

ELIZABETH II



1963 CHAPTER XXXV

An Act to empower the London County Council to execute street and other works and to acquire lands, to confer further powers on the London County Council; and for other purposes. [31st July 1963]

WHEREAS—

(1) It is expedient that the London County Council (hereinafter referred to as "the Council") should be empowered to execute the works described in Part III of this Act, and to acquire for that purpose the lands described or referred to in Part II of this Act:

(2) It is expedient that the other provisions contained in this Act should be enacted:

(3) The objects aforesaid cannot be attained without the authority of Parliament:

(4) Estimates have been prepared of the cost of carrying out the works to be executed by the Council under Part III of this Act and the acquisition by the Council of lands in connection therewith as provided for in Part II of this Act and such estimates amount to twenty million three hundred and ninety thousand pounds and thirteen million two hundred and twenty-eight thousand pounds respectively:

(5) Plans and sections showing the lines or situations and levels of the works by this Act authorised and also showing the lands which may be acquired or used compulsorily by the Council for the purposes or under the powers of this Act, and also a book of reference to the said plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands and describing the same, were duly deposited

in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the clerk of the Council, which plans, sections and book of reference are in this Act referred to respectively as the deposited plans, the deposited sections and the deposited book of reference:

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

PART I

PRELIMINARY

- Short title. 1. This Act may be cited as the London County Council (Improvements) Act 1963.
- Division of Act into Parts. 2. This Act is divided into Parts as follows:—
- Part I.—Preliminary.
- Part II.—Lands.
- Part III.—Works.
- Part IV.—Protective provisions.
- Part V.—Miscellaneous.
- Part VI.—Supplemental.
- Interpretation. 3.—(1) In this Act except as otherwise expressly provided or unless the context otherwise requires—
- “ the Act of 1845 ” means the Lands Clauses Consolidation Act, 1845;
- “ the Act of 1950 ” means the Public Utilities Street Works Act, 1950;
- “ the Act of 1961 ” means the Land Compensation Act, 1961;
- “ borough ” means a metropolitan borough, and “ the borough ” means the metropolitan borough in relation to which the expression is used;
- “ borough council ” means the mayor, aldermen and councillors of a borough, and “ the borough council ” means the mayor, aldermen and councillors of the borough in relation to which the expression is used;
- “ the Conservators ” means the Wimbledon and Putney Commons Conservators incorporated by the Wimbledon and Putney Commons Act, 1871;
- “ the Council ” means the London County Council;
- “ the county ” means the county of London;

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

“ the improvements ” means Works Nos. 1 to 59 (inclusive) or any of them or any part thereof respectively;

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

“ the Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Lands Tribunal Act, 1949, and by the Act of 1961;

“ the Minister ” means the Minister of Transport;

“ reserved area ” means any area for the time being set apart in the improvements for dividing lines of traffic or for separating footway and carriageway or, where no part of the improvements has been laid out as footway, for separating the carriageway from the adjoining lands;

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

“ the Tibbet’s Corner improvement ” means Works Nos. 45 to 59 (inclusive) and any subsidiary works or things in connection therewith which may be executed or done by the Council under section 19 (Power to make subsidiary works, etc.) of this Act;

“ the tribunal ” means the Lands Tribunal;

“ Wimbledon Common ” means the open spaces known as Wimbledon Common (including Wimbledon Green and Putney Heath) and Putney Lower Common.

(2) Where in this Act (except in section 24 (Deviation from lines and levels) of this Act) any distance or length is stated in any description of works or powers, the reference to that distance or length shall be construed as if the words “ or thereabouts ” were inserted after such distance or length.

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

(4) Unless the context otherwise requires any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

4. The Lands Clauses Acts, except sections 92, 127 to 133, 150 and 151 of the Act of 1845, so far as such Acts are applicable for the purposes of and are not inconsistent with the provisions of this Act, are hereby incorporated with and form part of this Act.

Incorporation
of Lands
Clauses Acts.

PART II

LANDS

Power to
acquire lands.

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

(2) The Council shall not, under the powers of this section, acquire any working space, but nevertheless the provisions of section 11 (Power to acquire easements only) of this Act shall apply thereto as if such working space were lands which the Council were authorised to acquire compulsorily under this Act so however that the Council may use any working space for the purpose only of constructing the Tibbet's Corner improvement and for so long only as may be necessary for that purpose. In this subsection the expression "working space" means any lands delineated on the deposited plans and described in the deposited book of reference and forming part of Wimbledon Common which will not form part of the Tibbet's Corner improvement.

(3) The powers of the Council for the purchase of lands by agreement shall be deemed to extend to, and to authorise, the purchase by the Council by agreement of any other lands in the county which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be acquired by the Council for the purposes of, or in connection with, the improvements.

(4) The powers of compulsory acquisition of land under this section shall cease after the expiration of three years from the first day of October, nineteen hundred and sixty-three.

