the county court by the parties to such action as is mentioned in this section shall be deemed to be costs incurred in the action and be payable accordingly.

(8) Where both parties to the difference have concurred in the appointment of one surveyor for the settlement of such difference then if such surveyor refuses or for seven days neglects to act or dies or becomes incapable of acting before he has made his award the matters in dispute shall be determined in the same manner as if such single surveyor had not been appointed.

(9) Where each party to the difference has appointed a surveyor for the settlement of the difference and a third surveyor has been selected then if such third surveyor refuses or for seven days neglects to act or before such difference is settled dies or becomes incapable of acting the two surveyors shall forthwith select another third surveyor in his place and every third surveyor so selected as last aforesaid shall have the same powers and authorities as were vested in his predecessor.

(10) Where each party to the difference has appointed a surveyor for the settlement of the difference then if the two surveyors so appointed refuse or for seven days after request of either party neglect to select a third surveyor or another third surveyor in the event of the refusal or neglect to act or death or incapacity of the third surveyor for the time being the Secretary of State may on the application of either party select some fit person to act as third surveyor and every surveyor so selected shall have the same powers and authorities as if he had been selected by the two surveyors appointed by the parties.

(11) Where each party to the difference has appointed a surveyor for the settlement of the difference then if before such difference is settled either surveyor so appointed dies or becomes incapable of acting the party by whom such surveyor was appointed may appoint in writing some other surveyor to act in his place and if for the space of seven days after notice served on him by the other party for that purpose he fails so to act the other surveyor may proceed ex parte and the decision of such other surveyor shall be as effectual as if he had



been a single surveyor in whose appointment both parties had concurred and every surveyor so to be substituted as aforesaid shall have the same powers and authorities as were vested in the former surveyor at the time of his death or disability as aforesaid. A.D. 1930.

(12) Where each party to the difference has appointed a surveyor for the settlement of the difference then if either of the surveyors refuses or for seven days neglects to act the other surveyor may proceed ex parte and the decision of such other surveyor shall be as effectual as if he had been a single surveyor in whose appointment both parties had concurred.

118. A building owner his servants agents and workmen at all usual times of working may enter and remain on any premises for the purpose of executing and may execute any work which he has become entitled or is required in pursuance of this Act to execute removing any furniture or doing any other necessary thing and if the premises are closed he and they may if accompanied by a constable or other police officer break open any fences or doors in order to effect such entry : Power for building owner to enter premises.

Provided that before entering on any premises for the purposes of this section the building owner shall except in the case of emergency give fourteen days' notice of his intention so to do to the owner and occupier and in case of emergency shall give such notice as may be reasonably practicable.

119. Where a building owner intends to erect within ten feet of a building belonging to an adjoining owner a building or structure any part of which within such ten feet extends to a lower level than the foundations of the building belonging to the adjoining owner he may and if required by the adjoining owner shall (subject as hereinafter provided) underpin or otherwise strengthen the foundations of the said building so far as may be necessary and the following provisions shall have effect :— Building owner to underpin adjoining owner's building.

- (1) At least two months' notice in writing shall be given by the building owner to the adjoining owner stating his intention to build and whether he proposes to underpin or otherwise strengthen the foundations of the said building and such notice shall be accompanied by a plan and

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sections showing the site of the proposed building and the depth to which he proposes to excavate :

- (2) If the adjoining owner within fourteen days after being served with such notice gives a counter notice in writing that he disputes the necessity of or requires such underpinning or strengthening a difference shall be deemed to have arisen between the building owner and the adjoining owner :
- (3) The building owner shall be liable to compensate the adjoining owner and occupier for any inconvenience loss or damage which may result to them by reason of the exercise of the powers conferred by this section :
- (4) Nothing in this section shall relieve the building owner from any liability to which he would otherwise be subject in case of injury caused by his building operations to the adjoining owner.

Rules as to  
expenses in  
respect of  
party  
structures.

120.—(1) The following provisions shall apply with respect to expenses to be borne jointly by the building owner and adjoining owner :—

- (a) If any party structure is defective or out of repair the expense of making good underpinning or repairing the same shall be borne by the building owner and adjoining owner in due proportion regard being had to the use that each owner makes or may make of the structure ;
- (b) If any party structure is pulled down and rebuilt by reason of its being so far defective or out of repair as to make it necessary or desirable to pull it down the expense of such pulling down and rebuilding shall be borne by the building owner and adjoining owner in due proportion regard being had to the use that each owner may make of the structure ;
- (c) If any timber or other partition dividing a building is pulled down in exercise of the right by this Part of this Act vested in a building owner and a party structure is built instead thereof the expense of building such party

A.D. 1930.

structure and also of building any additional party structures that may be required by reason of the partition having been pulled down shall be borne by the building owner and adjoining owner in due proportion regard being had to the use that each owner may make of the party structure and to the thickness required for support of the respective buildings parted thereby;

- (d) If any rooms or storeys or any parts thereof the property of different owners and intermixed in any building are pulled down in pursuance of the right by this Part of this Act vested in a building owner and are rebuilt in conformity with this Act the expense of such pulling down and rebuilding shall be borne by the building owner and adjoining owner in due proportion regard being had to the use that each owner may make of such rooms or storeys;
- (e) If any arches or communications over public ways or over passages belonging to persons other than the owners of the buildings connected by such arches or communications or any parts thereof are pulled down in pursuance of the right by this Part of this Act vested in a building owner and are rebuilt in conformity with this Act the expense of such pulling down and rebuilding shall be borne by the building owner and adjoining owner in due proportion regard being had to the use that each owner may make of such arches or communications.

(2) The following provisions shall apply with respect to expenses to be borne by the building owner :—

- (a) If any party structure or any external wall built against another external wall is raised or underpinned in pursuance of the power by this Part of this Act vested in a building owner the expense of raising or underpinning the same and of making good all damage occasioned thereby and of carrying up to the requisite height all such flues and chimney-stacks belonging to the adjoining owner on or against

[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]  
                                 *Act, 1930.*

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—

- any such party structure or external wall as are by this Part of this Act required to be made good and carried up shall be borne by the building owner;
- (b) If any party structure which is of proper materials and sound or not so far defective or out of repair as to make it necessary or desirable to pull it down is pulled down and rebuilt by the building owner the expense of pulling down and rebuilding the same and of making good any damage by this Part of this Act required to be made good and a fair allowance in respect of the disturbance and inconvenience caused to the adjoining owner shall be borne by the building owner;
  - (c) If any party structure is cut into by the building owner the expense of cutting into the same and of making good any damage by this Part of this Act required to be made good shall be borne by such building owner;
  - (d) If any footing chimney breast jamb or floor is cut away in pursuance of the powers by this Part of this Act vested in a building owner the expense of such cutting away and of making good any damage by this Part of this Act required to be made good shall be borne by the building owner;
  - (e) If any party fence wall is raised for a building the expense of raising such wall shall be borne by the building owner;
  - (f) If any party fence wall is pulled down and built as a party wall the expense of pulling down such party fence wall and building the same as a party wall shall be borne by the building owner.
- (3) If at any time the adjoining owner makes use of any party structure or external wall (or any part thereof) raised or underpinned as aforesaid or of any party fence wall pulled down and built as a party wall (or any part thereof) beyond the use thereof made by him before the alteration there shall be borne by the adjoining owner from time to time a due proportion of

the expenses (regard being had to the use that the adjoining owner may make thereof)— A.D. 1930.

- (i) of raising or underpinning such party structure or external wall and of making good all such damage occasioned thereby to the adjoining owner and of carrying up to the requisite height all such flues and chimney-stacks belonging to the adjoining owner on or against any such party structure or external wall as are by this Part of this Act required to be made good and carried up; and
- (ii) of pulling down and building such party fence wall as a party wall.

**121.**—(1) An adjoining owner may if he thinks fit by notice in writing require the building owner (before beginning any work which he may be authorised by this Part of this Act to execute) to give such security as may be agreed upon or in case of difference as may be settled by the judge of the county court for the payment of all such expenses costs and compensation in respect of the work as may be payable by the building owner.

Security to be given by building owner and adjoining owner.

(2) The building owner may if he thinks fit at any time after service on him of a notice under the last foregoing subsection by the adjoining owner and before beginning a work to which the notice relates but not afterwards serve a counter notice on the adjoining owner requiring him to give such security for payment of the expenses costs and compensation for which he is or will be liable as may be agreed upon or in case of difference may be settled as aforesaid.

(3) If the adjoining owner does not within one month after service of such a counter notice as aforesaid give security accordingly he shall at the end of that month be deemed to have ceased to be entitled to compliance with his notice served under subsection (1) of this section and the building owner may proceed as if no such notice had been served on him by the adjoining owner.

**122.** Within one month after the completion of any work which a building owner is by this Part of this Act authorised or required to execute and the expense of which is in whole or in part to be borne by an adjoining owner the building owner shall deliver to the adjoining owner the building owner shall deliver to the adjoining owner

Account of expenses to be delivered to adjoining owner.

A.D. 1930. — owner an account in writing of the particulars and expense of the work specifying any deduction to which such adjoining owner or other person may be entitled in respect of old materials or in other respects and every such work shall be estimated and valued at fair average rates and prices according to the nature of the work and the locality and the market price of materials and labour for the time being.

Adjoining  
owner may  
object to  
account.

**123.** At any time within one month after the delivery of the said account the adjoining owner if dissatisfied therewith may declare his dissatisfaction to the building owner by notice in writing served by himself or his agent and specifying his objection thereto and thereupon a difference shall be deemed to have arisen between the parties and shall be determined in manner hereinbefore in this Part of this Act provided for the settlement of differences between building and adjoining owners.

Building  
owner may  
recover if no  
appeal  
made.

**124.** If within the said period of one month the adjoining owner does not declare in the said manner his dissatisfaction with the account he shall be deemed to have accepted the same and shall pay the same on demand to the party delivering the account and if he fails to do so the amount so due may be recovered as a debt.

Structure to  
belong to  
building  
owner until  
contribution  
paid.

**125.** Where the adjoining owner is liable to contribute to the expenses of building any party structure then until such contribution is paid the building owner at whose expense the same was built shall stand possessed of the sole property in the structure.

Adjoining  
owner liable  
to expenses  
incurred on  
his requisition.

**126.** The adjoining owner shall be liable for all expenses incurred on his requisition by the building owner and in default the amount of those expenses may be recovered from him as a debt.

Saving for  
lights &c. in  
party walls.

**127.** Nothing in this Act shall authorise any interference with an easement of light or other easements in or relating to a party wall or prejudicially affect any right of any person to preserve or restore any light or other thing in or connected with a party wall in case of the party wall being pulled down or rebuilt.

PART X.

A.D. 1930.

DANGEROUS AND NEGLECTED STRUCTURES.

*Dangerous Structures.*

128. In this Part of this Act—

Interpreta-  
tion for  
Part X of  
Act.

- (a) the expression “ structure ” includes any building wall or other structure and anything affixed to or projecting from any building wall or other structure; and
- (b) the expression “ district surveyor ” includes any surveyor required to make a survey under the next following section.

129.—(1) Where it is made known to the Council that any structure is in a dangerous state the Council shall require a survey of such structure to be made by the district surveyor or by some other competent surveyor.

Survey to  
be made of  
dangerous  
structures.

(2) The district surveyor shall make known to the Council any information which he may receive with respect to any structure being in a dangerous state.

(3) It shall be lawful for the district surveyor to enter into any structure or upon any land upon which any structure is situate for the purpose of making a survey of such structure.

130. In cases where any such structure is situate within the city this Part of this Act so far as it relates to dangerous structures shall be read as if the common council were named therein instead of the Council and all costs and expenses of and all payments hereby directed to be made by or to the common council shall be made by or to the chamberlain of the city out of or to the general rate made by the common council in the same manner as payments are made by or to the chamberlain of the city in the ordinary course of his business.

Effect of  
this Part of  
Act in city.

131. The district surveyor shall upon completing any such survey of a structure as aforesaid certify to the Council his opinion as to the state of the structure.

Surveyor  
to give  
certificate.

132. If the certificate is to the effect that the structure is not in a dangerous state no further proceedings shall be taken in respect thereof but if it is to the effect that the structure is in a dangerous state the Council may cause it to be shored up or otherwise secured and a proper

Notice to be  
given to  
owner in  
respect of  
certificate.

A.D. 1930.      hoard or fence to be put up for the protection of passengers  
—      and shall cause notice to be served on the owner or  
occupier of the structure requiring him forthwith to take  
down secure or repair it as the case requires.

Proceedings  
to enforce  
compliance  
with notice.

**133.**—(1) If the owner or occupier on whom the notice is served fails to comply as speedily as the nature of the case permits with the notice a petty sessional court on complaint by the Council may order the owner to take down repair or otherwise secure to the satisfaction of the district surveyor the structure or such part thereof as appears to the court to be in a dangerous state within a time to be fixed by the order and if the structure or part is not taken down repaired or otherwise secured within the time so limited the Council may with all convenient speed cause all or so much of the structure as is in a dangerous condition to be taken down repaired or otherwise secured in such manner as may be requisite :

Provided that if the owner of the structure disputes the necessity of any of the requisitions comprised in the notice he may by notice in writing to the Council within seven days from the service of the notice upon himself require that the dispute shall be referred to arbitration.

(2) In case the owner requires arbitration he may at the time of giving such notice appoint an independent surveyor to report on the condition of the structure in conjunction with the district surveyor within seven days of the receipt by the Council of the notice of appointment of the owner's surveyor and all questions in dispute which cannot be agreed between the owner's surveyor and the district surveyor shall be referred for final decision to a third surveyor who before the owner's surveyor and the district surveyor enter upon the discussion of the question in dispute shall be appointed to act as arbitrator by them or in the event of their disagreeing by a petty sessional court on the application of either of them. The arbitrator shall make his award within fourteen days after any such reference to him as aforesaid.

(3) The notice served by the Council shall be discharged amended or confirmed in accordance with the decision of the two surveyors or the arbitrator as the case may be.

(4) Unless the arbitrator otherwise directs the costs of and incident to the determination by the two surveyors or the arbitrator of the question in dispute shall



be borne and paid in the event of such determination being adverse to the contention of the district surveyor by the Council or in the event of such determination being adverse to the contention of the owner's surveyor by the owner. A.D. 1930. —

**134.** Notwithstanding any such notice requiring arbitration as aforesaid a petty sessional court on complaint by the Council may if of opinion that the structure is in such a dangerous condition as to require immediate treatment make any order which such court may think fit with respect to the taking down repairing or otherwise securing the structure. Court may make order notwithstanding arbitration.

**135.**—(1) All expenses incurred by the Council in relation to the obtaining of any order as to a dangerous structure and carrying the order into effect under this Part of this Act shall be paid by the owner of the structure but without prejudice to his right to recover the amount of the said expenses from any person liable to pay the expenses of repairs. Expenses.

(2) If the owner cannot be found or if on demand he refuses or neglects to pay the said expenses the Council after serving on him three months' notice of their intention to do so may if they think fit sell the structure but they shall after deducting from the proceeds of the sale the amount of all expenses incurred by them pay the surplus (if any) to the owner on demand.

**136.** Where under this Part of this Act any dangerous structure is sold for payment of the expenses incurred in respect thereof by the Council the purchaser his agents and servants may enter upon the land whereon the structure is standing for the purpose of taking it down and of removing the materials of which it is constructed. Provisions respecting sale of dangerous structures.

**137.** Where the proceeds of the sale of any such structure are insufficient to repay to the Council the amount of the expenses incurred by them in respect of such structure no part of the land whereon the structure stands or stood shall be built upon until after the balance due to the Council in respect of the structure has been paid. If proceeds insufficient land not to be built on till balance paid.

**138.** If the materials are not sold by the Council or if the proceeds of the sale are insufficient to defray Recovery of expenses.

A.D. 1930. — the said expenses the Council may recover the expenses or the balance thereof from the owner of the structure together with all costs in respect thereof in a summary manner.

Power to remove inmates from dangerous structure.

**139.** Where a structure has been certified by a district surveyor to be dangerous to its inmates a petty sessional court may if satisfied of the correctness of the certificate upon the application of the Council by order direct that any inmates of such structure be removed therefrom by a constable or other police officer and if they have no other abode he may require them to be received into the workhouse for the place in which the structure is situate.

*Neglected Structures.*

Removal of dilapidated and neglected structures.

**140.**—(1) Where a structure is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a petty sessional court on complaint by the Council may order the owner to take down or repair or rebuild such structure (in this Act referred to as a “neglected structure”) or any part thereof or to fence in the ground upon which it stands or any part thereof or otherwise to put the structure or any part thereof into a state of repair and good condition to the satisfaction of the Council within a reasonable time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing.

(2) If the order is not obeyed the Council may with all convenient speed enter upon the neglected structure or such ground as aforesaid and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Council in executing the order may remove the materials to a convenient place and (unless the expenses of the Council under this section in relation to such structure are paid to them within fourteen days after such removal) sell the materials if and as they think fit.

(4) All expenses incurred by the Council under this section in relation to a neglected structure may be

deducted by the Council from the proceeds of the sale and the surplus (if any) shall be paid by the Council on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down and such materials are not sold by the Council or if the proceeds of the sale are insufficient to defray such expenses the Council may recover in a summary manner from the owner of the structure the amount of the said expenses or of the insufficiency as the case may be and of all costs incurred by the Council in recovering that amount but without prejudice to his right to recover the said amount from any lessee or other person liable to pay the expenses of repairs.

A.D. 1930.

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*Supplemental as to Dangerous and Neglected Structures.*

141.—(1) Where the Council have incurred any expenses in respect of any dangerous or neglected structure and have not been paid or have not recovered the same a petty sessional court on complaint by the Council may make an order fixing the amount of such expenses and the costs of the proceedings before such petty sessional court and directing that no part of the land upon which such dangerous or neglected structure stands or stood shall be built upon or that no part of such dangerous or neglected structure if repaired or rebuilt shall be let for occupation until after payment to the Council of such amount and thereupon and until payment to the Council of such amount no part of such land shall be built upon and no part of such dangerous or neglected structure so repaired or rebuilt shall be let for occupation.

Provision  
for enforcing  
repayment  
of expenses  
incurred by  
Council

(2) Every such order shall be made in duplicate and one copy of such order shall be retained by the proper officer of the court and the other copy shall be kept at the County Hall.