(5) Any lands acquired by the Council under the provisions of this section which form part of Wimbledon Common shall cease for all purposes to form part of that common and to be subject to any enactment for the management of the said common by the Conservators, and any lands conveyed by the Council to the Conservators in exchange for any such lands as hereinafter provided together with any lands forming the site of any part of the streets described in the Second Schedule to this Act and which are stopped up under section 29 (Power to stop up parts of streets on Wimbledon Common and vesting of sites thereof)

of this Act shall form part of Wimbledon Common and be subject to the like rights, trusts and incidents as attached to the lands so acquired by the Council as aforesaid to the intent—

PART II
—cont.

- (a) that the lands so conveyed in exchange and any lands forming the site of any part of the streets described in the Second Schedule to this Act and which are stopped up as aforesaid shall be controlled, regulated and managed by the Conservators; and
- (b) that any byelaws and regulations made under any such enactment as aforesaid shall be enforceable as fully and effectually as if those lands formed, and had always formed, part of Wimbledon Common.

6.—(1) No lands forming part of Wimbledon Common shall be acquired by the Council under the powers conferred by this Part of this Act unless agreement has been reached between the Council and the Conservators as to—

As to lands to be given in exchange.

- (a) the lands which are to be conveyed by the Council to the Conservators for addition to Wimbledon Common in exchange for the lands so to be acquired by the Council; and
- (b) the manner in which the parts of the streets described in the Second Schedule to this Act and which are to be stopped up under section 29 (Power to stop up parts of streets on Wimbledon Common and vesting of sites thereof) of this Act are to be turfed or otherwise laid out by the Council;

or in case of difference between the Council and the Conservators the matter in difference has been determined in manner prescribed by subsection (2) of this section:

Provided that—

- (i) the lands so to be conveyed by the Council to the Conservators as aforesaid shall be equivalent as nearly as may be in area to the lands so to be acquired by the Council as aforesaid;
- (ii) the area of any part of the streets described in the Second Schedule to this Act and which are under the said section 29 stopped up and form part of Wimbledon Common shall be treated for the purposes of this section as part of the said equivalent area.

(2) If the Council and the Conservators fail to reach agreement as to the matters referred to in paragraphs (a) and (b) of subsection (1) of this section, or either of them, the matter in difference shall be referred to and determined by the Minister of Agriculture, Fisheries and Food.

PART II
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Correction of errors in deposited plans and book of reference.

7.—(1) If the deposited plans or the deposited book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Council, after giving not less than ten days' notice to the owner, lessee and occupier of the land in question, may apply to a metropolitan stipendiary magistrate for the correction thereof.

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

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments, and a copy thereof in the Private Bill Office of the House of Commons and with the clerk of the Council and with every town clerk of a borough with whom a copy of the deposited plans, or of so much thereof as includes the land to which the certificate relates, has been deposited in accordance with the standing orders of the Houses of Parliament, or who has the custody of any such copy so deposited; and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate, and it shall be lawful for the Council to take the land and execute the improvements in accordance with the certificate.

(4) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

Acquisition of part only of certain properties.

8.—(1) For the purposes of this Act the following provisions of this section shall have effect in substitution for section 92 of the Act of 1845.

(2) No person shall be required to sell a part only of any house, building or factory, or of a park or garden belonging to a house, if he is willing and able to sell the whole of the house, building, factory, park or garden unless the tribunal determines—

(a) in the case of a house, building or factory, that such part as is proposed to be taken can be taken without material detriment to the house, building or factory; or

(b) in the case of a park or garden, that such part as is proposed to be taken can be taken without seriously affecting the amenity or convenience of the house to which it belongs.

(3) If the tribunal determines as aforesaid, compensation shall be awarded in respect of any loss due to the severance of the part proposed to be taken in addition to the value of that part; and thereupon the person interested shall be required to sell to the Council that part of the house, building, factory, park or garden.

9.—(1) The Council may enter into and carry into effect agreements with any person being the owner of, or interested in, any land abutting on any portion either of the improvements or of land which may be acquired under this Act, with respect to the sale by the Council to him of any land acquired by, or any part of a street vested in, the Council under this Act and not required for the improvements.

PART II
—cont.
Agreements with adjoining owners.

(2) The Council may accept as satisfaction of the whole or any part of the consideration for any such sale the grant by the purchaser of any land required by the Council for the purposes of this Act or any easement or right so required.

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

Power to use subsoil of streets.

11.—(1) The Council may, instead of acquiring any land which they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights in or over the land as they may require for the purpose of constructing, using, maintaining, renewing or removing the improvements or for the purpose of obtaining access to the works or for the purpose of doing any other thing necessary in connection with the improvements.

Power to acquire easements only.

(2) Accordingly the Council may give notice to treat in respect of any such easement or right describing the nature thereof; and the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

(3) Where the Council have acquired an easement or right only in or over any land under this section—

(a) they shall not be required or, except by agreement or during the execution of the improvements, entitled to fence off or sever that land from the adjoining land;

(b) the owner or occupier of the land for the time being shall, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

(4) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Council to acquire the land, the Council shall not be entitled under this section to acquire the easement or right unless the tribunal determines that the easement or right can be granted without material detriment to the land or, in the case of a park or garden belonging to a house, without

PART II
—cont.

seriously affecting the amenity or convenience of the house; and, if the tribunal does not so determine, the Council may acquire the land compulsorily notwithstanding that the period mentioned in subsection (3) of section 5 (Power to acquire lands) of this Act has expired, but not later than one year after the determination of the tribunal:

Provided that nothing in this subsection shall apply to land forming part of a street.

(5) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (4) of this section.

Grant of easements by persons under disability.

12.—(1) Any person empowered by the Lands Clauses Acts to sell and convey or release lands may if he thinks fit, subject to the provisions of those Acts, grant to the Council any easement or right required for the purposes of this Act in or over the lands, not being an easement or right of water in which some person other than the grantor has an interest.

(2) The provisions of the said Acts with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.

Extinction of private rights of way.

13. All private rights of way over any land which may be acquired compulsorily under section 5 (Power to acquire lands) of this Act shall, as from the acquisition of the land, whether compulsorily or by agreement, be extinguished.

Compensation for extinction of private rights of way.

14. Any person who suffers loss by the extinguishment of any private right of way under any of the following sections of this Act:—

- Section 13 (Extinction of private rights of way);
- Section 19 (Power to make subsidiary works, etc.);
- Section 28 (Vesting of sites of streets stopped up); and
- Section 29 (Power to stop up parts of streets on Wimbledon Common and vesting of sites thereof);

shall be entitled to be paid by the Council compensation to be determined in case of dispute under and in accordance with the Act of 1961.

Power to enter for survey or valuation.

15. Any person acting on behalf of the Council, and duly authorised in that behalf, may on producing if so required some duly authenticated document showing his authority, at all reasonable times, enter on any land which may be acquired compulsorily under section 5 (Power to acquire lands) of this Act for the purpose of surveying or valuing the land:

Provided that no land shall be entered under this section unless the Council, not less than seven days before the date of the

first entry and not less than twenty-four hours before any subsequent entry, have given notice in writing to the owner and occupier thereof.

PART II
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16. At any time after serving a notice to treat in respect of any land which may be acquired compulsorily under this Act or in respect of any easement or right in or over any such land but not less than three months after giving the owner and occupier of the land notice of their intention to exercise the powers of this section, the Council may without previous consent and without compliance with sections 84 to 90 of the Act of 1845 enter on the land, or such part of it as may be specified in the last-mentioned notice, and take possession of the land or part or, as the case may be, enjoy any easement or exercise any right to be acquired under this Act in or over the land or part:

Power to expedite entry.

Provided that the Council shall pay the like compensation for land of which possession is taken or for any easement enjoyed or right exercised under this section, and the like interest on the compensation awarded, as would have been payable if the provisions of the said sections 84 to 90 had been complied with.

17. In determining any question of disputed compensation or purchase money in respect of land or easements or rights in or over land acquired under this Act, the tribunal shall not take into account—

Disregard of recent improvements and interests.

(a) any improvements or alteration made, or building erected, after the fifth day of December, nineteen hundred and sixty-two; or

(b) any interest in the land created after the said date;

which, in the opinion of the tribunal, was not reasonably necessary and was made, erected or created with a view to obtaining or increasing the compensation or purchase money.

PART III WORKS

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

Power to execute works.

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

In the royal borough of Kensington and the borough of Paddington—

Work No. 1 A new street (to be raised above the existing street levels) commencing by a junction with Work No. 15 authorised by the London County Council

PART III
—cont.

(Improvements) Act, 1962, at its termination at a point thirty-seven yards east of Calverley Street and forty-five yards north of Silchester Road and terminating at a point in Harrow Road sixteen yards south-west of the junction thereof with Paddington Green (west side):

In the borough of Paddington—

Work No. 2 An improvement of Harrow Road being in part a widening on the south-west side and in part a narrowing on the north-east side commencing at the junction of Harrow Road and Hampden Crescent and terminating by a junction with Works Nos. 3 and 5 at their commencement at a point sixty yards south-east of the junction of Torquay Street and Harrow Road;

Work No. 3 A new street commencing by a junction with Work No. 2 at its termination and terminating by a junction with Work No. 9 at its commencement at a point one hundred yards west of the junction of Blomfield Crescent and Westbourne Terrace Road;

Work No. 4 A new street (to be raised for part of its length above the existing street levels) commencing by a junction with Work No. 1 above a point twenty yards north-west of the junction of Harrow Road and Lord Hill's Road and terminating by a junction with Work No. 9 at its commencement;