(3) The Council shall keep at the County Hall a register of all orders made under this section and shall keep the same open for inspection by all persons at all reasonable times and any such order not entered in that register within ten days after the making thereof shall cease to be of any force No property shall be affected by any such order unless and until such order is entered in that register.

A.D. 1930.      **142.**—(1) The fees specified in Part I of the Fourth  
— Schedule to this Act shall be payable in accordance  
Fees on with the provisions thereof to the Council by the owner  
dangerous of a dangerous or neglected structure.  
or neglected  
structures to  
Council.

(2) If in consequence of the failure of the owner of a dangerous structure to comply with an order of a petty sessional court made under this Part of this Act the Council themselves cause all or part of the structure to be taken down repaired or otherwise secured the owner so in default shall in addition to any expenses payable by him to the Council under this Part of this Act pay to the Council fees calculated in accordance with the provisions of Part II of the said Fourth Schedule.

(3) Any such fees as aforesaid shall be recoverable from the owner by the Council summarily as a civil debt.

#### PART XI.

##### DANGEROUS AND NOXIOUS BUSINESSES.

Regulations  
for building  
near  
dangerous  
business.

**143.**—(1) No person shall erect any building nearer than fifty feet to a building used for any dangerous business :

Provided that where a building erected before the ninth day of August eighteen hundred and forty-four within fifty feet from any building for the time being used for any such dangerous business is pulled down burnt or destroyed by tempest such building may be rebuilt.

(2) No person shall establish or carry on a dangerous business in any building or vault or in the open air at a less distance than forty feet from any public way or than fifty feet from any other building or any vacant ground belonging to any person other than his landlord.

(3) In the case of the erection of any building in proximity to a building used or intended to be used for any dangerous business or in the case of any building in which it is proposed to establish or carry on any such business or in which any such business is carried on the Council may waive or relax to such extent as they think fit any of the provisions or requirements

of this section either unconditionally or upon and subject to such conditions as to site and construction as they deem expedient. A.D. 1930.  
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(4) For the purposes of the foregoing provisions of this section the following shall be deemed not to be places used for a dangerous business or places in which a dangerous business is carried on :—

- (a) any premises or parts of premises in respect of which a licence is in force under the provisions of the Petroleum (Consolidation) Act 1928 or the Explosives Act 1875 or in respect of which regulations made by the Secretary of State under section 79 of the Factory and Workshop Act 1901 are in force;
- (b) any premises which were used as a match factory on the first day of January nineteen hundred and fourteen and in which the only dangerous business carried on is the manufacture of matches if and so long as that manufacture is carried on in conditions not less favourable for the prevention or diminution of danger to life or property by fire or explosion than those in which it was being carried on at the date aforesaid;
- (c) any premises in which the only dangerous business carried on is the manufacture of varnish turpentine turpentine substitute paint resin tar Brunswick black bitumen creosote or polish or some other manufacture which is a dangerous business by reason only of the employment therein of one or more of the substances mentioned in the foregoing provisions of this paragraph if and so long as the manufacture is carried on without the employment of direct heating by fire or flame or in such conditions as to obviate so far as practicable the possibility of the ignition of any such substances or of inflammable vapours or dust given off or of inflammable substances used in the course of the manufacture.

(5) Any officer duly authorised by the Council in that behalf may at all reasonable times enter and inspect any premises in or upon which is carried on any manufacture

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*Act, 1930.*

A.D. 1930. — mentioned in paragraph (b) or paragraph (c) of the last foregoing subsection for the purpose of ascertaining whether or not those premises are within the exemption conferred by that subsection.

Regulations for building near noxious business.      **144.**—(1) No person shall establish or carry on a noxious business in any building or vault or in the open air at a less distance than forty feet from any public way or than fifty feet from any dwelling-house.

(2) No person shall erect any dwelling-house nearer than fifty feet to a building used for any noxious business :

Provided that where a dwelling-house erected before the ninth day of August eighteen hundred and forty-four within fifty feet from any building for the time being used for any noxious business is pulled down burnt or destroyed by tempest such dwelling-house may be rebuilt.

Saving for gasworks and distilleries.      **145.** The provisions of this Part of this Act shall not apply to any public gasworks nor to any premises used for the purpose of distillation or the rectification of spirits under the survey of the Commissioners of Customs and Excise or their officers.

## PART XII.

### DWELLING-HOUSES ON LOW-LYING LAND.

Dwelling-houses on low-lying land.      **146.**—(1) No person shall on low-lying land—

(a) erect any building for use wholly or in part as a dwelling-house or rebuild for such use any building which has been pulled down to or below the floor commonly called the ground floor ; or

(b) adapt any building for such use ;

except with the consent of the Council and subject to and in accordance with such regulations as the Council may prescribe with reference to the erection rebuilding or adaptation of buildings on low-lying land.

(2) The Council may by regulations—

(a) prohibit or regulate the erection rebuilding or adaptation of buildings wholly or in part for

use as dwelling-houses on low-lying land or any defined area of such land; A.D. 1930.

- (b) prescribe the level at which the underside of the lowest floor of any building erected rebuilt or adapted or proposed to be erected rebuilt or adapted with their consent on such land or any defined area of such land shall be placed and the provision to be made and maintained by the owner of such building for securing the efficient and proper drainage of the building.

(3) Any person requiring the consent of the Council under this section shall make application therefore to the Council and the matter shall thereupon be referred to the chief engineer of the Council who shall decide whether and if so upon what conditions such consent may be granted and any such decision shall be given by the said engineer by a certificate in writing under his hand.

(4) Any person objecting to any regulation made by the Council under the foregoing provisions of this section or to the refusal of the Council to grant a consent under those provisions or to any requirement or condition attached to any such consent or to any decision of the said engineer may appeal to the tribunal of appeal.

(5) The Council may by regulations prescribe the procedure to be followed by persons making applications under this section.

147.—(1) No regulations made by the Council under this Part of this Act shall have any force until a copy thereof has been published in the London Gazette and it shall be the duty of the Council to give notice of such regulations by publishing a copy thereof in two or more daily newspapers circulating in London. Regulations as to building on low-lying land.

(2) Printed copies of every regulation in force under this Part of this Act shall be kept at the County Hall and shall be supplied free of charge to any person concerned who may apply for the same.

148. Nothing in this Part of this Act shall affect any exemption to which the Port of London Authority is entitled under any Act. Saving for Port of London Authority.

A.D. 1930.

PART XIII.

SKY SIGNS.

Prohibition  
of sky signs.

**149.** It shall be unlawful to erect any sky sign.

Removal  
of sky signs.

**150.**—(1) If any sky sign is erected in contravention of the provisions of this Act it shall be lawful for proceedings to be taken for the taking down and removal of the sky sign in the same manner in all respects as if it was a structure certified to be in a dangerous state under Part X of this Act (except that the proceedings shall be taken by the local authority instead of the Council and the provisions of the said Part with respect to arbitration shall not apply) and it shall be lawful for the local authority or any officers or workmen appointed by them for that purpose (after obtaining the order of a petty sessional court for the taking down of the sky sign and after the expiration of the period if any fixed by such order) to enter upon the land building or premises on or over which the sky sign is erected and to take down and remove the sky sign and do any work which may be necessary for that purpose and for leaving any building to which the sky sign was attached in a condition of safety and all expenses of and incidental to any such work shall be repaid and be recoverable as though they were a penalty imposed by this Act.

(2) For the purposes of the last foregoing subsection the said Part X shall have effect as if the expression "owner" therein contained meant the occupier of the house building or structure on or to which the sky sign is erected or attached or if the house building or structure is unoccupied then the person who is the owner thereof within the meaning of section 5 of this Act and as if for references in the said Part X to the Council there were substituted references to the local authority.

(3) In the case of any default of any local authority other than the common council in performing any of their duties under or in enforcing any of the provisions of this section the provisions of sections 100 and 101 of the Public Health (London) Act 1891 shall apply with respect thereto as if the default were a default under that Act.



(4) All costs and expenses incurred by the common council in the execution of this Part of this Act shall be defrayed as part of their expenses out of the general rate of the city of London. A.D. 1930. —

#### PART XIV.

##### SUPERINTENDING ARCHITECT AND DISTRICT SURVEYORS.

**151.** In this Part of this Act and the Fifth Schedule to this Act unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):—

Interpre-  
tation for  
Part XIV  
of Act.

“cost” in relation to any addition alteration or other work means the total cost of and incidental to the addition alteration or other work exclusive of the cost of such decorations fittings and other matters of a like kind as are not subject to the supervision of the district surveyor under this Act ;

“cubical extent” in relation to a building or structure or proposed building or structure means the space contained or proposed to be contained within the external surfaces of its walls and roof and the plane of the foundations of the building or structure :

Provided that—

(a) where the building or structure or part thereof is or is proposed to be wholly or partly enclosed vertically by party or division walls the external surface of each such wall shall be deemed to correspond with a plane bisecting the thickness thereof ;

(b) where the building or structure is or is proposed to be on one or more of its sides not enclosed by a wall or walls the building or structure shall be deemed to be enclosed by walls with the external surfaces thereof in a vertical plane extending from the outer edge of the roof to the ground ; and

(c) where the building or structure is or is proposed to be erected without a roof the building or structure shall be deemed

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to be covered in with a roof with the external surface thereof in a plane with the tops of the walls or other enclosures of such building or structure ;

“ plane of the foundations ” in relation to a building or structure means—

(i) where the foundations are wholly of the trench type or wholly in the form of a raft or partly of the trench type and partly in the form of a raft the level of the bottom of the trenches or of the under-surface of the raft or (where the foundations are not of an uniform depth) the mean level (having regard to both area and depth) of the bottoms of the trenches and of the under-surface of the raft ;

(ii) where the whole of the building or structure is erected upon piers or piles the level of one-half of the average vertical length of the piers or piles ;

(iii) where a part or parts only of the building or structure is or are erected upon piers or piles the level or (where the foundations are not of an uniform depth) the mean level (having regard to both area and depth) of the part or parts so erected ascertained according to the foregoing paragraph (ii) and of the remainder of the building or structure ascertained according to the foregoing paragraph (i) :

Provided that where a building or structure is existing at the time of the making or doing thereto or thereon of any alteration addition or other work and the depth of the foundations of such building or structure cannot be readily ascertained the expression “ plane of the foundations ” means a level two feet below the upper surface of the lowest floor of the building or structure if the building or structure is less than four storeys in height and five feet below such upper surface if the building or structure is four or more storeys in height and that where the surface of such lowest floor is not of an uniform level the mean level thereof (having regard to both area and depth) shall be deemed to be the upper surface thereof.

**152.**—(1) The Council may for the purpose of aiding in the execution of this Act appoint some fit person to be called “the superintending architect of metropolitan buildings” together with such number of clerks as they think fit.

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Appoint-  
ment of  
super-  
intending  
architect.

(2) Such architect and clerks shall be removable by the Council and perform such duties as the Council direct.

(3) The superintending architect shall not practise as an architect or follow any other occupation.

(4) There shall be paid to the superintending architect and clerks such salaries as the Council may direct.

**153.** If the superintending architect is prevented by illness infirmity or any other unavoidable cause from attending to the duties of his office he may with the consent of the Council appoint some other person as his deputy to perform all his duties for such time as he may be temporarily prevented from executing them.

Power of  
superin-  
tending  
architect to  
appoint  
deputy.

**154.** Subject to the provisions of this Act every building or structure and every work done to in or upon any building or structure and all matters relating to the width and direction of streets the general line of buildings in streets the provision of open spaces about buildings and the height of buildings shall be subject to the supervision of the district surveyor appointed to the district in which the building structure or street is situate.

Supervision  
of buildings  
by district  
surveyors.

**155.**—(1) The Council shall have the following powers with regard to the district surveyors and their districts (that is to say):—

Powers of  
Council as  
to district  
surveyors  
and dis-  
tricts.

- (a) they may alter the limits of the district of any district surveyor or unite any two or more such districts and place any such altered district under the supervision of any district surveyor and do all such things as are necessary for carrying into effect the power hereby given;
- (b) they may dismiss or suspend any district surveyor and in case of any suspension or during any vacancy may appoint a temporary substitute;
- (c) on a vacancy occurring in the office of a district surveyor they may appoint in his place another person duly qualified;

A.D. 1930.      (d) they may pay such amount of compensation as  
— they think fit or as in case of disagreement is  
determined by the tribunal of appeal to any  
district surveyor who is deprived of his office  
in pursuance of the power hereby given of  
altering the limits of districts.

(2) Subject to the foregoing provisions of this  
section the districts of district surveyors existing at the  
commencement of this Act are hereby continued.

Examina-      156. The Royal Institute of British Architects may  
tion of can- cause to be examined by such persons and in such manner  
didates for as they think fit all candidates presenting themselves  
office of for the purpose of being examined as to their competency  
district sur- to perform the duties of district surveyor and shall grant  
veyor. certificates of competency to the candidates found to  
deserve them and a person who has not already filled the  
office of district surveyor shall not be qualified to be  
appointed to that office unless he has received a certificate  
of competency from that institute or has been examined  
in such other manner as the Council may direct and been  
found competent.

District      157. Every district surveyor shall have and main-  
surveyor tain an office at his own expense in such part of his  
to have an district as may be approved by the Council and the Council  
office. shall forthwith communicate to the local authority any  
change in the office of such district surveyor.

Power of      158. If any district surveyor is prevented by illness  
district infirmity or any other unavoidable circumstance from  
surveyor attending to the duties of his office he may with the  
to appoint consent of the Council appoint some other person as his  
deputy. deputy to perform all his duties for such time as he  
may be prevented from executing them.

Power to      159. Where it appears to the Council that any  
appoint district surveyor cannot by reason of the pressure of  
assistant business in his district or for any other reason discharge  
district his duties promptly and efficiently the Council may direct  
surveyor. any other district surveyor or appoint some other person  
to assist the surveyor of that district in the performance  
of his duties and any district surveyor or other person  
so directed or appointed shall be entitled to receive all  
fees payable in respect of the services performed by him.

**160.** If any building or structure is executed or any work done to in or upon any building or structure by or under the superintendence of any district surveyor acting professionally or on his own private account that surveyor shall not survey such building or structure for the purposes of this Act or act as district surveyor in respect thereof or in any matter connected therewith but it shall be his duty to give notice to the Council who shall then appoint some other district surveyor to act in respect of the matter.

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—  
District  
surveyor  
not to act in  
case of  
work under  
his profes-  
sional super-  
intendence.

**161.—(1)** In the following cases and at the following times (that is to say) :—

Building  
notices to be  
given to  
district  
surveyor by  
builder.

- (a) where a building or structure or work is about to be begun then two clear days before it is begun; and
- (b) where a building or structure or work is after the beginning thereof suspended for any period exceeding three months then two clear days before it is resumed; and
- (c) where during the progress of a building or structure or work the builder employed thereon is changed then two clear days before a new builder enters upon the continuance thereof;

the builder shall serve on the district surveyor a notice (in this Act referred to as a “ building notice ”) respecting the building or structure or work. All works in progress at the same time to in or on the same building or structure may be included in one building notice.

(2) Every building notice shall state the situation area height number of storeys and intended use of the building or structure and the number of buildings or structures if more than one and the particulars of the proposed work and the name and address of the person giving the notice and those of the owner then in possession of and the occupier of the building or structure or of its site or intended site.

**162.—(1)** The builder shall state in the building notice in addition to the matters mentioned in the last foregoing section the cubical extent of the building or structure and in the case of any addition alteration or other work to which the provisions of this Act apply proposed to be made or done to or on a building or

Building  
notice to  
contain  
statement  
as to cubical  
extent and  
information

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

A.D. 1930. structure the builder shall state in the building notice  
the cubical extent of the building or structure as proposed  
to be altered :

—  
as to cost  
to be given  
to district  
surveyor.

Provided that the district surveyor may subject to  
such conditions (if any) as he deems expedient in any  
case waive the requirements of this subsection.

(2) The builder shall within fourteen days after  
the completion of any such addition alteration or other  
work as aforesaid give to the district surveyor informa-  
tion in writing of the cost thereof and shall within  
fourteen days after the receipt of a written request from  
the district surveyor furnish to him such information  
and evidence as he may reasonably require with reference  
to the cost thereof.

(3) If any proceedings are taken for the recovery of  
any fees in respect of any building structure addition  
alteration or other work and the court before which such  
proceedings are taken are of opinion that no such state-  
ment of cubical extent as aforesaid has been made or  
that any information or evidence as to cost which should  
have been given or furnished under the provisions of the  
last foregoing subsection has not been given or furnished  
or that any such statement information or evidence is in  
any respect erroneous the court may in such proceedings  
determine the cubical extent of the building or structure  
and the cost of the addition alteration or other work or  
either of such matters and the appropriate fee payable  
to the district surveyor in respect thereof under the  
provisions of this Act and such determination shall  
be final.

(4) Nothing in the foregoing provisions of this  
section shall apply to any building structure or work  
which is exempt from the provisions of Parts VI and VII  
of this Act.

Use of  
certain  
information.

**163.** Information as to the cost of any addition  
alteration or other work given to a district surveyor  
under the last foregoing section shall not be used for any  
purposes other than the purposes of this Act.

District  
surveyor to  
enforce  
execution  
of Act.

**164.** Every district surveyor shall upon the receipt  
of any building notice and also upon any work being  
observed by or made known to him which is affected  
by the provisions of this Act or byelaws made thereunder

but in respect of which no notice has been given and also from time to time during the progress of any work affected by such provisions and byelaws as often as may be necessary for securing the due observance of such provisions and byelaws survey any building or work hereby placed under his supervision and cause all such provisions and byelaws to be duly observed. A.D. 1930.  
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**165.** Every building notice served under section 161 of this Act shall be deemed in any question relating thereto to be *prima facie* evidence as against the builder of the nature of the building structure or work referred to in the building notice. Notice to be evidence of intended works.

**166.—(1)** The district surveyor of any district at all reasonable times during the progress and during fourteen days next after the completion of any building structure or work in that district affected by any of the provisions of this Act or by any byelaws made thereunder or by any terms or conditions on which the observance of any such provisions or byelaws have been dispensed with may enter and inspect such building structure or work. Power of entry to inspect buildings.

(2) The district surveyor may for the purpose of ascertaining whether any buildings erected in any premises are in such a situation or possess such characteristics as are required in order to exempt them from the operation of this Part of this Act at all reasonable times and after reasonable notice enter those premises and he may do therein all such things as are reasonably necessary for the said purpose :

Provided that nothing in this subsection shall apply to any building exempt from the operation of Parts VI and VII of this Act.

**167.** Where by reason of any emergency any act or work is required to be done immediately or before the building notice relating thereto can be given that act or work may be done on condition that before the expiration of twenty-four hours after it has been begun notice thereof is served on the district surveyor For the purposes of section 165 of this Act every such notice shall be deemed to be a building notice referred to in that section. Emergency works may be begun without notice.

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Service of  
notice of  
objection on  
builder or  
building  
owner.

**168.** Where it appears from the building notice served on the district surveyor under this Act that it is proposed to erect any building or structure or to do any work to in or upon any building which will be in contravention of this Act or that anything required by this Act is proposed to be omitted the district surveyor shall serve upon the builder or building owner a notice of objection to such proposed erection and in the event of the builder or the building owner being dissatisfied with the decision of the surveyor he may within fourteen days of the date of service of the notice of objection appeal to a petty sessional court who may make an order either affirming the objection or otherwise.

Notice by  
district  
surveyor  
in case of  
irregularity.

**169.** In any of the following cases (that is to say) :—

- (a) where in erecting any building or structure or in doing any work to in or upon any building anything is done in contravention of this Act or anything required by this Act is omitted to be done; or
- (b) where the district surveyor on surveying or inspecting any building or work in respect of which notice has not been served as required by this Part of this Act finds that it is so far advanced that he cannot ascertain whether anything has been done in contravention of this Act or whether anything required by this Act has been omitted to be done;

the district surveyor shall serve on the builder engaged in erecting the building or structure or in doing the work a notice (hereinafter referred to as a “notice of irregularity”) requiring him within forty-eight hours from the date of the notice to cause anything done in contravention of this Act to be amended or to do anything required to be done by this Act which has been omitted to be done or to cause so much of any building structure or work as prevents the district surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient extent cut into laid open or pulled down.

Notice of  
irregularity  
after com-  
pletion of  
building.

**170.—(1)** In order to provide for the service of a notice of irregularity after and notwithstanding that the building or structure has ceased to be in charge of or



A.D. 1930.

- 171.**—(1) If the person on whom the notice of irregularity is served makes default in complying with that notice within the period named therein a petty sessional court may on complaint made in a summary manner by the district surveyor make an order on that person requiring him to comply within a time to be
- Summary  
proceedings  
on non-  
compliance  
with notice  
of irregu-  
larity.

A.D. 1930. — named in the order with the notice or with any requisitions therein which may in the opinion of the court be authorised by this Act.

(2) If the order is not complied with the Council may if they think fit after giving seven days' notice to that person enter with a sufficient number of workmen upon the premises and do all things necessary for enforcing the requisitions of the notice and for bringing any building or work into conformity with the provisions of this Act and all expenses incurred by the Council in so doing may be recovered in a summary way either from the person on whom the order was made or from the owner of the premises.

Fees payable by Council to district surveyors.

172.—(1) The Council shall pay to every district surveyor—

- (a) in respect of any service required to be performed by the district surveyor under this Act in relation to the formation or laying out of streets lines of building frontage and any like service such fees as the Council from time to time determine; and
- (b) in respect of the performance of the duties under sections 104 and 105 of this Act mentioned in Part I of the Fifth Schedule to this Act the fees specified in the said Part I; and
- (c) in respect of his services under Part X of this Act in relation to any dangerous structure the fees specified in Part II of the Fifth Schedule to this Act; and
- (d) in respect of any special service required to be performed by the district surveyor under the said Part X for which a fee is not specified in Part II of the said schedule such fee as the Council think fit to determine; and
- (e) in respect of any work done by the district surveyor in relation to the preparation and giving of evidence before the tribunal of appeal such fees as may be from time to time determined by the tribunal of appeal.

(2) All fees paid by the Council under this section in connection with any dangerous structure shall be deemed to be expenses incurred by the Council in the matter of that structure and shall be recoverable from the owner thereof by the Council accordingly.

**173.** The following provisions shall have effect with respect to fees payable by builders or by owners or occupiers to district surveyors (that is to say) :—

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—  
Fees payable by builders or by owners or occupiers.

- (1) The builder or in his default the owner or occupier as the case may be of a building structure or work mentioned in Part III of the Fifth Schedule to this Act shall pay to the district surveyor in respect of such building structure or work fees in accordance with the said Part III or such other fees not exceeding the amount specified in the said Part III as may from time to time be directed by the Council :
- (2) Where under the provisions of section 58 or section 59 of this Act or of any regulations in force thereunder any building is erected or converted or any addition or alteration or any other work is made or done to or on any building the builder or in his default the owner or occupier as the case may be of the building shall pay to the district surveyor fees in accordance with Part IV of the Fifth Schedule to this Act ;
- (3) The builder employed in erecting any building or in doing any work or matter in respect of which any service has been performed by the district surveyor under the provisions of Part VIII of this Act or in default of the builder the owner or occupier as the case may be of such building or of any building in respect whereof such work or matter has been done shall pay to the district surveyor fees in accordance with Part V of the Fifth Schedule to this Act :
- (4) Where any work or service is carried out or performed by the district surveyor in pursuance of Part VIII of this Act the fees payable to him under paragraph (b) of subsection (1) of the last foregoing section or under the last foregoing paragraph of this section shall be in addition to and not in substitution for any fees which may be payable to him under any other provisions of this Act.

**174.** In calculating any fee payable to district surveyors the amount whereof is to be calculated in accordance with the Fifth Schedule to this Act regard

Calculation of district surveyors' fees.

A.D. 1930.      shall be had to the regulations set out in Part VI of that  
—      schedule.

Amount of      **175.** The amount of any fee payable to a district  
fees.      surveyor under this Act shall be the amount thereof  
payable at the time at which the fee becomes due.

Increase or      **176.—(1)** The Council may from time to time vary  
decrease by      the amount of all or any of the fees referred to in the  
Council of      Fifth Schedule to this Act and in the case of any such  
district      variation the said schedule shall have effect accordingly :  
surveyors'      fees.

Provided that the amount as so varied of any  
such fee shall not at any time exceed or be less than  
the amount of that fee mentioned in or calculated  
in accordance with the said schedule by more than  
twenty-five per centum of such last-mentioned amount.

(2) If the amount of any of the said fees is at any  
time varied under the provisions of this section no other  
variation of the amount of any of the said fees shall be  
made until after the expiration of a period of two years  
from the date of the last preceding variation.

(3) The Council shall give notice by advertisement  
in two or more daily newspapers circulating in London  
and otherwise in such manner as they deem sufficient  
of any variation under the provisions of this section of  
any of the said fees and any such variation shall take  
effect on a date six months after the date of publication  
of such notice and not earlier.

Periods      **177.—(1)** At the expiration of the following periods  
when      (that is to say) :—  
district      (a) fourteen days after the roof of any building  
surveyors      surveyed by a district surveyor under this  
entitled to      Act has been covered in ; and  
fees.

(b) fourteen days after the completion of any work  
by this Act placed under the supervision of a  
district surveyor ; and

(c) fourteen days after any special service in respect  
of any building structure or land has been  
performed by a district surveyor ;

the district surveyor shall be entitled to receive the fees  
due to him from the builder employed in erecting such  
building or structure or in doing such work or in doing  
any matter in respect of which any special service has

been performed by the surveyor or from the owner or occupier of the building or structure so erected or in respect of which such work has been done or service performed or of the land in upon or in respect of which such work has been done or service performed : A.D. 1930.

Provided that the fee specified in sub-paragraph (i) of paragraph (1) under heading (a) of Part IV of the Fifth Schedule to this Act in relation to any building shall be payable to the district surveyor at the time when the building notice in respect of that building is served on him under section 161 of this Act.

(2) If any such builder owner or occupier neglects to pay the said fees they may be recovered in a summary manner on its being shown to the satisfaction of the court that a proper bill specifying the amount of the fees was delivered to him or sent to him in a registered letter addressed to his last known residence.

178.—(1) The Council may at any time by order cause such fixed salary as they may determine to be paid to any district surveyor by way of remuneration instead of fees so however that the amount of such remuneration shall be not less than the amount of the average of the fees for the last seven completed years preceding the determination and thereupon the fees which would have been payable to such district surveyor in pursuance of this Act shall be paid to the Council and carried to the credit of the county fund. Power of Council to pay salaries to district surveyors.

(2) The Council may at any time provide either wholly or partially for the payment of salaries to district surveyors or to any of them out of the county fund and may thereupon abolish or reduce any fees payable to district surveyors under any of the provisions of this Act.

179. The Council may in any case where they think fit undertake on behalf of a district surveyor any proceedings which would otherwise be undertaken by him or may pay the costs incurred by any district surveyor in any proceedings taken by him under this Act. Council may proceed on behalf of district surveyor.

*Returns by District Surveyors.*

180. Every district surveyor shall within seven days after the first day of every month make a return to the Council in such manner as they may appoint of all notices and complaints received by him relative to the Monthly returns by district surveyor to Council.

A.D. 1930. — business of his district and the results thereof and of all matters brought by him before any petty sessional court and of all the several works supervised and special services performed by him in the exercise of his office within the previous month and of all fees charged or received in respect thereof and shall specify in the return the description and locality of every building which has been built rebuilt enlarged or altered or on which any work has been done under his supervision with the particular nature of every work in respect of which any fee has been charged or received.

Return to  
be a certi-  
ficate that  
works are in  
accordance  
with Act.

**181.** Every such return as aforesaid shall be signed by the district surveyor and shall be deemed to be a certificate that all the works enumerated therein as completed have been done in all respects in accordance with this Act to the best of his knowledge and belief and that they have been duly surveyed by him.

Audit of  
returns of  
fees charged  
by district  
surveyor.

**182.** The superintending architect or such other officer as the Council appoint shall examine the monthly returns of the district surveyors and if any fees therein specified appear to him to be unauthorised by this Act or to exceed in amount the fees so authorised or if any such return appears to be in any respect fraudulent or incorrect he shall make his report in writing to that effect to the Council who shall thereupon take such steps in the matter as they deem expedient.

District  
surveyor to  
notify  
certain ir-  
regularities to  
Council.

**183.** Every district surveyor shall forthwith notify to the Council any actual or probable contravention of the provisions of this Act in relation to any matter with which it is not within his competency to deal of which notice or information has been given to him or which he has discovered.

## PART XV.

### BYELAWS.

Power to  
Council to  
make  
byelaws.

**184.—(1)** Subject to the provisions of this Act the Council may make such byelaws not repugnant or contrary to the provisions of this Act as they think expedient for the better carrying into effect the objects and powers of this Act with respect to the following matters (that is to say) :—

- (a) the regulation of the plans level width surface and inclination of new streets and for regulating the plans and level of sites for buildings ;

- (b) the forms of notice and other documents to be used for the purposes of this Act and other like matters of procedure; A.D. 1930. —
- (c) foundations and sites of buildings and other erections;
- (d) the mode in which and the materials with which such foundations and sites are to be made excavated filled up prepared and completed for securing stability and for purposes of health;
- (e) the thickness and the description and quality of the substances of which walls may be constructed for securing stability the prevention of fires and for purposes of health;
- (f) the dimensions of wooden bressumers;
- (g) the dimensions of joists of floors;
- (h) the protection of ironwork used in the construction of buildings from the action of fire;
- (i) woodwork in external walls;
- (j) the description and quality of the substances of which plastering may be made;
- (k) the mode in which and the materials with which any excavation made within a line drawn outside the external walls of a house building or other erection and at an uniform distance therefrom of three feet shall be filled up;
- (l) the regulation of lamps signs or other structures overhanging the public way not being within the city;
- (m) the means of escape from fire in all buildings which exceed sixty feet in height;
- (n) the duties of district surveyors in relation to any byelaws made in pursuance of this section;
- (o) the deposit with district surveyors of any plans of buildings submitted for their certificate;
- (p) the regulation of the amounts of the fees to be paid to district surveyors in respect of their duties under any such byelaws;
- (q) the imposition for every offence committed against any byelaws made under this section of a penalty not exceeding five pounds and a daily

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   *Act, 1930.*

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—                      penalty not exceeding two pounds for every day during which such offence continues after conviction the penalties to be recovered by summary proceedings.

(2) Any byelaw under this section may provide that in any case in which the Council think it expedient they may dispense with the observance of any byelaw made under this section on such terms and conditions (if any) as they think proper.

(3) No byelaw shall have any force or effect unless or until it has been confirmed at a meeting of the Council subsequent to that at which the byelaw was made nor shall any byelaw have any force or effect until it has been allowed by the Minister of Health. In allowing any byelaw the Minister shall fix a date upon which it is to come into operation.

(4) Not less than two months before applying to the Minister for the allowance of any byelaws the Council shall give such notice of their intended application by advertisement in the London Gazette and otherwise as the Minister may direct and the Council shall send a copy of the proposed byelaws as approved by them to the local authority the Ecclesiastical Commissioners the Royal Institute of British Architects the Surveyors' Institution the London Chamber of Commerce (Incorporated) and to the Institute of Builders and to such other societies and persons as the Minister may direct and for one month at least before any such application a copy of the proposed byelaws shall be kept at the County Hall and shall be open during office hours thereat to inspection without charge.

(5) All byelaws made and confirmed and allowed in pursuance of this Act shall be published in the London Gazette and printed and hung up at the County Hall and be open to public inspection without payment and copies thereof shall be delivered to any person applying for them on payment of such sum not exceeding two pence per copy as the Council direct and every byelaw when so published shall come into operation upon the date so fixed by the Minister as aforesaid in relation thereto and the production of a printed copy of such byelaws authenticated by the seal of the Council shall be sufficient evidence of the existence and of the due making confirmation allowance and publication of such byelaws in all



prosecutions or other proceedings thereunder without adducing proof of the seal or of the making confirmation allowance or publication of the byelaws. A.D. 1930.  
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**185.** Byelaws under paragraph (l) of subsection (1) of the last foregoing section shall be administered by the local authority. Local authority to administer certain byelaws.

**186.** No byelaw in respect of any matter from which the city is exempted by this Act or by any Act repealed by the London Building Act 1894 shall have any force or effect within the city. Saving for city.

## PART XVI.

### LEGAL PROCEEDINGS.

**187.** All offences penalties costs and expenses under this Act or any byelaw made under this Act directed to be prosecuted or recovered in a summary manner or the prosecution or recovery of which is not otherwise provided for may be prosecuted and recovered in manner directed by the Summary Jurisdiction Acts. Summary proceedings for offences &c. and recovery of penalties.

**188.—(1)** Any proceedings taken by a district surveyor may be continued by his duly appointed deputy or successor in the office. Persons by whom proceedings may be taken.

(2) Any information as to a contravention or non-compliance in respect of which proceedings may be taken under section 35 or section 39 of this Act by the council of a metropolitan borough may be laid by the town clerk of that borough or by any officer of that council duly authorised in that behalf and the council may appear before any court in any legal proceedings under either of those sections by the town clerk or by any officer authorised generally by resolution of the Council.

**189.—(1)** Where jurisdiction is by this Act given to a county court that court may settle the time and manner of executing any work or of doing any other thing and may put the parties to the case upon such terms as respects the execution of the work as the court thinks fit. Powers of and appeal from county court.

(2) Any person shall have the same right of appeal from any decision of a county court in any matter in which jurisdiction is given to such court by this Act as he would have under the County Courts Acts 1888 to 1924 from any decision of such court in any matter.

A.D. 1930.

—  
Application  
of penalties.

**190.**—(1) Notwithstanding anything in any other Act one half of all penalties recovered by the Council under this Act shall subject to the provisions of this section be paid to the Council :

Provided that it shall be lawful for any court by whom any penalty is imposed under this Act to direct that the whole or part thereof shall be applied in or towards payment of the costs of the proceedings.

(2) Notwithstanding anything in the last foregoing subsection or in any other Act the whole of every penalty recovered in pursuance of paragraph (3) or paragraph (15) of section 222 of this Act or under or in pursuance of paragraph (6) of that section so far as it relates to offences under section 59 of this Act shall be payable to the authority taking the proceedings leading to the recovery of the penalty.

Council may  
demolish  
buildings  
and sell  
materials  
and recover  
expenses.

**191.**—(1) Where any person has been convicted of an offence against any of the provisions of this Act or of any byelaw made thereunder by constructing erecting adapting extending raising altering uniting or separating any building or structure or any part of any building or structure in contravention of any provisions of this Act it shall be lawful for the Council after giving fourteen days' notice to such person to bring such building or structure into conformity with the said provisions and after default has been made in complying with such notice and notwithstanding the imposition and recovery of any penalty to cause complaint thereof to be made before a petty sessional court.

(2) The court may thereupon issue a summons requiring the person making such default as aforesaid to appear to answer the complaint and if the complaint is proved to the satisfaction of the court the court may make an order in writing authorising the Council and it shall thereupon be lawful for the Council to enter upon the building or structure with a sufficient number of workmen and to demolish or alter the building or structure or any part thereof so far as the building structure or part has been adjudged to be in contravention of this Act or any byelaw under this Act and to do whatever other acts may be necessary for that purpose and to remove the materials to some convenient place and if they think fit sell the materials in such manner as they think fit.

(3) All expenses incurred by the Council in demolishing or altering the building or structure or any part thereof and in doing such other acts as aforesaid or the balance of such expenses after deducting the proceeds of sale of the aforesaid materials (if the Council sell them) may be recovered from the person committing the offence aforesaid in a summary manner. A.D. 1930. —

(4) If the proceeds of any such sale are more than sufficient to defray the expenses the Council shall after deducting therefrom the amount of all such expenses restore the surplus of such proceeds to the owner of the building or structure on demand.

(5) If the conviction of any person in respect of any such offence as aforesaid has been obtained by the local authority the local authority may as respects their area exercise any of the powers of the Council under the foregoing provisions of this section :

Provided that nothing in this subsection shall extend to the city or apply to the common council.

192. The powers conferred by this Part of this Act upon the Council with respect to any building or structure may if the building or structure has been erected extended or raised contrary to the provisions of this Act beyond the general line of buildings in the street place or row of houses in which the building or structure is situate be exercised by the local authority in like manner as by the Council. Procedure by local authorities in case of buildings in advance of general line.