Work No. 5 A new street commencing by a junction with Work No. 2 at its termination and terminating by a junction with Work No. 8 at its commencement at a point thirty-five yards north-west of the junction of Harrow Road and Chichester Place;

Work No. 6 A new street commencing by a junction with Work No. 5 at its termination and terminating at a point on Ranelagh Bridge twenty yards south of the junction thereof with Harrow Road;

Work No. 7 A new street (to be raised for part of its length above the existing street levels) commencing by a junction with Work No. 1 above a point twenty yards south-west of the junction of Harrow Road and Lord Hill's Road and terminating at a point nine yards west of the junction of Harrow Road and Ranelagh Bridge;

Work No. 8 A new street (to be lowered for part of its length below the existing street levels) commencing by a junction with Work No. 5 at its termination and terminating by a junction with Work No. 10 at its

commencement at a point one hundred and fifty-three yards east of the junction of Harrow Road and Westbourne Terrace;

Work No. 9 A new street commencing by a junction with Works Nos. 3 and 4 at their termination and terminating by a junction with Work No. 11 at its commencement in Harrow Road at a point fourteen yards south-west of its junction with Warwick Crescent;

Work No. 10 A new street incorporating a bridge over the Grand Union Canal commencing by a junction with Work No. 8 at its termination and terminating by a junction with Bishop's Bridge Road at a point eighteen yards south-west of its junction with Harrow Road;

Work No. 11 A widening on the north-west and north-east sides of Harrow Road including an improvement of the bridge over the Grand Union Canal commencing by a junction with Work No. 9 at its termination and terminating by a junction with Work No. 14 at its commencement at a point seventy-three yards north-west of the junction of Harrow Road and Porteus Road;

Work No. 12 A new street commencing by a junction with Work No. 10 at a point one hundred and thirty-five yards east of the commencement of that work and terminating by a junction with Work No. 9 at its termination;

Work No. 13 A new street incorporating a bridge over the Grand Union Canal commencing by a junction with Work No. 10 at a point two hundred and twenty-seven yards east of the commencement of that work and terminating by a junction with Work No. 11 at its termination;

Work No. 14 A new street commencing by a junction with Work No. 11 at its termination and terminating at a point thirteen yards west of the junction of Harrow Road and Paddington Green (west side);

Work No. 15 A new street commencing by a junction with Work No. 10 at its termination and terminating by a junction with Work No. 1 at its termination;

Work No. 16 A widening of Harrow Road on both sides commencing by a junction with Work No. 1 at its termination and terminating at a point thirty-two yards east of the junction of Harrow Road and North Wharf Road;

PART III
—cont.

Work No. 17 A new street commencing by a junction with Work No. 10 at a point sixty-five yards north-west of the termination thereof and terminating by a junction with Work No. 14 at a point seventy yards east of the junction of Harrow Road and Porteus Road;

Work No. 18 A new street commencing by a junction with Work No. 15 at a point thirty-nine yards north-east of the commencement thereof and terminating by a junction with Work No. 14 at a point one hundred and ten yards east of the junction of Harrow Road and Porteus Road;

Work No. 19 A widening of Warwick Avenue on the south-west side including an improvement of the bridge over the Grand Union Canal commencing at Blomfield Road and terminating at Harrow Road;

Work No. 20 A widening of Ranelagh Bridge and Gloucester Terrace on the eastern side of their junction, commencing at a point twenty-eight yards north of the said junction and terminating at a point eighteen yards east of the said junction;

Work No. 21 A new street commencing by a junction with Westbourne Terrace at a point thirty yards south-east of the junction of Westbourne Terrace and Harrow Road and terminating by a junction with Work No. 10 at a point forty-eight yards east of the commencement of Work No. 10:

In the borough of Greenwich—

Work No. 22 A widening on both sides of Tunnel Avenue commencing by a junction with Work No. 12 authorised by the London County Council (Tunnel and Improvements) Act, 1938, at its termination at the junction of Tunnel Avenue and Weetman Street and terminating by a junction with Work No. 23 at its commencement at a point two hundred and fifty-three yards south-east of the junction of Tunnel Avenue and Boord Street;

Work No. 23 A new street (to be raised above the existing street levels) commencing by a junction with Work No. 22 at its termination and terminating at a point ninety-eight yards north of the junction of Tunnel Avenue and Selcroft Road;

Work No. 24 A new street to form a gyratory system of traffic operation commencing by a junction with Work No. 31 at its commencement at a point twenty-three yards north-east of the junction of Tunnel

Avenue and Blackwall Lane and proceeding in a northerly, easterly, southerly and westerly direction and terminating at its point of commencement;

Work No. 25 A new street commencing by a junction with Work No. 22 at its termination and terminating by a junction with Work No. 24 at a point eighty-seven yards north of the junction of Tunnel Avenue and Blackwall Lane;

Work No. 26 A new street commencing by a junction with Work No. 22 at its termination and terminating by a junction with Work No. 24 at a point one hundred and thirteen yards north of the junction of Tunnel Avenue and Blackwall Lane;