193. Where by any provision of this Act any surplus of the proceeds of the sale of any building structure or materials is made payable to any owner thereof and no demand is made by any person entitled thereto within one year of the receipt of the proceeds by the Council then the surplus shall be paid into the Bank of England (Law Courts Branch) to the account of the Accountant-General for the time being for and on behalf of the Supreme Court of Judicature to be placed to the credit of "ex parte the London County Council London Building Act 1930 the account of" the owner (describing him so far as reasonably practicable) subject to the control of the High Court and to be paid out to the owner on his proving his title thereto. Payment of surplus of proceeds into court.

A.D. 1930.  
—  
Payment of  
expenses by  
owners.

**194.** Where it is by any provision of this Act declared that expenses are to be borne by or may be recovered from the owner of any premises—

- (a) the owner immediately entitled in possession to the premises or the occupier thereof shall in the first instance pay the expenses :

Provided that an occupier shall not be liable to pay any sum exceeding in amount the rent due or that will thereafter accrue due from him in respect of the premises during the period of his occupation ;

- (b) if there are successive owners each of them shall be liable to contribute to the expenses in proportion to his interest ;  
(c) any difference arising as to the amount of contribution shall be decided by arbitration ;  
(d) if some of the owners liable to contribution cannot be found the deficiency so arising shall be divided amongst the owners who can be found ;  
e) any occupier of premises who has paid any such expenses may deduct the amount so paid from any rent payable by him to any owner of the same premises and any owner who has paid more than his due proportion of any such expenses may deduct the amount so overpaid from any rent payable by him to any other owner of the same premises ;  
(f) if default is made by any person in payment of any expenses payable by him in the first instance under this section those expenses may be recovered in a summary way and if default is made by any person in repaying to any other person any money recoverable under this section that money may be recovered in the same manner as if the obligation to pay it was a simple contract debt.

Periods for  
giving con-  
sents &c.  
expiring in  
vacations.

**195.** Where the period within which for the purposes of this Act any sanction consent approval or allowance in respect of any matters arising under Part II or Part V of this Act is to be given or refused by the Council or within which any objection is to

be made or other act done by the Council would expire on any day between the eighth day of August and the fourteenth day of September (both inclusive) such period shall be deemed to be extended for twenty-eight days. A.D. 1930.

*Tribunal of Appeal.*

196.—(1) For the purposes of this Act and subject to the provisions of this section the tribunal of appeal shall consist of three members (not being members or officers of the Council) who shall be respectively appointed by the Secretary of State the Council of the Royal Institute of British Architects and the Council of the Surveyors' Institution. Constitution of tribunal of appeal.

(2) For the purposes of sections 58 and 59 of this Act and the Third Schedule thereto the tribunal of appeal shall consist of the three members appointed under the foregoing subsection and of one member appointed by the Council of the Institution of Civil Engineers.

(3) In the event of there being an equality of votes on any matter arising under the said sections the member acting as chairman of the tribunal for the time being shall have a second or casting vote.

197. Members of the tribunal of appeal shall be appointed for a term of five years and any such member shall be eligible for reappointment. Duration of office.

198. It shall be lawful for the Lord Chancellor if he thinks fit to remove for inability or misbehaviour or other good and sufficient cause any member of the tribunal of appeal. Removal of members.

199. Upon the occurrence of any vacancy in the tribunal of appeal or during the temporary absence through illness or other unavoidable cause of any member thereof the person or body by whom the vacating or absent member was appointed shall appoint forthwith a fit person to be a member (either temporary or permanent) of the tribunal in his stead. Vacancies in tribunal.

200. Each member of the tribunal of appeal shall be entitled to such remuneration by way either of annual salary or of fees or of both as the Secretary of State may from time to time fix. Remuneration of members of tribunal.

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

A.D. 1930.      201. It shall be lawful for the tribunal of appeal  
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Officers &c. to appoint such clerks officers and servants as they  
of tribunal. find necessary who shall be paid such salaries as may  
be determined by the Council and the tribunal of  
appeal may provide offices and obtain such professional  
advice and assistance as they find necessary.

Power for      202. It shall be lawful for the Council to defray  
council to sup- the expenses of supporting any decision of the Council  
port decisions or of the superintending architect or of their engineer  
of officers be- or of a district surveyor by counsel and witnesses before  
fore tribunal. the tribunal of appeal.

Tribunal      203. It shall be lawful for the tribunal of appeal  
may state at any time to state and the tribunal shall if ordered  
case for by the High Court on an application in a summary  
opinion of manner made by any party to the appeal state a case  
High Court. for the opinion of the High Court on any question of  
law involved in any appeal submitted to them The  
High Court shall hear and determine the question or  
questions of law arising on any case stated by the  
tribunal of appeal and shall thereupon reverse affirm  
or amend the determination (if any) in respect of which  
the case has been stated or remit the matter to the  
tribunal of appeal with the opinion of the court on  
the case stated or may make such other order in  
relation to the matter as the circumstances of the case  
require and may make such order as to the costs of  
the case and in the High Court as to the court seems fit.

Jurisdiction      204.—(1) The tribunal of appeal shall subject to  
of tribunal. the provisions of this Act have jurisdiction and power  
to hear and determine appeals referred to them under  
this Act.

(2) For all the purposes of and incidental to the  
hearing and determination of any appeal the tribunal  
shall subject to any regulations as to procedure duly  
made have power to hear the Council and the parties  
interested either in person or by counsel solicitor or  
agent as they think fit and to administer oaths and  
to hear and receive evidence and to require the produc-  
tion of any documents or books and to confirm or  
reverse or vary any decision and make any such order  
as they think fit and the costs of any of the parties  
to the appeal including the Council shall be in the  
discretion of the tribunal.

**205.** The tribunal of appeal may from time to time subject to the approval of the Lord Chancellor make regulations consistent with the provisions of this Act as to the procedure to be followed in cases of appeal to the tribunal including the time and notice of appeal and as to fees to be paid by appellants and other parties.

A.D. 1930.  
 —  
 Regulations  
 as to pro-  
 cedure and  
 fees.

**206.** Any order of the tribunal of appeal may be enforced by the High Court as if it had been an order of that court.

Enforce-  
 ment of  
 decision of  
 tribunal.

**207.** All fees and sums of money paid to the tribunal of appeal shall be paid over to the Council and carried to the county fund and the salaries or fees payable to members of the tribunal and the office and establishment expenses of the tribunal and expenses incurred by the tribunal and the Council in reference thereto shall be defrayed by the Council.

Fees and  
 expenses of  
 tribunal.

#### *Notices.*

**208.—**(1) Notices orders and other such documents under this Act shall be in writing and notices and documents other than orders when issued by the Council shall be sufficiently authenticated if signed by their clerk or by the officer by whom they are given or served.

Form of  
 notices &c.

(2) Orders of the Council under this Act shall be under the seal of the Council.

(3) Any notice served by a local authority under section 35 or section 39 of this Act shall be sufficiently authenticated if signed by the town clerk or any other duly authorised officer of that local authority.

**209.—**(1) Subject to the provisions of this section and the next following section any notice order or other document required or authorised to be served under this Act the service of which is not provided for by the Summary Jurisdiction Acts the Lands Clauses Acts or the Companies Clauses Acts 1845 to 1889 may be served by delivering a copy thereof at or by sending a copy thereof by post in a registered letter to the usual or last known residence in the United Kingdom of the person to whom it is addressed or by delivering the copy to some person on the premises to which it relates or if no person is found on the premises then by fixing a copy thereof on

Service of  
 notices &c.

A.D. 1930. — some conspicuous part of the building to which it relates and in the case of a railway company by delivering a copy thereof to the secretary at the principal office of the company.

(2) Any notice order or other document to be served upon a builder shall be deemed to be sufficiently served if posted in a registered letter addressed to the builder at the place of address stated in his building notice (if any) or in default thereof at his office or any one of his principal offices or if a copy thereof is fixed on some conspicuous part of the building to which it relates.

(3) Any notice by this Act required to be given to or served on the owner or occupier of any premises may be addressed by the description of the "owner" or "occupier" of the premises (naming the premises) in respect of which the notice is given or served without further name or description.

(4) Any notice required by this Act to be served on a district surveyor may be served on him by post in a registered letter addressed to him at his office or by leaving it at his office.

(5) Any notice authorised to be served under section 35 or section 39 of this Act may be served in the same manner as notices under the Public Health (London) Act 1891 are by section 128 of that Act authorised to be served :

Provided that in the case of any company any such notice shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Service of  
documents  
relating to  
dangerous  
or neglected  
structures.

**210.**—(1) The last foregoing section shall not apply to any notice summons or order to be served upon the owner or occupier of a dangerous or neglected structure.

(2) Any such notice summons or order may be served on the owner or occupier of the dangerous or neglected structure by delivering a copy thereof to some person on the premises to which it relates or if no person is found on the premises then by fixing it or a copy of it on some conspicuous part of the premises to which it relates and in the case of a railway company by delivering a copy of it to the secretary at the principal office of the company.

(3) In any such notice summons or order it shall be sufficient to describe the owner or occupier as "the



owner" or "the occupier" and it may be addressed to the owner or occupier by the description of "the owner" or "the occupier" of the premises (naming the premises) to which it relates without further name or description. A.D. 1930.  
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(4) When the owner of any dangerous or neglected structure and his residence are known to the Council the Council shall send a copy of every such notice summons or order by registered post addressed to the usual or last known residence of that owner.

(5) In cases where a dangerous structure is situate within the city this section shall be read as if the Corporation were named therein instead of the Council.

(6) In this section the expression "structure" has the meaning assigned to it in Part X of this Act.

## PART XVII.

### MISCELLANEOUS.

211. Save as otherwise provided by this Act all expenses incurred by the Council in the execution of this Act 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 raised and paid by the Council as expenses for general county purposes : Expenses  
how borne.

Provided that all costs and expenses incurred by the Council in the execution of section 35 or section 39 of this Act shall be defrayed as payments for general or special county purposes as the Council may decide.

212.—(1) In any case where the Council are authorised under this Act to refuse their sanction consent or allowance to the doing or omission of any act or thing the Council may instead of refusing the sanction consent or allowance give it subject to such terms and conditions as the Council think fit. Power for  
Council to  
annex  
conditions.

(2) Any such term or condition when accepted shall be binding on the owner and occupier of the building or structure or ground to which the sanction consent or allowance relates and if at any time any term or condition so accepted is not observed or fulfilled the owner or occupier in default shall be subject to a penalty as hereinafter provided.

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Buildings of  
historical  
interest.

**213.** In the event of its being necessary to take down any portion of an old building of architectural or historical interest constructed otherwise than in accordance with the provisions of this Act or in the event of the destruction of any part of any such building the part so taken down or destroyed may with the consent of the Council first obtained be restored in the material and in the design in which it formerly was.

Power of  
owner &c.  
to enter  
buildings  
and execute  
work.

**214.** Any owner builder or other person and his servants workmen and agents may for the purpose of complying with any notice or order served or made on him in pursuance of this Act in respect of any building structure room or place after giving seven days' notice to the occupier thereof and on production of the first-mentioned notice or order enter and from time to time without further notice re-enter the building structure room or place and do all necessary works and things therein thereto or in connection therewith.

Limitation  
of time for  
proceedings  
where  
notice not  
given.

**215.** Where any building has been erected or work done without due notice having been given to the district surveyor (in accordance with this Act or a byelaw made thereunder) the district surveyor may at any time within one month after he has discovered that the building has been erected or work done enter the premises for the purpose of seeing that the provisions of this Act or any notice served or order made thereunder have been complied with and the time during which the district surveyor may take any proceedings or do anything authorised or required by this Act to be done by him in respect of the building or work shall begin to run from the date of his discovering that the building has been erected or work done.

Plans and  
documents  
to be  
property of  
Council.

**216.** Applications plans and other documents delivered at the offices of the Council or to the district surveyor in pursuance of this Act or of any byelaw of the Council thereunder shall on being so delivered become the property of the Council.

Mode of  
giving  
approval of  
Council to  
plans.

**217.** The approval by the Council of any plans or particulars for the purposes of this Act shall be signified in writing under the hand of the superintending architect.

**218.** Where any consent is required to be given any notice to be served or any other thing to be done by or to any owner in pursuance of this Act if there is no owner or if any such owner cannot be found the judge of the county court may on such terms and conditions as he thinks fit give the consent or do the thing or cause it to be done and may dispense with the service of any notice which would otherwise be required to be served.

A.D. 1930.

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Consent  
how given  
on behalf of  
owners not  
to be found.

**219.—(1)** It shall not be lawful for any person to erect or place a pile stack or store of cut or uncut timber lathwood firewood casks or barrels whether on or above the ground nearer to a street than the buildings forming the general line of buildings therein except in a position wherein such a pile stack or store stood on the first day of January eighteen hundred and ninety-four.

Storing of  
wood and  
timber.

(2) It shall not be lawful for any person to pile stack or store cut or uncut timber lathwood firewood casks or barrels in the same yard or ground or in any part of the same premises with any furnace except in the following cases :—

(a) where the furnace is enclosed in a building or chamber constructed of fire-resisting materials;  
or

(b) where there is a distance of not less than ten feet between the furnace and the pile stack or store.

(3) No such pile stack or store shall exceed sixty feet in height from the level of the ground.

(4) It shall not be lawful to form in any such pile stack or store any room or chamber or space (other than a passage) to be used for any purpose whatever.

(5) Without prejudice to the right of any other person to take proceedings any proceedings in respect of any contravention of this section may be taken by the local authority within their area :

Provided that nothing in this subsection shall extend to the city or apply to the common council.

(6) The Council may relax any of the provisions of this section as respects any timber yard which existed on the twenty-fifth day of August eighteen hundred and ninety-four.

(7) This section shall not apply to railway companies or canal companies or to the Port of London Authority in

A.D. 1930. — respect of their Surrey Canal undertaking so far as regards timber lathwood firewood casks or barrels in transit or piled stacked or stored on land occupied by them for the purposes of their undertakings nor to timber lathwood firewood casks or barrels piled stacked or stored in any yard or other premises occupied by the Port of London Authority for the purposes of their dock undertaking or by any dock company for the purposes of their undertaking or to any such yard or premises or to any person piling or stacking or storing timber lathwood firewood casks or barrels in any such yard or premises.

Removal of roof not to affect proceedings.

**220.** Proceedings with respect to a building shall not be affected by the removal or falling in of the roof or covering of the building.

Preventing obstruction in streets.

**221.**—(1) No person not being lawfully authorised shall erect or place or cause to be erected or placed any post rail fence bar obstruction or encroachment whatsoever in upon over or under any street and no person not being lawfully authorised shall alter or interfere with any street in such a manner as to impede or hinder the traffic for which the street was formed or laid out from passing over the street.

(2) The local authority may at the expiration of two days after giving notice in writing to any such person requiring him to demolish or remove the post rail fence bar obstruction or encroachment or to reinstate or restore the street to its former condition (as the case may be) demolish or remove the post rail fence bar obstruction or encroachment and reinstate or restore the street to its former condition and recover the expenses thereof from such person in a summary manner.

(3) This section shall not extend to the city.

*Offences against Act.*

Offences against Act.

**222.** Subject to the provisions of this Act every person who does any of the things specified in this section shall be deemed to have committed an offence against this Act and shall be liable on summary conviction to penalties in accordance with the following provisions (that is to say):—

(1) Every person who—

(a) begins to form or lay out alter or adapt any street or way without having first obtained

the sanction of the Council under Part II of this Act or otherwise than in accordance with the conditions (if any) prescribed by the Council in giving their sanction or by the tribunal of appeal as the case may be or begins to widen any street or way to a less extent than the prescribed distance without giving to the Council the notice prescribed by this Act; or

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(b) erects or places in upon over or under any street or way any post fence bar obstruction or encroachment in contravention of section 221 of this Act or permits any such post rail fence bar obstruction or encroachment in upon over or under any street or way to remain after notice served upon him by the local authority under that section requiring him to remove it; or

(c) unlawfully alters or interferes with any street in such a manner as to impede or hinder the traffic for which such street was formed or laid out;

shall be liable to a penalty not exceeding ten pounds for every such offence and to a daily penalty not exceeding forty shillings :

(2) Every person who neglects or refuses for twenty-eight days after the service of any notice empowered to be served under section 14 of this Act requiring him to set back any building or structure fence or boundary to comply with the requirements of that notice or after the expiration of that period fails to carry out or complete the works necessary for compliance within the time (if any) limited in that notice shall be liable to a penalty of not less than forty shillings and not more than five pounds and to a daily penalty of not less than ten shillings and not more than forty shillings :

(3) Every person who contravenes or fails to comply with any of the provisions of section 35 or section 39 of this Act shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings :

A.D. 1930.

(4) Every person who—

(a) erects or brings forward any building or structure in contravention of any of the provisions of Part III of this Act or of any conditions attached by the Council to any consent given in pursuance of those provisions; or

(b) fails to comply with the requirements of any notice given to or served on him under Part VII of this Act; or

(c) sets up erects retains or adapts any building or structure to which Part VII of this Act applies without having obtained the approval or licence required by that Part of this Act or makes default in observing any of the conditions contained in that approval or licence; shall be liable to a penalty not exceeding forty shillings :

(5) Every person who fails to comply with an order made with respect to him by a court under Part III Part VI or Part VII of this Act or under section 171 thereof shall be liable to a penalty not exceeding twenty pounds for every day on which the failure continues :

(6) Every person who fails to comply with any term or condition attached to the use of structural metal under paragraph (29) of the Third Schedule to this Act or to any modification or waiver under section 58 or section 59 of this Act shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding the like amount :

(7) Every person who knowingly suffers a room to be inhabited in contravention of subsection (4) of section 75 or subsection (4) of section 76 of this Act shall (in addition to any other liabilities to which he may be subject) be liable to a penalty not exceeding forty shillings for every day during which the room is inhabited :

(8) Every person who fails to give notice to the district surveyor in accordance with the requirements of subsection (3) of section 82 of this Act shall be liable to a penalty not exceeding five pounds :

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- (9) Every person who fails to comply with any term or condition imposed by the Council in giving any consent under section 81 section 82 or section 83 of this Act or fails to maintain in an efficient condition any door sliding door shutter style rail bolt or other fastening as required thereunder shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding the like amount :
- (10) Every person who hinders or obstructs any person empowered by this Act to enter and remain on any premises for the purpose of executing and to execute any work authorised or directed to be done under this Act or wilfully damages or injures any such work shall be liable for every such offence to a penalty not exceeding ten pounds :
- (11) Every person who being a building owner liable under Part IX of this Act to make good any damage which he may occasion to the adjoining owners' or adjoining occupiers' property by any works authorised to be executed by the building owner or to do any other thing upon condition of doing which his right to execute any such works is by Part IX of this Act declared to arise fails within a reasonable time to make good that damage or to do that thing shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding the like amount :
- (12) Every person who refuses to admit the purchaser of any materials sold under this Act his servants or agents upon the land on which the materials are at a reasonable hour or impedes him or them in removing the materials therefrom at a reasonable hour shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds :
- (13) Every person who erects a building nearer than fifty feet to a building used for any dangerous business or a dwelling-house nearer than fifty feet to a building used for any noxious business shall be liable to a penalty not exceeding fifty pounds and to a further penalty not exceeding the like amount for every day during which

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that first-mentioned building or that dwelling-house is allowed so to remain near to the dangerous or noxious business :

- (14) Every person who establishes or carries on a dangerous or noxious business in contravention of any of the provisions of this Act shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding the like amount :
- (15) Every person who fails to comply with any conditions imposed by the Council under subsection (3) of section 143 of this Act shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding the like amount .
- (16) Every person who erects or adapts or begins to erect or adapt otherwise than in accordance with the provisions of Part XII of this Act any building to which that Part relates shall be liable to a penalty not exceeding one hundred pounds and to a penalty not exceeding fifty pounds for every day after the conviction for the offence on which the building continues so erected or adapted without a licence or on which default is made in observing or complying with any conditions of a licence under that Part of this Act :
- (17) Subject to the foregoing provisions of this section every person who contravenes or fails to comply with any term or condition subject to which the sanction allowance or consent of the Council to any act or omission has been given under this Act shall be liable—
  - (i) if the sanction allowance or consent was given under Part VIII of this Act to a penalty not exceeding twenty pounds and to a daily penalty not exceeding ten pounds; or
  - (ii) if the sanction allowance or consent was given under any other provision of this Act to a penalty not exceeding ten pounds :
- (18) Every person who—
  - (a) erects any sky sign or suffers or permits any sky sign to be erected; or



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(b) being a person who ought to serve a building notice fails to do so or begins to execute a work respecting which he ought to serve a building notice before serving the notice or having served a building notice begins to execute the work to which it relates before the expiration of two clear days after the notice has ceased to operate; or

(c) refuses to permit a district surveyor at a reasonable time to enter survey or inspect any building work or premises which that surveyor is by any of the provisions of this Act (other than Part VIII thereof) authorised to enter and inspect or refuses or neglects to afford him all reasonable assistance in the inspection; or

(d) refuses to admit at a reasonable time a builder to a building or otherwise prevents a builder from complying with any order of the county court made in pursuance of this Act; or

(e) being a workman labourer servant or other person employed in or about any building wilfully and without the privity or consent of the person causing the work to be done does anything in or about that building in contravention of the provisions of this Act; or

(f) refuses to admit at a reasonable time any owner builder or person or his servants workmen or agents into any land building or structure for the purpose of complying with any notice or order served or made on him in pursuance of this Act in respect of that land building or structure or refuses or neglects to afford them all reasonable assistance in complying with that notice or executing that order; or

(g) acts in any manner in contravention of any of the provisions of this Act relating to the storing of wood and timber;  
shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding the like amount:

A.D. 1930.  
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(19) Every person who without the consent of the Council converts or uses a building in contravention of any of the provisions of section 234 of this Act shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding the like amount for every day on which the building remains so converted or is so used :

(20) Every person who—

(a) occupies permits to be occupied or lets for occupation any upper storey or any part of any building in contravention of the provisions of section 96 of this Act; or

(b) (i) fails to comply with any requirement made by the Council under section 97 of this Act and (in the event of an appeal) confirmed or varied by the tribunal of appeal within such time as may be required by the Council or the tribunal of appeal; or

(ii) fails to execute and do with all practicable dispatch after acceptance by the Council of any alternative proposals under section 97 of this Act for the provision of means of escape in case of fire all such works and things as may be necessary to provide the means of escape specified in such alternative proposals; or

(iii) occupies or permits to be occupied any part of or storey in a building after the making of an order of a petty sessional court under section 97 of this Act prohibiting the occupation of such part of or such storey in such building unless that order has been discharged as in that section provided; or

(c) fails to deposit or cause to be deposited at or within the time at or within which the same are by the respective provisions relating thereto required to be deposited any notice or plans required to be deposited under the provisions of Part VIII of this Act; or

(d) refuses to admit any officer of the Council or district surveyor or other person when entitled so to do under Part VIII of

this Act to enter survey inspect or examine any building structure work or premises which such officer or surveyor or other person is by Part VIII of this Act authorised to enter survey inspect or examine or refuses or neglects to afford him all reasonable facilities and assistance in that survey inspection or examination; or

(e) hinders or obstructs any person empowered by Part VIII of this Act to enter and remain on any premises for the purpose of executing or maintaining and to execute or maintain any work required by Part VIII of this Act to be executed or maintained; or

(f) otherwise contravenes or fails to comply with any of the provisions of Part VIII of this Act or with any requirement made thereunder or in pursuance thereof;

shall be liable to a penalty not exceeding twenty pounds and a daily penalty not exceeding ten pounds :

- (21) Subject to the foregoing provisions of this section every person who contravenes or fails to comply with any of the provisions of this Act or of any requirement made thereunder or in pursuance thereof shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding the like amount.

Subject to the provisions of section 33 of the Interpretation Act 1889 (which makes provision as to offences under two or more laws) the liabilities to the penalties in this section mentioned shall be without prejudice to any other proceedings whether under this Act or any byelaw thereunder or otherwise.

#### *Application of Act.*

**223.** The following buildings structures and works shall be exempt from the operation of Parts VI and VII of this Act :—

- (1) Bridges piers jetties embankment walls retaining walls and wharf or quay walls :
- (2) The Mansion House Guildhall and Royal Exchange of the city :

Buildings  
exempt  
from  
Parts VI  
and VII of  
Act.

A.D. 1930.  
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- (3) The offices and buildings of the Bank of England within the city :
- (4) All buildings erected by or with the sanction of the Commissioners for the Exhibition of eighteen hundred and fifty-one on any lands belonging to them and purchased in pursuance of any power vested in them by charter or Act of Parliament except streets or blocks of buildings erected by them or with their sanction as private dwelling-houses :
- (5) The Sessions House of the Central Criminal Court and all other sessions houses or other public buildings belonging to or occupied for public purposes by the justices of the peace of the counties of Middlesex and London and of the city of London respectively or by the county councils of London and Middlesex respectively :
- (6) The erections and buildings authorised by an Act passed in the ninth year of the reign of His late Majesty King George the Fourth for the purposes of a market in Covent Garden :
- (7) The buildings of the Metropolitan Cattle Market and any building within the market premises inhabited or adapted to be inhabited by any official or servant of the Corporation for the purposes of that market :
- (8) (a) Subject as hereinafter provided any building or part of a building belonging to the Port of London Authority in connection with their Surrey Canal undertaking or to a canal company and used exclusively for the purposes of canal works under any Act of Parliament;  
(b) any building or structure situate upon a railway or within the railway or station premises and used for the purposes of or in connection with the traffic of a railway company ;  
(c) any building or part of a building belonging to a gas company and used exclusively for gasworks ;  
(d) any building or part of a building belonging to the Port of London Authority in their

capacity as successors of the Conservators of the River Thames and used by them as a workshop or store;    A.D. 1930  
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(e) the foundations and walls of buildings belonging to a railway company situate over any station or works of a railway company or immediately adjoining any railway or works of a railway company and upon land acquired under the powers of an Act of Parliament;

(f) any building within the station premises of any railway company inhabited or adapted to be inhabited in whole or in part by any official or servant of the railway company :

Provided that save as otherwise expressly provided therein nothing in this paragraph shall exempt any buildings used for the purpose of human habitation so far as they are so used :

- (9) Any building or structure or part of a building or structure belonging to the Port of London Authority or to a dock company constituted by Act of Parliament and situate within the dock premises of the authority or company :
- (10) Any building not exceeding in area thirty square feet and not exceeding in height five feet in any part measured from the level of the ground to the under side of the eaves or roof plate and distant at least five feet from any other building and from any street and not having therein any stove flue fireplace hot-air pipe hot-water pipe or other apparatus for warming or ventilating the first mentioned building if no portion thereof extends beyond the general line of buildings in any street :
- (11) All buildings and structures (not exceeding in height thirty feet as measured from the footings of the walls and not exceeding in extent one hundred and twenty-five thousand cubic feet and not being public buildings) wholly in one occupation and distant at least eight feet from the nearest street or way and at least thirty feet from the nearest buildings and from the land of any adjoining owner :

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Provided that a detached dwelling-house shall not be excluded from this exemption solely by reason of its being within thirty feet of another detached building constructed as stables or offices to be used in connection with the dwelling-house :

- (12) All buildings not exceeding in extent two hundred and fifty thousand cubic feet and not being public buildings and distant at least thirty feet from the nearest street or way and at least sixty feet from the nearest building and from the land of an adjoining owner :

Provided that a detached dwelling-house shall not be excluded from this exemption solely by reason of its being within sixty feet of another detached building constructed as stables or offices to be used in connection with the dwelling-house :

- (13) All party fence walls not exceeding in height seven feet measured from the top of the footings of the walls :
- (14) Greenhouses not being attached to other buildings :
- (15) The necessary woodwork of the sashes doors and frames of greenhouses attached to other buildings :
- (16) Cases of metal and glass used solely for holding plants fastened to the woodwork of the sill and lower sash of a window if no portion projects over the public way or more than twelve inches beyond the external face of the wall of the building :
- (17) Openings made in walls or flues for the purpose of inserting therein ventilating valves of a superficial extent not greater than forty square inches if the valves are not nearer than twelve inches to any timber or other combustible material.

If any addition is made to any building or structure specified in paragraph (10) paragraph (11) or paragraph (12) of this section whereby any increase is caused in the area height or extent of the building or structure

beyond the area height or extent respectively mentioned in those paragraphs the Council may give notice to the owner or occupier of the building or structure either to remove the addition or to make the building so increased in height or extent conform to all or any of the provisions of this Act and with any byelaws under this Act relating to the construction of buildings and upon his failing to do so within fourteen days from the service upon him of such a notice the Council may remove the addition to the building or structure and may recover the expenses of the removal from the owner or occupier in a summary manner.

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224. The provisions of Part VIII of this Act shall not apply to—

Buildings  
exempt  
from  
Part VIII  
of Act.

- (1) Any building the whole of which is a factory or workshop to which section 14 of the Factory and Workshop Act 1901 applies or any common lodging-house within the meaning of any statute for the time being in force relating to common lodging-houses within London :
- (2) Any building or structure or part of a building or structure belonging to the Port of London Authority or to a dock company constituted by Act of Parliament and situate within the dock premises of the authority or company and any building or structure or part of a building or structure belonging to that authority in connection with their Surrey Canal undertaking and used exclusively for the purposes of canal works under the Acts of Parliament regulating that undertaking :
- (3) Any building or structure (not being an hotel) belonging to or leased by any railway company and situate upon the railway or within the railway or station premises of that or any other railway company and used for the purposes of or in connection with the traffic of the railway company :
- (4) Any building or structure or part of a building or structure belonging to or leased by any electric lighting company having statutory powers for the supply of electricity and used

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- exclusively as a generating station or distributing or transforming station or for works connected with the exercise of such powers :
- (5) Any building or structure or part of a building or structure belonging to or leased by any gas company and used exclusively for gas-works :
  - (6) Any building used or intended to be used to the extent of not less than three-fourths of its cubical extent as a bank or insurance office or partly for one and partly for the other of such purposes by not more than two companies or firms and used or intended to be used as regards the residue thereof only as a residence for or for providing sleeping accommodation for officers or servants of such companies or firms so long as the building is not used otherwise than as aforesaid :
  - (7) The premises known as Staple Inn Holborn :
  - (8) The buildings of the Stock Exchange in the city situated between Throgmorton Street on the north and Threadneedle Street and Old Broad Street on the south or south-east and also any buildings while used as a stock exchange and erected on the site of the properties Nos. 31 to 33 Throgmorton Street :
  - (9) Any old building or structure in the exclusive occupation of a public wharfinger and used by him for the purposes of his business and situate upon or in immediate proximity to a dock wharf quay or riverside frontage being self-contained and not abutting on any building and not being an uptown warehouse or a building wherein any manufacturing process is carried on or wherein any person sleeps :

For the purposes of this paragraph the expression "old building" has the meaning assigned to it by Part VIII of this Act and the expression "public wharfinger" means the owner lessee or occupier of a wharf quay warehouse or granary adjoining the port of London mainly used for warehousing the goods



imported into the port of London of persons other than the occupier of such premises as aforesaid : A.D. 1930.  
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- (10) The buildings and premises known as the Royal Albert Hall :
- (11) The generating station referred to in section 8 of the Metropolitan District Railway Act 1902 or any building or structure (not being an hotel) belonging to or leased or erected by—
  - (a) the Metropolitan District Railway Company; or
  - (b) the Baker Street and Waterloo Railway Company the Great Northern Piccadilly and Brompton Railway Company or the Charing Cross Euston and Hampstead Railway Company; or
  - (c) the London Electric Railway Company; so far as it is erected or used or intended to be used for the purposes of or in connection with the traffic of the Metropolitan District Railway Company or the London Electric Railway Company :
- (12) The following buildings so long as they are respectively used for their present purposes :—
  - (a) the Mansion House Guildhall and Royal Exchange of the city;
  - (b) the Sessions House of the Central Criminal Court and all public buildings erected or occupied by the Corporation under the provisions of the City of London Police Acts;
  - (c) the buildings of the Metropolitan Cattle Market of the London Central Markets and of the Spitalfields Market :
- (13) Unless and except so far as the Commissioners of Customs and Excise otherwise allow any building or part of a building approved by those commissioners as a warehouse or store for warehousing or depositing goods without payment of duty while used with such approval for any of such purposes.

[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]  
*Act, 1930.*

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Application  
of certain  
provisions  
of Act.

225. The provisions of sections 162 and 163 paragraph (b) of subsection (1) of section 172 sections 173 174 175 and 176 and the proviso to subsection (1) of section 177 of this Act shall not apply with respect to—

(a) any building or structure; or

(b) any addition alteration or other work;

which was begun before the first day of January nineteen hundred and twenty-nine and in respect of which a building notice was served before that date or alter or affect the fees payable to district surveyors in respect of any such building structure addition alteration or work and the amount of such fees shall be ascertained as if the said provisions had not been enacted and as if the provisions of section 26 (Increase of fees to district surveyors) of the London County Council (General Powers) Act 1921 (as amended by subsequent Acts) and the enactments specified in section 11 of the London County Council (General Powers) Act 1928 had not ceased to operate.

Crown  
exemptions.

226.—(1) There shall be exempted from so much of this Act as relates to buildings and structures—

every building structure or work vested in and in the occupation of His Majesty either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services; and

every building structure or work vested in and in the occupation of any department of His Majesty's Government or of the metropolitan police or of the trustees of the British Museum for public purposes or for the public service; and

every building structure or work vested in and occupied for the service of the Duke of Cornwall for the time being.

(2) Nothing in the provisions of this Act relating to means of escape in case of fire shall—

(a) prejudicially affect any estate right power privilege or exemption of His Majesty; or

(b) authorise the Council to take use or in any manner interfere with any land hereditaments or rights belonging to or enjoyed by His Majesty in the right of His Crown and being under the management of the Commissioners of Crown Lands except with the consent in writing of those commissioners. A.D. 1930. —

(3) Nothing in the provisions of this Act relating to means of escape in case of fire or in section 81 section 82 or section 83 of this Act shall authorise the Council to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to His Majesty in the right of the Duchy of Cornwall except with the consent in writing of at least two of such of the regular officers of the said duchy or of such other persons as are duly authorised under section 39 of the Duchy of Cornwall Management Act 1863 to exercise all or any of the rights powers privileges and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said duchy or belonging to the Duke of Cornwall for the time being without the consent of such duke testified in writing under the seal of the Duchy of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by His Majesty in right of the Duchy of Cornwall or in or by the Duke of Cornwall for the time being.

227. Where a local authority or a company has statutory powers for the supply of electricity in any district in London the buildings of that local authority or company used as a generating station or for works shall be deemed to be special buildings to which the general provisions of Parts V VI and VII of this Act and the First and Second Schedules thereof do not apply and plans thereof shall be submitted to the Council for their approval and the Council shall have power to authorise the buildings to be erected of greater dimensions than two hundred and fifty thousand cubic feet and in other respects to exempt the buildings from any of the provisions of this Act if they think fit. Buildings for supply of electricity.

228. The lands buildings and property of—  
 (1) the Honourable Society of the Inner Temple;  
 (2) the Honourable Society of the Middle Temple; and Exempting lands buildings and

**[Ch. clviii.]      *London Building*      [20 & 21 Geo. 5.]**  
***Act, 1930.***

<p>A.D. 1930.</p> <hr style="width: 10%; margin: 5px 0;"/> <p>property of Inns of Court.</p>	<p>(3) the Honourable Society of Lincoln's Inn ;</p> <p>(4) the Honourable Society of Gray's Inn ;</p> <p>shall be exempt from the provisions of this Act :</p>
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Provided that any such land building or property which abuts upon any public street public place or public way shall be subject to the provisions of Part III of this Act.