Work No. 27 A new street commencing by a junction with Work No. 24 at a point one hundred and forty-five yards north-east of the junction of Tunnel Avenue and Blackwall Lane and terminating in Blackwall Lane at a point forty-seven yards south-east of the junction of Blackwall Lane and River Way;

Work No. 28 A new street commencing by a junction with Dreadnought Street at a point thirty yards west of the junction of Dreadnought Street and Blackwall Lane and terminating by a junction with Work No. 27 at a point sixty-three yards north-east of the junction of Blackwall Lane and Dreadnought Street;

Work No. 29 A new street commencing by a junction with Work No. 24 at a point one hundred and thirteen yards north-east of the junction of Blackwall Lane and Tunnel Avenue and terminating at a point one hundred and ten yards north of the junction of Tunnel Avenue and Selcroft Road;

Work No. 30 A new street commencing by a junction with Work No. 24 at a point eighty-seven yards east of the junction of Tunnel Avenue and Blackwall Lane and terminating at a point eighty-five yards north of the junction of Tunnel Avenue and Selcroft Road;

Work No. 31 A widening of Blackwall Lane on the east side commencing by a junction with Work No. 24 at its commencement and termination and terminating at a point fifty-seven yards north of the junction of Blackwall Lane and Mauritius Road;

Work No. 32 A new street commencing at a point twenty-seven yards north-west of the junction of Tunnel Avenue and Greenfell Street and terminating by a junction with Boord Street at a point forty-eight yards north-east of the junction of Tunnel Avenue and Boord Street;

PART III
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- Work No. 33 A new street commencing by a junction with Tunnel Avenue thirteen yards south of the junction of Tunnel Avenue and Idenden Cottages (south side) and terminating by a junction with Idenden Cottages (north side) at a point twelve yards south-west of the junction thereof with Tunnel Avenue;
- Work No. 34 A new street commencing by a junction with Work No. 23 at its termination and terminating at a point ninety-seven yards north of the junction of Tunnel Avenue and Denham Street;
- Work No. 35 A new street (to be raised above the existing street levels) commencing by a junction with Work No. 34 at its termination and terminating by a junction with Work No. 40 at a point forty yards west of the junction of Westcombe Hill and Westerdale Road;
- Work No. 36 A new street commencing by a junction with Work No. 34 at its termination and terminating in Westerdale Road at a point fourteen yards west of the junction of Westcombe Hill and Westerdale Road;
- Work No. 37 A new street commencing by a junction with Work No. 34 at its termination and terminating in Westerdale Road at a point forty-seven yards west of the junction of Westcombe Hill and Westerdale Road;
- Work No. 38 A new street commencing by a junction with Farmdale Road at a point sixty-nine yards east of the junction of Combedale Road and Farmdale Road and terminating at a point seven yards south of the junction of Westcombe Hill and Plaxtol Place;
- Work No. 39 A widening of Woolwich Road on both sides commencing at the junction of Woolwich Road and Combedale Road and terminating at a point sixteen yards east of the junction of Woolwich Road and Aldeburgh Street;
- Work No. 40 A new street (to be raised for part of its length above the existing street levels) commencing by a junction with Work No. 35 at its termination and terminating by a junction with Work No. 41 at its commencement at a point eighty-two yards east of the junction of Bramshot Avenue and Westcombe Hill;
- Work No. 41 A new street (to be lowered for part of its length below the existing street levels) commencing by a junction with Work No. 40 at its termination and terminating by a junction with Work No. 43 at its

commencement and termination at a point forty-one yards north-west of the junction of Shooter's Hill Road and Rochester Way;

Work No. 42 A new street commencing by a junction with Siebert Road at a point one hundred and sixty-seven yards north of the junction of Siebert Road and Bramshot Avenue and terminating by a junction with Bramshot Avenue at a point seventy-five yards west of the junction of Bramshot Avenue and Eastcombe Avenue;

Work No. 43 A new street to form a gyratory system of traffic operation commencing by a junction with Work No. 41 at its termination and thence proceeding in a south-easterly, south-westerly, north-westerly and north-easterly direction and terminating at its point of commencement;

Work No. 44 A new street commencing by a junction with Old Dover Road at a point seventy-two yards west of the junction of Old Dover Road and Banchory Road and terminating by a junction with Langton Way at a point sixty-seven yards south-west of the junction of Langton Way and Delacourt Road:

In the borough of Wandsworth—

Work No. 45 A widening of Kingston Road on the north side commencing at the junction of Kingston Road and Portsmouth Road and terminating by a junction with Work No. 3 authorised by the London County Council (General Powers) Act, 1961, at its commencement at a point twenty-five yards west of the centre of the eastern entrance to Putney Vale Cemetery;