<p>Duration of exemption.</p>	<p><b>229.</b> Any building structure or work in any respect exempt from the operation of the provisions of this Act or in any manner privileged in respect of any of the said provisions shall remain so exempt or privileged so long only as it is used for the purpose or retains the character by reason whereof it is so exempt or privileged.</p>
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<p>Buildings not to be altered so as not to con- form to Act.</p>	<p><b>230.</b> It shall not be lawful (except with the consent of the Council) to make any alteration of any building in such manner that when so altered it will by reason of the alteration not comply with the provisions of this Act.</p>
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<p>When remainder of party wall &amp;c. to be taken down.</p>	<p><b>231.</b> Unless in any case the Council otherwise allow where a party wall or external wall which does not comply with this Act has been taken down burnt or destroyed to the extent of one-half thereof (measured in superficial feet) every remaining portion of the old wall which does not comply with this Act shall either be made to comply therewith or be taken down before the rebuilding thereof.</p>
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<p>Additions to and alterations of buildings.</p>	<p><b>232.</b> Every addition to or alteration of a building and any other work made or done for any purpose in to or upon a building (except that of necessary repair not affecting the construction of any external or party wall) shall be subject to the provisions of this Act and of byelaws thereunder relating to buildings.</p>
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<p>Application of Act to buildings erected before com- mencement of Act.</p>	<p><b>233.</b> A building structure or work erected or constructed before the commencement of this Act to which no objection could have been taken under any law then in force shall (subject to the provisions of this Act as to the alteration of buildings) be deemed to be erected or constructed in compliance with the provisions of this Act.</p>
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**234.** Unless in any case the Council otherwise allow A.D. 1930.  
no person shall—

- (1) convert into or use as a dwelling-house any building or part of a building not originally constructed for human habitation; Rules for conversion of buildings.
- (2) convert into one dwelling-house two or more dwelling-houses constructed originally as separate dwelling-houses;
- (3) convert into or use as two or more dwelling-houses any building constructed originally as one dwelling-house;
- (4) convert a building which when originally erected was legally exempt from the operation of any building enactments or byelaws in force within London into a building which had it been originally erected in its converted form would have been within the operation of those enactments or byelaws;
- (5) re-convert into or use as a dwelling-house any building which has been discontinued as or appropriated for any purpose other than a dwelling-house;
- (6) convert into or use as a dwelling-room or part of a dwelling-room any room or part of a room used as a shop; or
- (7) convert a dwelling-house or any part of a dwelling-house into a shop;

in such manner that the building or part of a building will after being so converted not comply with the provisions of this Act relating to the class of buildings to which the building or part will after being so converted belong.

**235.**—(1) Without prejudice to any other exemption Savings.  
conferred by this Act nothing in this Act shall affect—

- (a) any of the powers privileges exemptions jurisdictions or authorities vested in the common council as the successors of the Commissioners of Sewers of the city by or under any Act of Parliament and existing immediately before the twenty-fifth day of August eighteen hundred and ninety-four; or

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

- A.D. 1930.      (b) the powers of local authorities with respect to the paving of new streets under the Metropolis Management Acts or their powers to widen alter or improve any street; or
- (c) any of the powers rights or privileges conferred upon a gas company by any Act of Parliament and existing immediately before the said twenty-fifth day of August; or
- (d) any exemption or right which would but for the passing of this Act have been enjoyed under section 21 of the London Building Act 1894 (Exempting certain School Board buildings).
- (2) Nothing in this Act shall affect—
- (a) any of the provisions of the Public Health (London) Act 1891 relating to underground rooms; or
- (b) the operation of section 64 of the Local Government Act 1929.

*Repeals.*

- Repeals.      **236.**—(1) The enactments mentioned in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.
- (2) Without prejudice to the provisions of section 38 of the Interpretation Act 1889 (which relates to the effect of repeals)—
- (a) any byelaw regulation order determination sanction approval consent notice condition licence or certificate made given imposed or issued under any enactment repealed by this Act shall in so far as it is operative at the commencement of this Act have effect as if it had been made given imposed or issued under this Act;
- (b) any person who at the commencement of this Act holds any office to which he was appointed under or by virtue of any enactment repealed by this Act or by the London Building Act 1894 shall be deemed to have been appointed to that office under or by virtue of this Act;

- (c) any register kept under the provisions of any enactment repealed by this Act shall be deemed part of the register to be kept under the corresponding provisions of this Act; A.D. 1930  
—
- (d) any account constituted under this Act shall be deemed to be in continuation of the corresponding account constituted under the enactments repealed by this Act;
- (e) references in any document to the provisions of any enactment repealed by this Act shall be construed as references to the corresponding provisions of this Act;
- (f) where any offence (being an offence for the continuance of which a penalty was provided) has been committed under any enactment repealed by this Act proceedings may be taken under this Act in respect of the continuance of the offence after the commencement of this Act in the same manner as if the offence had been committed under the corresponding provisions of this Act.

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## SCHEDULES.

### THE FIRST SCHEDULE.

The following materials shall for the purposes of this Act be deemed to be fire-resisting materials :—

(I) For general purposes :

- (1) Brickwork constructed of good bricks well burnt hard and sound properly bonded and solidly put together—
  - (a) with good mortar compounded of good lime and sharp clean sand hard clean broken brick broken flint grit or slag ; or
  - (b) with good cement ; or
  - (c) with cement mixed with sharp clean sand hard clean broken brick broken flint grit or slag ;
- (2) Granite and other stone suitable for building purposes by reason of its solidity and durability ;
- (3) Iron steel and copper ;
- (4) Slate tiles brick and terra-cotta when used for coverings or corbels ;
- (5) Flagstones when used for floors over arches if the flagstones are not exposed on the underside and not supported at the ends only ;
- (6) Concrete composed of broken brick tile stone chippings ballast pumice or coke breeze and lime cement or calcined gypsum ;
- (7) Any combination of concrete and steel or iron.

(II) For special purposes :

- (1) In the case of doors and shutters and their frames oak teak jarrah karri or other hard timber not less than one and three-quarters inches finished thickness the frames being bedded solid to the walls or partitions ;
- (2) In the case of staircases and landings oak teak jarrah karri or other hard timber the treads risers strings and bearers being not less than one and three-quarters inches finished thickness and the ceilings and soffits (if any) being of plaster or cement ;



- (3) Oak teak jarrah karri or other hard timber when used for beams or posts or in combination with iron the timber and the iron (if any) being protected by plastering or other incombustible or non-conducting external coating not less than two inches in thickness or in the case of timber not less than one inch in thickness on iron lathing; A.D. 1930.  
 —

- (4) (a) In the case of floors and roofs—

brick tile terra-cotta or concrete composed as described in sub-paragraph (6) of paragraph (I) of this schedule not less than five inches thick in combination with iron or steel;

- (b) In the case of floors and of the roofs of projecting shops—

pugging of concrete composed as described in the said sub-paragraph (6) of paragraph (I) not less than five inches thick between wood joists if a fillet one inch square is secured to the sides of the joists and placed so as to be in a central position in the depth of the concrete or concrete blocks not less than five inches thick laid between wood joists on fire-resisting bearers secured to the sides of joists;

- (5) In the case of verandahs balustrades outside landings the treads strings and risers of outside stairs outside steps porticoes and porches oak teak jarrah karri or other hard timber not less than one and three-quarters inches finished thickness;
- (6) In the case of internal partitions enclosing staircases and passages terra-cotta brickwork concrete or other incombustible material not less than three inches thick;
- (7) In the case of glazing for windows doors and borrowed lights lantern or skylights glass not less than one-fourth of an inch in thickness in direct combination with metal the melting point of which is not lower than 1,800 degrees Fahrenheit in squares not exceeding sixteen square inches and in panels not exceeding two feet across either way the panels to be secured with fire-resisting materials in fire-resisting frames of hard wood not less than one and three-quarters inches finished thickness or of iron.

(III) Any other material from time to time approved by the Council as fire-resisting.

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THE SECOND SCHEDULE.

PART I.

GENERAL.

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|---|--|
| Interpreta-<br>tion.                              | 1. In this schedule the expression " the prescribed material " means bricks not less than eight and a half inches long or stone or other blocks of hard and incombustible substance.   |
| Construction<br>of walls of<br>brick stone<br>&c. | 2.—(1) Every wall constructed of brick stone or other similar substance shall be properly bonded and solidly put together with mortar or cement and no part of any such wall shall overhang any part underneath it except to the extent of six inches and except on condition that the projection is well and solidly corbelled out and that the side of the wall opposite to the corbelling is carried up vertically in continuation of the inner face thereof.<br><br>(2) All return walls shall be properly bonded together.  |
| Footings of<br>walls.                             | 3. Every wall other than a wall carried on a bressummer shall unless the Council otherwise allow have footings and the following provisions shall have effect with respect to such footings (that is to say):—<br><br>(a) the footings shall rest on the solid ground or on concrete or on other solid substructure;<br><br>(b) the projection of the bottom of the footing of every wall on each side thereof shall be at least equal to one-half of the thickness of the wall at its base so however that where an adjoining wall interferes the projection may be omitted where that wall adjoins;<br><br>(c) the diminution of the footing of every wall shall be formed in regular offsets;<br><br>(d) the height from the bottom of the footing to the base of the wall shall be at least equal to two-thirds of the thickness of the wall at its base :<br><br>Provided that where an external wall is built against another external wall or against a party wall it shall be lawful for the district surveyor to allow the footing of the side of the first-mentioned external wall next to the other external wall or to the party wall to be omitted. |
| Under-<br>pinning.                                | 4. The underpinning of walls and chimneys shall be built with brick or stone bedded in cement to the full thickness of the old wall or work and with proper footings or to an additional thickness if the increased height of the wall so requires and shall   |

rest on the solid ground or on concrete or on other solid sub- A.D. 1930.  
structure as a foundation and the whole shall be executed to  
the satisfaction of the district surveyor. —

5.—(1) Every external or party wall being a wall constructed Thickness of  
of the prescribed material laid in horizontal beds or courses external and  
shall be of the thickness required by Part II or Part III of this party walls.  
schedule as the case may be.

(2) Every external or party wall not being a wall constructed  
of the prescribed material laid in horizontal beds or courses  
shall be of a thickness greater by one-third than the thickness  
so required as aforesaid.

(3) Any external or party wall of any dwelling-house or  
building of the warehouse class not being a wall constructed  
of the prescribed material shall be deemed to be of sufficient  
thickness if it is of the thickness required by Part II or Part III  
of this schedule or of such thickness as may be approved by  
the Council.

6. The thickness of every cross-wall shall be two-thirds of Thickness of  
the thickness hereinbefore required for an external or party cross-walls.  
wall of the same dimensions and belonging to the same class of  
buildings but never less than eight and a half inches :

Provided that—

(1) no wall subdividing any building shall be deemed  
to be a cross-wall unless it is carried up to the floor  
of the topmost storey and unless in each storey the  
aggregate extent of the vertical faces or elevations  
of all the recesses and of all the openings therein  
taken together does not exceed one-half of the whole  
extent of the vertical face or elevation of the wall;  
and

(2) wherever a cross-wall becomes in any part an external  
wall such cross-wall shall be of the thickness herein-  
before required for an external wall of the same  
height and length and belonging to the same class of  
buildings.

7. When hollow walls are constructed there shall be a wall Thickness of  
on one side of the hollow space of the full thickness prescribed hollow walls.  
by this Act.

8. Where an increase of thickness is by any rule of Part II Increased  
or Part III of this schedule required in case of a wall exceeding thickness  
sixty feet in height and forty-five feet in length or in case of a may be  
storey exceeding in height sixteen times or fourteen times (as confined to  
the case may be) the thickness prescribed for its walls or in case piers in  
of a wall below such storey the increased thickness may be certain cases.  
confined to piers properly distributed of which the collective widths  
amount to one-fourth part of the length of the wall.

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*Act, 1930.*

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| <p>A.D. 1930.<br/>         —<br/>         Thickening<br/>         of walls.</p> | <p>9. A wall shall not be thickened except after notice served on the district surveyor of the intention to thicken and the thickening shall be executed with brick or stone work in cement properly bonded to the old work to the satisfaction of the district surveyor.</p>  |
| <p>Height of<br/>         external and<br/>         party walls.</p>            | <p>10. For the purpose of determining the thickness of a wall the height of such wall shall be measured from the base of the wall to the top of the topmost storey whether such wall is carried to the full height or not or in case of a gable when there are no storeys in the roof to half the height of the gable.</p>   |
| <p>Length of<br/>         walls.</p>  | <p>11. Walls shall be deemed to be divided into distinct lengths by return walls and the length of every wall shall be measured from the centre of one return wall to the centre of another. For the purposes of this paragraph the expression "return walls" means such return walls as are external party or cross-walls of the thickness required by this schedule and are bonded into the walls the lengths whereof they divide.</p>   |
| <p>Height of<br/>         storeys.</p>  | <p>12. The height of storeys shall be measured as follows :—<br/>         (a) the height of a topmost storey shall be measured from the level of the underside of its floor joists up to the level of the undersurface of the tie of the roof or other covering or if there is no tie then up to the level of half the vertical height of the rafters or other support of the roof ;<br/>         (b) the height of every storey other than a topmost storey shall be measured from the level of the underside of the floor joists of the storey up to the level of the underside of the floor joists of the storey next above it.</p> |

## PART II.

### BUILDINGS NOT BEING PUBLIC BUILDINGS OR BUILDINGS OF THE WAREHOUSE CLASS.

1. This Part of this schedule shall apply with respect to every building not being a public building or a building of the warehouse class.

2. External and party walls shall be of not less thickness than the thickness hereinafter specified in each case (that is to say) :—

- (1) Where the wall does not exceed twenty-five feet in height its thickness shall be as follows :—

If the wall does not exceed thirty feet in length and does not comprise more than two storeys it shall be eight and a half inches thick for its whole height ;

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If the wall exceeds thirty feet in length or comprises more than two storeys it shall be thirteen inches thick below the topmost storey and eight and a half inches thick for the rest of its height :

- (2) Where the wall exceeds twenty-five feet but does not exceed forty feet in height its thickness shall be as follows :—

If the wall does not exceed thirty-five feet in length it shall be thirteen inches thick below the topmost storey and eight and a half inches thick for the rest of its height ;

If the wall exceeds thirty-five feet in length it shall be seventeen and a half inches thick for the height of one storey thirteen inches thick for the rest of its height below the topmost storey and eight and a half inches thick for the rest of its height :

- (3) Where the wall exceeds forty feet but does not exceed fifty feet in height its thickness shall be as follows :—

If the wall does not exceed thirty feet in length it shall be seventeen and a half inches thick for the height of one storey thirteen inches thick for the rest of its height below the topmost storey and eight and a half inches thick for the rest of its height :

If the wall exceeds thirty feet but does not exceed forty-five feet in length it shall be seventeen and a half inches thick for the height of two storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall be twenty-one and a half inches thick for the height of one storey seventeen and a half inches thick for the height of the next storey and thirteen inches thick for the rest of its height :

- (4) Where the wall exceeds fifty feet but does not exceed sixty feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be seventeen and a half inches thick for the height of two storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall be twenty-one and a half inches thick for the height of one storey seventeen and a half inches thick for the height of the next two storeys and thirteen inches thick for the rest of its height :

- (5) Where the wall exceeds sixty feet but does not exceed seventy feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be twenty-one and a half inches thick for the

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height of one storey seventeen and a half inches thick for the height of the next two storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness in each of the storeys below the uppermost two storeys by four and a half inches :

- (6) Where the wall exceeds seventy feet but does not exceed eighty feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be twenty-one and a half inches thick for the height of one storey seventeen and a half inches thick for the height of the next three storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness in each of the storeys below the uppermost two storeys by four and a half inches :

- (7) Where the wall exceeds eighty feet but does not exceed ninety feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick for the height of one storey twenty-one and a half inches thick for the height of the next storey seventeen and a half inches thick for the height of the next three storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness in each of the storeys below the uppermost two storeys by four and a half inches :

- (8) Where the wall exceeds ninety feet but does not exceed one hundred feet in height its thickness shall be as follows :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick for the height of one storey twenty-one and a half inches thick for the height of the next two storeys seventeen and a half inches thick for the height of the next three storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness in each of the storeys below the uppermost two storeys by four and a half inches :

- (9) Where the wall exceeds one hundred feet but does not exceed one hundred and twenty feet in height its thickness shall be as follows :— A.D. 1930.

If the wall does not exceed forty-five feet in length it shall be thirty inches thick for the height of one storey twenty-six inches thick for the height of the next two storeys twenty-one and a half inches thick for the height of the next two storeys seventeen and a half inches thick for the height of the next three storeys and thirteen inches thick for the rest of its height ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness in each of the storeys below the uppermost two storeys by four and a half inches.

3. If any storey exceeds in height sixteen times the thickness prescribed under this schedule for the walls of such storey the thickness of each external and party wall throughout such storey shall be increased to one-sixteenth part of the height of the storey and the thickness of each external and party wall below that storey shall be increased to a like extent. Condition in respect of storeys exceeding certain height.

4. No storey enclosed with walls less than thirteen inches in thickness shall be more than ten feet in height measured from the floor to the ceiling thereof or from the floor to the tie of the roof. Restriction of height of certain storeys.

### PART III.

#### BUILDINGS OF THE WAREHOUSE CLASS.

1. This Part of this schedule shall apply with respect to every building of the warehouse class.

2. External and party walls shall be of not less thickness than the thickness hereinafter specified in each case that is to say the walls shall at the base be of the following thickness :— Thickness at base.

- (1) Where the wall does not exceed twenty-five feet in height it shall (whatever its length may be) be thirteen inches thick :
- (2) Where the wall exceeds twenty-five feet but does not exceed thirty feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be thirteen inches thick ;

If the wall exceeds forty-five feet in length it shall be seventeen and a half inches thick :

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—

- (3) Where the wall exceeds thirty feet but does not exceed forty feet in height it shall be of the thickness following:—

If the wall does not exceed thirty-five feet in length it shall be thirteen inches thick ;

If the wall exceeds thirty-five feet but does not exceed forty-five feet in length it shall be seventeen and a half inches thick ;

If the wall exceeds forty-five feet in length it shall be twenty-one and a half inches thick :

- (4) Where the wall exceeds forty feet but does not exceed fifty feet in height it shall be of the thickness following :—

If the wall does not exceed thirty feet in length it shall be seventeen and a half inches thick ;

If the wall exceeds thirty feet but does not exceed forty-five feet in length it shall be twenty-one and a half inches thick ;

If the wall exceeds forty-five feet in length it shall be twenty-six inches thick :

- (5) Where the wall exceeds fifty feet but does not exceed sixty feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-one and a half inches thick ;

If the wall exceeds forty-five feet in length it shall be twenty-six inches thick :

- (6) Where the wall exceeds sixty feet but does not exceed seventy feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-one and a half inches thick ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness from the base up to within sixteen feet from the top of the wall by four and a half inches :

- (7) Where the wall exceeds seventy feet but does not exceed eighty feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-one and a half inches thick ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting



distribution in piers) be increased in thickness from the base up to within sixteen feet from the top of the wall by four and a half inches : A.D. 1930. —

- (8) Where the wall exceeds eighty feet but does not exceed ninety feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness from the base up to within sixteen feet from the top of the wall by four and a half inches :

- (9) Where the wall exceeds ninety feet but does not exceed one hundred feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be twenty-six inches thick ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness from the base up to within sixteen feet from the top of the wall by four and a half inches :

- (10) Where the wall exceeds one hundred feet but does not exceed one hundred and twenty feet in height it shall be of the thickness following :—

If the wall does not exceed forty-five feet in length it shall be thirty-one inches thick ;

If the wall exceeds forty-five feet in length it shall (subject to the provision in this schedule respecting distribution in piers) be increased in thickness from the base up to within sixteen feet from the top of the wall by four and a half inches.

3. The thickness of the wall at the top and for sixteen feet below the top shall be thirteen and a half inches and the intermediate parts of the wall between the base and sixteen feet below the top shall not be of less thickness than would be the case if the wall were to be built solid throughout the space between straight lines drawn on each side of the wall and joining the thickness at the base to the thickness at sixteen feet below the top : Thickness at top &c.

Provided that in the case of walls not exceeding thirty feet in height the walls of the topmost storey may be nine inches thick if the height of that storey does not exceed ten feet.

A.D. 1930.

—  
Condition in  
respect of  
storeys  
exceeding a  
certain  
height.

4. If in any storey of a building of the warehouse class the thickness of the wall as determined by the provisions of this schedule is less than one-fourteenth part of the height of such storey the thickness of the wall shall be increased to one-fourteenth part of the height of the storey and the thickness of each external and party wall below that storey shall be increased to a like extent.

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### THE THIRD SCHEDULE.

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(1) All rolled steel used shall comply with the British standard specification for structural steel for bridges and general building construction from time to time in operation and every pillar or girder shall be of iron or steel or any other structural metal standardised by the Engineering Standards Committee.

(2) The skeleton framework of a building together with the party wall or party walls (if any) upon which such framework bears shall be capable of safely and independently sustaining the whole dead load and the superimposed load bearing upon such framework and party wall or party walls.

(3) All pillars in the external walls of a building shall be completely enclosed and protected from the action of fire by a casing of brickwork terra-cotta concrete stone tiles or other incombustible materials at least four inches thick the whole being properly bonded or secured together.

All girders in the external walls of a building shall be similarly enclosed and encased with brickwork terra-cotta concrete stone tiles or other incombustible materials at least four inches thick properly tied and bonded or secured to the adjoining work :

Provided that the casing on the underside of such girders and to the edges of the flanges thereof and plates and angles connected therewith may be of any thickness not less than two inches.

(4) (a) All pillars and girders (other than pillars and girders in the external walls of a building) shall be protected from the action of fire by being encased to the satisfaction of the district surveyor and to a thickness of not less than two inches in brickwork terra-cotta concrete metal lathing and plaster or cement :

Provided that the casing on the upper surface of the upper flange of all girders and on the lower surface of all subsidiary joists may be of any thickness not less than one inch.

Wood firings shall not be used in connection with any such casing.

(b) This paragraph shall not apply in the case of buildings of only one storey and not more than twenty-five feet in height. A.D. 1930. —

(5) Every girder shall be secured against buckling whenever the length of the girder exceeds thirty times the width of the compression flange and the web of every girder shall be secured against buckling in every case in which the depth of the web exceeds sixty times the thickness thereof.

(6) The span of a girder shall not exceed twenty-four times the depth of the girder unless the calculated deflection of such girder is less than one four-hundredth part of the span.

(7) Wherever two or more girders are arranged alongside and closely adjacent to one another and are intended to act together they shall be fixed together by means of iron separators and bolts or by riveted plates or in any other equally efficient manner approved by the district surveyor.

Separators or plates or other members acting as separators shall not be placed at a distance apart exceeding five times the depth of the girders to which they are attached and shall be placed immediately over all supports and immediately under or at all concentrated loads.

(8) All girders for supporting external walls shall be placed at the floor level of a storey or at a distance of not more than five feet above or below such floor level.

(9) Rivets shall be used in all cases where reasonably practicable but where bolts are used they shall extend through the full thickness of the nuts attached thereto and the nuts shall in all cases be so secured as to avoid risk of their becoming loose.

The distance from the edge of a rivet hole or bolt hole to the edge of the plate bar or member shall not be less than the diameter of the rivet or bolt.

Rivets shall be so placed that their centres shall not be closer together than three times the diameter of the rivets.

The pitch of rivets shall be measured in a continuous straight line and such straight line pitch in girders pillars and roofwork shall not exceed sixteen times the thickness of the thinnest plate bar or member through which they pass.

(10) (a) An external wall may be of any thickness not less than eight and a half inches for the topmost twenty feet of its height and thirteen inches for the remainder of its height below such topmost twenty feet.

A less thickness shall be allowed in any case in which under this Act such less thickness is prescribed but nothing in this provision shall override any of the requirements of this schedule in regard to the thickness of casing in connection with pillars and girders.

In any case in which an external wall or portion of an external wall is not supported or carried or secured by metal framework

A.D. 1930. — within the limits of height and length prescribed by the Second Schedule to this Act for the purpose of determining the thickness of walls such external wall or portion of external wall shall be of a thickness not less than that prescribed by that schedule.

(b) All party walls shall be of the thicknesses prescribed by this Act.

(c) All brickwork and work in which terra-cotta concrete stone tiles or other similar materials are used shall be executed in Portland cement mortar and shall be bedded close up to the metal frame work without any intervening cavity and all joints shall be made full and solid.

The cement so used shall be in accordance with the British standard specification from time to time in operation.

In party walls (exclusive of any parts thereof immediately surrounding metal framework) or other internal brickwork not constructed to carry loads or stresses provided for under this schedule lime mortar may be used in accordance with the provisions of this Act and any byelaws in force thereunder.

(11) (a) No plate or bar in any steel or wrought iron pillar shall in any part be less than a quarter of an inch thick and the bases of all such pillars shall be at right angles to the axis.

(b) All joints in such pillars shall be close butted with coverplates properly riveted and all joints between such pillars shall be properly fixed and made.

(c) Unless it is unavoidable there shall be no joint made between such pillars except at or as near as may be reasonably practicable to the level of a girder properly secured to such pillars.

(d) The foot of every such pillar shall have a proper base-plate riveted thereto with sufficient gusset pieces to distribute properly the load on the foundations.

(e) The gusset pieces shall have sufficient rivets to transmit the whole of the load on to the base-plates.

(f) Where any such pillars are built up hollow the cavities shall either be filled up with concrete or be covered in at both ends by metal plates riveted thereto.

(12) (a) The width of every cast-iron pillar shall be not less than five inches

(b) The metal of which such pillar is composed shall not be in any part of less thickness than three-quarters of an inch or one-twelfth of the least width of such pillar (whichever shall be the greater).

(c) The cap and base of every such pillar shall be in one piece with the pillar or be connected thereto with a properly turned and bored joint sufficiently fixed.

(d) The ends of every such pillar shall be at right angles to its axis.

(e) All joints between such pillars shall be at or as near as may be reasonably practicable to the level of a girder properly secured to such pillars and shall be fixed and made with not fewer than four bolts of not less diameter than the least thickness of metal in the pillar.

(f) If more than four bolts are used the diameter of the bolts may be reduced proportionately but no bolt shall be less than three-quarters of an inch in diameter.

(g) The base of every such pillar shall have such area as may be necessary to distribute properly the load on the foundations.

(13) The base of every pillar shall be properly bedded so as to transmit uniformly the load upon such pillar to the foundations.

(14) The stress in any metal interposed between the ends of a superimposed pillar and a pillar beneath shall not exceed the stress on the superimposed pillar and the least width across such interposed metal shall not be less than the least width of the superimposed pillar.

(15) All floors and staircases (together with their enclosing walls) shall be constructed throughout of fire-resisting materials and be carried upon supports of fire-resisting materials.

(16) (a) All structural metalwork comprised in the skeleton framework of a building shall be cleaned of all scale dust and loose rust and be thoroughly coated with one coat of boiled oil tar or paint before erection and after erection shall receive at least one additional coat.

(b) Where such metalwork is to be embedded or encased in brickwork terra-cotta concrete stone tiles or other incombustible materials one coat of Portland cement wash of adequate consistency applied after erection may be used in lieu of coats of oil tar or paint.

(17) (a) The dead load of a building shall consist of the actual weight of walls floors roofs partitions and all other permanent construction comprised in such building.

(b) The superimposed load in respect of a building shall consist of all loads other than the dead load.

(c) For the purpose of calculating the loads on foundations pillars (including brick pillars) piers walls framework girders and other constructions carrying loads in buildings the superimposed load on each floor and on the roof shall be estimated as equivalent to the following dead load :—

For a floor intended to be used wholly or principally for the purposes of human habitation or for domestic purposes seventy pounds per square foot of floor area ;

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—

For a floor intended to be used wholly or principally for the purpose of an office or a counting-house or for any similar purpose one hundred pounds per square foot of floor area ;

For a floor intended to be used wholly or principally for the purpose of a workshop or retail shop one hundred and twelve pounds per square foot of floor area ;

For every floor in a building of the warehouse class not intended to be used wholly or principally for any of the purposes aforesaid not less than two hundred and twenty-four pounds per square foot of floor area ;

For a roof the plane of which inclines upwards at a greater angle than twenty degrees with the horizontal the superimposed load (which shall for this purpose be deemed to include wind pressure) shall be estimated at twenty-eight pounds per square foot of sloping surface ;

For all other roofs the superimposed load shall be estimated at fifty-six pounds per square foot measured on a horizontal plane.

(d) In every building of the warehouse class a notice shall be exhibited in a conspicuous place on each storey of such building stating the maximum superimposed load per square foot which may be carried on the floor of such storey.

(e) If the superimposed load on any floor or roof is to exceed that hereinbefore specified for such floor or roof such greater load shall be provided for pursuant to paragraph (2) of this schedule.

(f) In the case of any floor intended to be used for a purpose for which a superimposed load is not specified in this paragraph the superimposed load to be carried on such floor shall be provided for pursuant to paragraph (2) of this schedule.

(18) For the purpose of calculating the total load to be carried on foundations pillars (including brick pillars) piers and walls in buildings of more than two storeys in height the superimposed loads for the roof and topmost storey shall be calculated in full in accordance with the last preceding paragraph of this schedule but for the lower storeys a reduction of the superimposed loads shall be allowed as follows so however that (a) the total reduction in respect of any storey shall not exceed fifty per centum of the full superimposed load for such storey and (b) no such reduction shall be allowed in the case of a building of the warehouse class :—

For the storey next below the topmost storey a reduction of five per centum of the full superimposed load for such next storey calculated as aforesaid ;

For the next succeeding lower storey a reduction of ten per centum of the full superimposed load for such storey calculated as aforesaid ;

For each succeeding lower storey a further reduction of five per centum of the full superimposed load for each such storey calculated as aforesaid. A.D. 1930.  
—

(19) All buildings shall be so designed as to resist safely a wind pressure in any horizontal direction of not less than thirty pounds per square foot of the upper two-thirds of the surface of such buildings exposed to wind pressure.

(20) (a) The working stresses on pillars of cast iron or mild steel due to the loads thereon (other than stresses induced by wind pressure) shall not exceed those specified in the two next following tables according to the several ratios therein specified or a proportionate load for intermediate or other ratios :—

CAST-IRON PILLARS.

Ratio of length to least radius of gyration.	Working stresses in tons per square inch of net section.		
	Hinged ends.	One end hinged and one end fixed.	Both ends fixed.
20	3.5	4.0	4.5
30	3.0	3.5	4.0
40	2.5	3.0	3.5
50	2.0	2.5	3.0
60	1.5	2.0	2.5
70	1.0	1.5	2.0
80	0.5	1.0	1.5

MILD STEEL PILLARS.

Ratio of length to least radius of gyration.	Working stresses in tons per square inch of section.		
	Hinged ends.	One end hinged and one end fixed.	Both ends fixed.
20	4.0	5.0	6.0
40	3.5	4.5	5.5
60	3.0	4.0	5.0
80	2.5	3.5	4.5
100	2.0	3.0	4.0
120	1.0	2.5	3.5
140	0.0	2.0	3.0
160		1.0	2.5
180		0.0	1.5
200			0.5
210			0.0

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(b) The working stresses on wrought-iron pillars due to the loads thereon (other than stresses induced by wind pressure) shall not exceed two-thirds of the stresses specified in the tables above with respect to mild steel pillars.

(c) Any pillar eccentrically loaded shall have the stresses caused by such eccentricity computed and the combined stresses resulting from such eccentricity at any part of such pillar when added to all other stresses at that part shall in no case exceed the working stresses specified in this paragraph :

Provided that working stresses exceeding those specified in sub-paragraphs (a) (b) and (c) of this paragraph by not more than twenty-five per centum may be allowed in cases in which such excess is due to stresses induced by wind pressure.

(d) The eccentric load of a pillar shall be considered to be distributed uniformly over the area of the cross section of such pillar at the next lower level at which such pillar is fixed and secured in the direction of eccentricity.

(21) The working stresses of iron and steel (except in the case of pillars as hereinbefore provided) shall not exceed the following :—

	Working stresses in tons per square inch.			
	Tension.	Com- pression.	Shearing.	Bearing.
Cast iron - - -	1·5	8·0	1·5	10·0
Wrought iron - - -	5·0	5·0	4·0	7·0
Mild steel - - -	7·5	7·5	5·5	11·0

(22) In the case of any rivet used in double shear the working shear on such rivet shall not exceed one and three-quarter times the working shear allowed under this section on a like rivet when used in single shear.

(23) The pressure of foundations on the natural ground shall not exceed the following :—

	Tons per square foot.
Natural bed of soft clay or wet or loose sand	1
Natural bed of ordinary clay or confined sand	2
Natural bed of compact gravel London blue clay or chalk - - - - -	4

(24) The pressure on concrete foundations shall not exceed twelve tons per square foot.



(25) No disengaged brick pillar shall have a height without proper lateral supports of more than six times its least width but any such pillar with proper lateral supports may have a height between such supports not more than twelve times the least width of such pillar. A.D. 1930.

Such width shall in no case be less than thirteen and a half inches.

(26) The pressure on any brickwork shall not exceed the following :—

	Tons per square foot.
Blue brick in cement mortar - - - -	12
Hard brick (including London stock) in cement mortar - - - -	8
Ordinary brick in cement mortar - - -	5

(27) The Council may prescribe the materials and the proportions of the materials to be used in any concrete provided in accordance with this schedule to which the other provisions of this Act or any of them or any byelaws in force thereunder do not apply.

(28) An addition to or alteration of or other work to in or upon a building may be made or done in accordance with this schedule if the loads and stresses in the part of a building so added or altered or to in or upon which such other work is done are transmitted from the roof to the foundations by a skeleton framework of metal or partly by a skeleton framework of metal and partly by a party wall or party walls and this schedule shall in all respects apply to such part of a building as if the same were a separate building.

(29) Any structural metal standardised by the Engineering Standards Committee may be used in the erection of buildings or additions alterations or other work made or done under this schedule subject to such terms and conditions as the Council or (in the event of appeal) the tribunal of appeal may think fit to attach either generally or in any particular case to the use of such metal but any person dissatisfied with any term or condition attached by the Council may appeal to the tribunal of appeal.

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THE FOURTH SCHEDULE.

PART I.

FEES PAYABLE TO COUNCIL ON DANGEROUS STRUCTURES.

	£	s.	d.
For general services—			
1. For preparation of notices forms for same and postage - - - - -	0	3	6
2. For service of notices (clerk's time) - - - - -	0	2	6
3. For travelling per mile (one way) - - - - -	0	0	3
4. For obtaining summonses and orders (clerk's time) - - - - -	0	2	6
5. For cost of each summons or order - - - - -	0	3	0

*Where there are two or more adjoining or nearly contiguous structures in the same ownership—*

	£	s.	d.
For Nos. 2 and 4 (above) each - - - - -	0	2	0

The fees payable upon ten structures shall be the maximum fees.

ON NEGLECTED STRUCTURES.

	£	s.	d.
1. For each inspection of the building or structure and report - - - - -	0	5	0
2. For obtaining summons and order (clerk's time) - - - - -	0	2	6
3. For cost of each summons or order - - - - -	0	2	0
4. For attendance at a court to give evidence - - - - -	0	5	0
5. For every adjournment - - - - -	0	2	6
6. For supervision of works including report of officer in cases where the magistrate's order is executed by the Council - - - - -	0	5	0
7. For travelling per mile (one way) - - - - -	0	0	3
8. The cost of procuring local evidence to satisfy the magistrate that the condition of the structure is prejudicial to the property or to the inhabitants of the neighbourhood is to be considered separately in each case.			

*Where there are two or more adjoining or nearly contiguous structures in the same ownership—*

	£	s.	d.
For Nos. 1 4 or 6 (above) each - - - - -	0	3	0
For Nos. 2 or 5 (above) each - - - - -	0	2	0

The fees payable upon ten structures shall be the maximum fees.

For travelling per mile (one way) - - - - -	0	0	3
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PART II.

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FEES PAYABLE TO COUNCIL UNDER SECTION 142 (2).

	£	s.	d.
For each inspection of the structure after the order has been made - - - - -	0	7	6
For checking and certifying accounts with respect to taking down repairing or securing the structure—			
Where the cost of the work does not exceed £5 -	0	10	6
Where such cost exceeds £5 but does not exceed £15 - - - - -	0	15	0
Where such cost exceeds £15 but does not exceed £25 - - - - -	1	1	0
Where such cost exceeds £25 but does not exceed £50 - - - - -	1	11	6
Where such cost exceeds £50 but does not exceed £75 - - - - -	2	2	0
Where such cost exceeds £75 but does not exceed £100 - - - - -	2	12	6
Where such cost exceeds £100 - - - - -	3	3	0
	or 2½ per centum of such cost which ever is the greater.		
For travelling per mile (one way) - - - - -	0	0	3

Where there are two or more adjoining or nearly contiguous structures in the same ownership the aggregate cost of the work on all the structures shall be deemed to be the cost of the work for the purposes of the scale of fees specified in this Part of this schedule.