Work No. 47 A widening of Kingston Road on both sides commencing by a junction with Work No. 2 authorised by the London County Council (General Powers) Act, 1961, at its termination at a point one hundred and twenty-three yards east of the junction of Kingston Road and the western branch of Roehampton Lane and terminating by a junction with Works Nos. 48, 49 and 50 at their commencement at a point three hundred and forty-one yards south-west of the junction of Kingston Road and Wimbledon Park Side;

Work No. 48 A new street (to be lowered for part of its length below the existing street levels) commencing by a junction with Work No. 47 at its termination and terminating by a junction with Work No. 54 at a point in West Hill thirty-seven yards north-east of the junction of West Hill and Wimbledon Park Side;

PART III
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Work No. 49 A new street (to be constructed for part of its length on embankment) commencing by a junction with Work No. 47 at its termination and terminating by a junction with Work No. 51 at a point one hundred and ninety yards south-west of the junction of Kingston Road and Wimbledon Park Side;

Work No. 50 A new street (to be constructed for part of its length on embankment) commencing by a junction with Work No. 47 at its termination and terminating by a junction with Work No. 51 at a point one hundred and ninety-five yards south-west of the junction of Kingston Road and Wimbledon Park Side;

Work No. 51 A new street (to be constructed for part of its length on embankment) to form a gyratory system of traffic operation commencing by a junction with Work No. 49 at its termination and proceeding in a northerly, easterly, southerly and westerly direction and terminating at its point of commencement;

Work No. 52 A new street commencing by a junction with Wimbledon Park Side at a point two hundred and ninety-five yards south of the junction of Wimbledon Park Side and Kingston Road and terminating by a junction with and at a point eighty-four yards east of the commencement of Work No. 51;

Work No. 53 A new street (to be constructed for part of its length on embankment) commencing by a junction with Putney Hill at a point twenty-seven yards north of its junction with Putney Heath Lane and terminating by a junction with and at a point ninety-five yards north of the commencement of Work No. 51;

Work No. 54 A widening of West Hill on both sides commencing by a junction with Work No. 48 at its termination and with Works Nos. 55 and 56 at their commencement and terminating at the junction of West Hill with Putney Heath Lane and Beaumont Road;

Work No. 55 A new street commencing by a junction with Work No. 54 at its commencement and terminating by a junction with Work No. 51 at a point sixty-five yards south-west of the junction of Kingston Road and Wimbledon Park Side;

Work No. 56 A new street commencing by a junction with Work No. 54 at its commencement and terminating by a junction with Work No. 51 at a point seventy-three yards south-west of the junction of Kingston Road and Wimbledon Park Side;

Work No. 57 A new street commencing by a junction with Wimbledon Park Side forty-eight yards south of the junction of Kingston Road and Wimbledon Park Side and terminating by a junction with Princes Way at a point fifty yards east of the junction of Kingston Road and Wimbledon Park Side;

Work No. 58 A new street commencing by a junction with Putney Hill at a point one hundred and forty-five yards south-east of the junction of Putney Hill and Putney Heath Lane and terminating by a junction with Work No. 53 at a point one hundred and thirty-seven yards south of the junction of Putney Hill and Putney Heath Lane;

Work No. 59 A widening of Portsmouth Road on the south-east side commencing at a point one hundred and eighty yards south-west of the junction of Portsmouth Road and Alton Road and terminating at a point twenty-seven yards east of its commencement.

(3) In executing the works authorised by this section, and in addition to and not in derogation of any of the powers conferred by this Act, the Council may exercise the like powers in all respects as if the works were being carried out by the Council in the exercise of their powers under section 144 of the Metropolis Management Act, 1855, of making, widening or improving streets.

(4) In the construction of the bridge to be incorporated in Works Nos. 10 and 13 authorised by this section the Council shall erect on each side of such bridge a good and sufficient fence.

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

Power to make
subsidiary
works, etc.

(a) make junctions and communications (including the provision of steps and ramps) with any existing street intersected or interfered with by or contiguous to the

PART III
—cont.

- improvements, and divert or widen or alter the line or alter the level of any existing street for the purposes of the improvements;
- (b) stop up any part of a street which they may consider unnecessary to retain or to throw into the improvements;
 - (c) raise, sink or otherwise alter the position of any of the steps, areas, cellars, cellar-flaps, pavement lights, gratings, boundary walls, railings, fencings, windows, sewers, drains, watercourses, pipes, spouts or wires belonging to any house or building and remove all other obstructions so as to cause in so doing as little delay and inconvenience to the inhabitants as the circumstances of the case will admit, and the Council shall make compensation to any person who suffers damage by any such alterations, such compensation to be determined in case of dispute by the tribunal;
 - (d) execute any works for the protection or improvement of any adjoining land or buildings;
 - (e) execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings;
 - (f) construct any embankments or retaining walls for supporting the improvements.

(2) The Council may, on any lands abutting on the improvements and outside the limits of deviation shown on the deposited plans, execute or do, by agreement with the owners and occupiers of the said lands, any of the works or things referred to in paragraphs (c), (d) and (e) of subsection (1) of this section and any works necessary or convenient for the purpose of providing or facilitating access to or from the said lands or for preserving the amenities thereof.

Power to construct bridges, etc., and to execute temporary works on railways.

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

21.—(1) Subject to the provisions of this Act, the Council may cause such parts of the improvements to be laid out for carriageway and such parts thereof for footway and such parts thereof for reserved area as they may think proper, and may, upon the lands acquired by them under the powers of this Act and within the limits of deviation shown on the deposited plans, construct, erect and provide all such works and conveniences as they may think proper for the purposes of or in connection with the improvements.

PART III
—cont.

Carriageway,
footway and
other works.

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

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

Underpinning
of houses or
buildings near
improvements.

- (1) At least fourteen days' notice shall, except in case of emergency, be given to the owners, lessees and occupiers of the house or building intended to be so underpinned or otherwise strengthened;
- (2) Each such notice shall be served in manner prescribed by section 19 of the Act of 1845;
- (3) If any owner, lessee or occupier of any such house or building shall, within seven days after the giving of such notice, give a counter-notice in writing that he disputes the necessity of such underpinning or other strengthening, the question of the necessity shall be settled by arbitration;
- (4) The Council shall be liable to compensate the owners, lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section, provided that the claim for compensation in respect of such loss or damage be made within three months from the date upon which any such owner, lessee or occupier either first discovered the loss or damage or by which he ought reasonably to have discovered it (whichever is the earlier);

PART III
— cont.

- (5) In any case in which any house or building shall have been underpinned or otherwise strengthened under the powers of this section the Council may, from time to time after the completion of such underpinning or other strengthening, and during the execution of the work in connection with which such underpinning or other strengthening was done, or within twelve months after the opening for traffic of that work, enter upon and survey such house or building and do such further underpinning or other strengthening thereof as they may deem necessary or expedient or, in case of dispute between the Council on the one hand and the owner, lessee or occupier of the house or building on the other hand, as shall be settled by arbitration;
- (6) If in any such case as is referred to in the last foregoing paragraph the underpinning or other strengthening done by the Council shall at any time within five years from the opening for traffic of the work in connection with which such underpinning or other strengthening was done prove inadequate for the support or protection of the house or building against further injury arising from the execution of such work the Council shall make compensation to the owner, lessee and occupier of the house or building for such injury, provided that the claim for compensation in respect thereof be made within three months from the date upon which such owner, lessee or occupier either first discovered the injury or by which he ought reasonably to have discovered it (whichever is the earlier);
- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Council from the liability to compensate under section 68 of the Act of 1845, or under any other Act;
- (8) Every case of compensation to be ascertained under this section shall be determined under and in accordance with the Act of 1961.

Vesting and disposal of materials.

23. There shall by virtue of this Act be vested in the Council—
- (a) all materials and apparatus in, under, upon or over any lands acquired by them under the powers of this Act;
 - (b) all lamp-posts, paving, metalling and other materials in, over or under any street or part of a street stopped up, altered or diverted; and
 - (c) all materials obtained in the alteration of or interference with any street, sewer or drain in connection with the improvements;

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

Provided that as regards any matter or thing referred to in this section, where a person, not being a borough council or a person from whom the Council has acquired any interest in the said land, within six months from the date of the vesting as aforesaid proves to the reasonable satisfaction of the Council that immediately before the vesting as aforesaid he was the owner thereof, he shall be entitled to resume ownership thereof and shall comply in such manner and within such period as may be specified with any direction of the Council concerning the removal of the said matter or thing and if he fails so to comply the Council may appropriate and use or sell or dispose of the said matter or thing in like manner as if they were the owner thereof.

24. In executing the improvements the Council may deviate laterally from the lines or situations thereof to any extent within the limits of deviation shown on the deposited plans relating thereto respectively, and vertically from the levels thereof defined on the deposited sections to any extent not exceeding ten feet upwards or ten feet downwards or to such further extent as may be found necessary or convenient and as may be sanctioned by the Minister.

Deviation from lines and levels.

25. The Council may pump any water found by them in the execution of the improvements and may use for the discharge of any such water any available stream or watercourse or any sewer or drain, and for that purpose may, within the limits of deviation shown on the deposited plans, lay down, take up and alter conduits, pipes and other works and make any convenient connections with any such stream, watercourse, sewer or drain.

Power to pump water and use sewers for removing water.

26. Subject to the provisions of this Act, the Council may cause to be removed or filled up all such sewers, drains or watercourses or parts thereof as shall be in or near the streets to be interfered with for the purposes of the improvements and as shall become unnecessary.

Sewers, etc., to be removed, or filled up.

27. Subject to the provisions of this Act, the Council may, for the purposes of and in connection with the improvements, stop up the whole or such part or parts as they may from time to time think fit of the streets or parts of streets mentioned in the First Schedule to this Act:

Power to stop up streets.