THE FIFTH SCHEDULE.

PART I.

FEES PAYABLE BY THE COUNCIL TO DISTRICT SURVEYORS ON MEANS OF ESCAPE IN CASE OF FIRE.

For surveying for the purpose of reporting or ascertaining and notifying any building to the Council pursuant to the provisions of sections 104 and 105 of this Act or of either of those sections—

For every building to which the said sections or either of them apply and for every other building which in the opinion of the Council has been reasonably surveyed for the purposes of the said sections or either of them a fee of seven shillings and sixpence Provided that where any such survey involves the checking of a summary of means of escape supplied to the district surveyor by the Council the fee shall be ten shillings.

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PART II.

FEEs PAYABLE BY THE COUNCIL TO DISTRICT  
SURVEYORS ON DANGEROUS STRUCTURES.

On each dangerous structure—	£	s.	d.
(a) Where there are not more than four adjoining or nearly contiguous structures in the same ownership—			
1. For making a survey of the structure reported as dangerous and certifying opinion thereon—			
If the structure does not exceed four squares in area and two storeys in height -	0	7	6
If exceeding four squares -	0	10	0
For every additional storey above two -	0	2	6
2. For each inspection of the structure and report as to completion or progress of the works -	0	5	0
3. For inspecting the structure before the hearing of the summons and attending the court to give evidence—			
If one structure only -	0	10	0
If more than one structure for each structure -	0	5	0
4. For inspecting the structure before the hearing of the summons against the occupier (the owner having failed to comply) and attending the court to give evidence—			
If one structure only -	0	10	0
If more than one structure for each structure -	0	5	0
5. For every adjournment of the summons -	0	5	0
6. For superintending the erection of shoring (including needling when requisite) and hoarding whether done by the Council or not and for certifying the account for the same when done by the Council -	0	10	0
7. For superintending the erection of shoring (including needling when requisite) without hoarding or hoarding without shoring and certifying the account -	0	7	6
8. For supervision including the report of the district surveyor in cases in which it is necessary for the Council to execute works to ensure the safety of the public under an order made by a court -	0	5	0

£ s. d.    A.D. 1930.

(b) Where there are more than four adjoining or nearly contiguous structures in the same ownership the fees specified in paragraph (a) of this Part of this schedule shall be payable subject to the substitution of the following fees for the fees specified in the appropriate items in that paragraph :—

For No. 2	-	-	-	-	-	-	-	0	4	0
For No. 3	-	-	-	-	-	-	-	0	4	0
For No. 4	-	-	-	-	-	-	-	0	4	0
For No. 5	-	-	-	-	-	-	-	0	2	6
For No. 8	-	-	-	-	-	-	-	0	4	0

### PART III.

#### FEES PAYABLE TO DISTRICT SURVEYORS BY BUILDER OWNER OR OCCUPIER.

(a) On exempted buildings—

£ s. d.

For making a survey when reasonably necessary for the purpose of ascertaining whether a building or structure or an external addition to a building or structure is exempt from the provisions of Part VI or Part VII of this Act and whether if so exempt it infringes any other provision of this Act

0 10 0

Provided that this fee shall not be payable in respect of a building or structure or an external addition to a building or structure which on survey—

(i) is ascertained not to be exempt from the provisions of the said Part VI or Part VII; or

(ii) although so exempt is ascertained to be of a cubical extent not exceeding 200 cubic feet.

(b) On buildings erected after the commencement of this Act (except buildings exempt from the provisions of Parts VI and VII of this Act and buildings referred to in heading (a) of Part IV of this schedule)—

In respect of a building of a cubical extent not exceeding 5,000 cubic feet—

Not exceeding 500 cubic feet	-	-	-	-	-	0	10	0
Exceeding 500 cubic feet but not exceeding 2,000 cubic feet	-	-	-	-	-	1	0	0
Exceeding 2,000 cubic feet but not exceeding 5,000 cubic feet	-	-	-	-	-	1	10	0

[Ch. clviii.]      *London Building*      [20 & 21 GEO. 5.]  
*Act, 1930.*

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£   s.   d.

In respect of a building of a cubical extent exceeding 5,000 cubic feet the following fees together with an additional sum of £1 10s. 0d.—

For every 1,000 cubic feet and also for any fractional part of 1,000 cubic feet up to an aggregate cubical extent of 1,000,000 cubic feet      -      -      -      -      -      -      -      -      0      1      0

For every 1,000 cubic feet beyond the first 1,000,000 cubic feet and also for any fractional part of 1,000 cubic feet      -      -      0      0      6

Provided that when two or more dwelling-houses each being of a cubical extent exceeding 5,000 cubic feet are erected by one builder or owner at the same time in the same street or under the same scheme the additional sum shall be—

For the first of such buildings      -      -      1      10      0

For each additional building      -      -      1      0      0

(c) On wooden and temporary structures—

For inspection of any wooden structure or for inspection of any structure or erection put up on a public occasion the same amount as for a building to which heading (b) of this Part of this schedule applies calculated on the cubical extent of the structure or erection without reference to the extent of any building to which it may be attached or in or on which it may be put up.

(d) On additions alterations and other works to which this Act applies (except additions alterations or other works to or on buildings or structures exempt from the provisions of Parts VI and VII of this Act and additions alterations and other works referred to in Part IV of this schedule)—

For every addition alteration or other work made or done to or on any building or structure after the completion of the building or structure—

When the cost does not exceed £5      -      -      0      10      0

When the cost exceeds £5 but not £10      -      -      0      15      0

“      “      “      £10      “      £25      -      1      0      0

“      “      “      £25      “      £50      -      1      10      0

“      “      “      £50      “      £75      -      2      0      0

“      “      “      £75      “      £100      -      2      10      0

[20 & 21 GEO. 5.]    *London Building*    [Ch. clviii.]  
    *Act, 1930.*

When the cost exceeds £100 but not £1,000—    £    s.    d.    A.D. 1930.

For the first £100 the sum of £2 10s. 0d.    —  
 and for every £100 beyond the first £100 and  
 also for any fractional part of £100    -    -    0    10    0

When the cost exceeds £1,000—

For the first £1,000 the sum of £7 and for  
 every £100 beyond £1,000 and also for any  
 fractional part of £100    -    -    -    -    0    2    6

Provided that—

(1) When the addition alteration or other work is carried out as the result of a notice served under section 132 of this Act without the necessity of a complaint being made to a petty sessional court and the cost thereof does not exceed £5 no fee shall be payable in respect thereof;

(2) When the addition alteration or other work is carried out as the result of a notice served under the said section 132 or an order of a petty sessional court and the cost thereof exceeds £5 the fee payable shall be reduced by the amount of the fee payable under item 2 of paragraph (a) of Part II of this schedule for an inspection and report as to the completion of the works when such inspection is coincident with any other inspection made by the district surveyor in connection with his supervision of an addition alteration or other work under this Act;

(3) No fee shall exceed the fee payable in respect of a building to which heading (b) of this Part of this schedule applies of the same cubical extent as that of the building as altered and in the case of an addition alteration or other work made or done to or on one of two or more existing buildings which have been united each building shall be deemed a separate building for the purpose of calculating the maximum fee and in the case of an addition alteration or other work made or done to or on one section or division of an existing building which has been planned in separate sections or is in distinct divisions each section or division of the building shall be deemed a separate building for such purpose.

(e) On public buildings (except public buildings to which the provisions of section 58 or section 59 of this Act apply)—

The fees payable shall be those payable under heading (b) or heading (d) (as the case may

A.D. 1930.

£ s. d.

be) of this Part of this schedule with the addition of fifty per centum of the respective amounts of such fees.

(f) On shafts and chimney breasts (except shafts and chimney breasts to which the provisions of Parts VI and VII of this Act do not apply)—

On the construction of a furnace chimney shaft or similar shaft for ventilation or other purpose in addition to the fee payable for any other operation in progress at the same time—

Not exceeding 10 feet in height	-	-	-	0	10	0
Exceeding 10 feet and not exceeding 20 feet	-	-	-	1	0	0
„ 20 „ „ 30	-	-	-	1	10	0
„ 30 „ „ 75	-	-	-	3	0	0
„ 75 „ „ 100	-	-	-	4	0	0

Exceeding 100 feet—

For the first 100 feet the sum of £4 and for every 10 feet beyond 100 feet and for any fractional part of 10 feet - - - 0 10 0

Provided that in respect of a reinforced concrete shaft the fee shall be two and one-half times the fee payable according to the foregoing scale.

On examining and certifying that a chimney breast in a party wall may or may not be cut away - - - 0 15 0

(g) On certifying plans—

(i) For examining and certifying plans under section 46 of this Act—

A fee equal to one-half of the amount of the fee specified in this Part of this schedule in respect of the erection of a building to which heading (b) of this Part of this schedule applies of the same cubical extent as that of the building to which the plans relate with a minimum fee per building of - 2 0 0

(ii) For examining and certifying plans under section 13 of this Act—

(1) If the external wall of the building or structure wholly abuts on the roadway and the length of such wall does not exceed 40 feet; or

(2) If the external wall of the building or structure abuts in part on the roadway and there is a forecourt or other space between



£ s. d. A.D. 1930

a portion of the external wall and the roadway and the aggregate length of so much of the external wall as abuts on the roadway and of the external fence or boundary of such forecourt or other space abutting on the roadway does not exceed 40 feet; or

(3) If no portion of the external wall of the building or structure abuts on the roadway but there is a forecourt or other space between the external wall and the roadway and the length of the external fence or boundary of such forecourt or other space abutting on the roadway does not exceed 40 feet—

A fee of - - - - - 2 0 0

If any such length or aggregate length as the case may be exceeds 40 feet—

the sum of £2 and in addition for every 20 feet of such length or aggregate length beyond 40 feet and also for any fractional part of such length or aggregate length of 20 feet

0 10 0

Provided that if plans submitted at any one time under the said section 13 to the district surveyor include two or more adjoining or nearly contiguous buildings or structures and the district surveyor certifies such plans or so much of such plans as includes more than one of such buildings or structures the buildings or structures to which the certified plans relate shall for the purpose of calculating the fee payable be deemed to be one building or structure.

(iii) For examining and certifying plans under both the said sections of this Act—

A fee equal to—

(1) The amount of the fee payable under the foregoing sub-paragraph (i); and

(2) one-half of the amount of the fee payable under the foregoing sub-paragraph (ii).

(h) For special services—

For attending at a court when an order is made for complying with a notice of irregularity -

0 10 0

For services relating to the erection of buildings on low-lying lands per building -

0 5 0

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PART IV.

FEES PAYABLE TO DISTRICT SURVEYORS BY BUILDER OWNER OR OCCUPIER IN RESPECT OF BUILDINGS WHOLLY OR PARTLY OF REINFORCED CONCRETE OR METAL SKELETON CONSTRUCTION.

(a) On buildings erected after the commencement of this Act—

- (1) In the case of a building wholly of reinforced concrete or metal skeleton construction or both—

(i) A fee based on the cubical extent of the proposed building and equal to one-half of the amount of the fee payable in respect of a building to which heading (b) of Part III of this schedule applies :

Provided that if at any time after the fee has become payable the cubical extent on which the fee was calculated is increased a further fee shall be payable equal in amount to the difference (if any) between the amount of the fee which would be payable in respect of the cubical extent as so increased and the amount of the fee payable in respect of the cubical extent stated in the original building notice but no additional fee shall be payable in respect of other modifications of the details of the plans sections and calculations submitted with the building notice where such modifications are the result of requirements of section 58 or section 59 of this Act or regulations made thereunder ; and

(ii) A fee equal to twice the amount of the fee payable in respect of a building to which heading (b) of Part III of this schedule applies.

- (2) In the case of a building partly of reinforced concrete or metal skeleton construction or both and partly of any construction other than reinforced concrete or metal skeleton (in this Part of this schedule referred to as a "mixed building")—

(i) A fee equal to the amount of the fee payable under heading (b) of Part III of this schedule (without taking into account the additional sum specified in that heading) in respect of a building of a cubical extent equal to the cubical extent of that portion of the mixed building which is of any construction other than reinforced concrete or metal skeleton ; and

(ii) A fee equal to two and one-half times the amount of the fee payable under heading (b) of Part III of this schedule in respect of a building of a cubical

extent equal to the cubical extent of that portion of the mixed building which is of reinforced concrete or metal skeleton construction or both. A.D. 1930.  
—

- (3) If any difference arises between any person and the district surveyor as to the cubical extent of any such portion of a mixed building as aforesaid the Council shall on the application of either party determine that cubical extent.

(b) On additions alterations and other works to or on buildings wholly or partly of reinforced concrete or metal skeleton construction made or done to or on the buildings after the completion of the buildings—

A fee to be calculated in the same manner as if the addition alteration or other work were an addition alteration or other work under heading (d) (other than proviso (3) to the scale set out under that heading) of Part III of this schedule but the fee shall not exceed the total amount of the fee payable under heading (a) of this Part of this schedule in respect of a building of a total cubical extent equal to the total cubical extent of the building as altered and containing a cubical extent of reinforced concrete or metal skeleton construction or both equal to the cubical extent of such construction contained in the building as altered and in the case of an addition alteration or other work made or done to or on one of two or more existing buildings which have been united each building shall be deemed a separate building for the purpose of calculating the maximum fee and in the case of an addition alteration or other work made or done to or on one section or division of an existing building which has been planned in separate sections or is in distinct divisions each section or division of the building shall be deemed a separate building for the said purpose.

- (c) On conversion of buildings—

In case of the conversion of a building wholly or partly of reinforced concrete in connection with which no structural work is involved but the district surveyor is required to perform a duty involving calculations as to the stability of the building a fee to be fixed in each case by the Council if they think fit.

## PART V.

### FEES PAYABLE BY BUILDER OWNER OR OCCUPIER TO DISTRICT SURVEYORS ON MEANS OF ESCAPE IN CASE OF FIRE.

In respect of any work or matter under section 96 or section 97 of this Act a fee equal to one-fifth of the amount of the fee

A.D. 1930. payable under heading (b) of Part III of this schedule in respect of a building or the sum of £2 whichever is the greater. Provided that in the case of a one-storey building the minimum fee shall be £1 instead of £2.

— In respect of any work or matter under section 98 or section 100 of this Act a fee equal to one-fifth of the amount of the fee payable under Part III of this schedule in respect of an alteration addition or other work or the sum of £1 10s. whichever is the greater.

#### PART VI.

##### REGULATIONS.

1. Any fees payable in respect of works to a party wall comprise the fees payable in respect of both sides of the wall.

2. No fee shall be payable in respect of the fixing of a chimney pot.

3. No fee shall be payable in respect of the repairing of a chimney top unless the top has been pulled down to a greater extent than twelve inches.

4. No fee shall be payable in respect of the repairing of a parapet unless the parapet has been pulled down to a greater extent than twelve inches.

5. In calculating for the purposes of the foregoing Parts of this schedule the cubical extent of any building erected after the commencement of this Act the cubical extent of all unattached outbuildings (including exempted buildings) not exceeding 300 cubic feet in extent shall be included if such outbuildings are erected at the same time as the main building.

#### PART VII.

##### INTERPRETATION.

For the purposes of this schedule—

(a) a building which has been taken down to an extent exceeding one-half of its cubical extent as defined by section 5 of this Act and is re-erected wholly or partially on the same site after the commencement of this Act;

(b) any space between walls and buildings which is roofed after the commencement of this Act;

shall be deemed to be a building erected after the commencement of this Act.

THE SIXTH SCHEDULE.

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ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
57 & 58 Vict. c. ccxiii.	The London Building Act 1894.	The whole Act.
61 & 62 Vict. c. cxxxvii.	The London Building Act 1894 (Amendment) Act 1898.	The whole Act.
62 & 63 Vict. c. 14.	The London Government Act 1899.	In the Second Schedule in Part I thereof the words in the first column from "Power under section eighty-four" to "obstructions in streets" and the words in the second column from "Subject in case" to "under that Act" where the last mentioned words first occur in Part II thereof the words in the first column from "Power under section one hundred and seventy" to "section two hundred(11)(h) of the London Building Act 1894" and the words in the second column from "The power to be exercised only where the borough" to "within the borough" where the last mentioned words first occur.
5 Edw. 7. c. ccix.	The London Building Acts (Amendment) Act 1905.	The whole Act.
8 Edw. 7. c. cvii.	The London County Council (General Powers) Act 1908.	In the preamble the third recital; In the definition of the expression "Owner" in section 3 the words "(except where used in Part III of this Act)"; Part III; In section seventy-five the words "(other than an offence under Part III of this Act)."

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Session and Chapter.	Short Title.	Extent of Repeal.
9 Edw. 7. c. cxxx.	The London County Council (General Powers) Act 1909.	In the preamble the third recital; Part IV; In section sixty-seven the words "(other than an offence under Part IV of this Act)."
5 & 6 Geo. 5. c. ciii.	The London County Council (General Powers) Act 1915.	In the preamble the seventh recital; Part VI.
10 & 11 Geo. 5. c. lxxxix.	The London County Council (General Powers) Act 1920.	In the preamble in the first recital the words "and for regulating the erection re- building adaptation or use "of houses and buildings on "low-lying lands"; Part III.
11 & 12 Geo. 5. c. l.	The London County Council (General Powers) Act 1921.	In the preamble the second recital; Part V.
13 & 14 Geo. 5. c. vii.	The London County Council (General Powers) Act 1923.	The preamble from the beginning thereof to the word "And" where that word first occurs; Part II.
16 & 17 Geo. 5. c. xcvi.	The London County Council (General Powers) Act 1926.	Part II.
17 & 18 Geo. 5. c. xxii.	The London County Council (General Powers) Act 1927.	Section twenty-nine.
18 & 19 Geo. 5. c. lxxvii.	The London County Council (General Powers) Act 1928.	The preamble from the beginning thereof to the word "And" where that word first occurs; Part II; In section sixty-one the words "Penalty for removing or defacing name of street"; The schedules.

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