Provided that the Council shall not stop up a street or any part of a street under the powers of this section of this Act unless they are in possession of all buildings and lands (other than lands forming part of any street) on both sides of the street or part of

PART III
—cont.

the street (as the case may be) to be stopped up, or unless, in the case of buildings or lands abutting on and having access to the street which or part of which (as the case may be) is to be stopped up, the Council have maintained or provided reasonable access thereto or therefrom, except so far as the owners, lessees and occupiers of such buildings and lands may otherwise agree.

Vesting of
sites of streets
stopped up.

28. On the stopping up (otherwise than temporarily) of a street or any part of a street under the powers of the last foregoing section of this Act all rights of way over the same and other rights in respect thereof shall be extinguished and the site and soil thereof shall vest in the Council so far as such site and soil shall not be already vested in the Council, subject to the payment of compensation, if any, by the Council to any person in respect of the value, if any, of his interest in the site and soil of any part of a street vested in the Council by virtue of this section, such compensation to be determined in case of dispute under and in accordance with the provisions of the Act of 1961, but in assessing such compensation no regard shall be had to any enhancement in the value of any interest in such part due to such stopping up.

Power to stop
up parts of
streets on
Wimbledon
Common and
vesting of
sites thereof.

29. The Council may for the purposes of and in connection with the Tibbet's Corner improvement, stop up the whole or so much as they may from time to time think fit of the parts of the streets mentioned in the Second Schedule to this Act and which are not required to be incorporated in the said improvement, and on the stopping up of any part of a street as aforesaid the site and soil thereof shall vest in the Conservators and shall for all purposes form part of Wimbledon Common, and all rights of way over the same, and other rights in respect thereof which are inconsistent therewith, shall thereupon be extinguished.

Power to
stop up ways
temporarily.

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

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

PART III
—cont.

31. Where the Council lay out any part of the improvements as a reserved area and the highway authority being satisfied that it is expedient in the interests of public safety indicate by notices conspicuously placed on such reserved area or in proximity thereto or by the erection of fences that the use by pedestrians, horses, cattle and vehicles or any of them of such reserved area or any part thereof is prohibited, any person who shall wilfully walk or otherwise proceed or lead, ride or drive any horse or cattle or vehicle on, over or across any such reserved area or part thereof in contravention of the terms of any such notice or in disregard of any such fence, shall be guilty of an offence and liable on summary conviction to a fine not exceeding five pounds.

Prohibition of persons, vehicles, etc., on reserved area.

32.—(1) For the purpose of facilitating the movement of vehicular traffic along, or the safety of the public on, the route of any of the improvements, the Minister, on the application of the Council or the council of the borough in which the improvement is situate, may from time to time authorise the applicant, whether the Council or a borough council, at or in the vicinity of the junction of any street with the improvement to erect or remove—

Power to prevent access to or from improvements.

- (i) barriers for the prevention, prohibition or limitation of access by vehicular or pedestrian traffic to or from such route from or to any such street; or
- (ii) notices prohibiting or limiting such access.

(2) The Council or the borough council concerned (as the case may be) shall give public notice of the making of an application under subsection (1) of this section in such manner as the Minister may direct.

(3) Any person removing or interfering with any such barrier, or removing, defacing or failing to comply with any such notice, shall be liable on summary conviction to a fine not exceeding five pounds.

33.—(1) Notwithstanding anything in any other Act to the contrary, it shall not be lawful after the completion of any part of the specified works for any person to enter upon, break up or interfere with such part of the specified works for the purpose of laying down any main, pipe, wire or other apparatus or executing any work whatsoever therein, thereon or thereunder except with the consent of the Council in writing.

Prohibiting interference with certain works.

(2) In this section the expression “ the specified works ” means Works Nos. 1, 4, 7, 8, 23, 34, 35, 40, 41 and 48.

PART III
—cont.Improvements
to form public
streets and as
to vesting and
repair thereof.

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

(2) From the date of any certificate issued under subsection (1) of this section—

- (a) so much of the land acquired by the Council for or in connection with the improvements as is laid out as carriageway, reserved area or footway shall (subject to the enjoyment by the council of the borough in which the land is situate of all such rights in such land as are usually enjoyed in respect of a street by the highway authority) be and remain vested in the Council;
- (b) the maintenance, repair, paving, draining, cleansing and lighting of so much of the improvements as has been laid out as aforesaid (including unless otherwise agreed any subways or footbridges constructed in connection therewith) and of any retaining walls, embankments or fences constructed in connection with the improvements shall be under the care, management, control and jurisdiction of the council of the borough in which the same is situate;
- (c) the structure of any viaduct or bridge (including the retaining walls, bridges, parapet walls and railings connected therewith) forming part of any of the improvements shall vest in and be maintained by the Council, so however that by agreement between the Council and the borough council of the borough in which such part of the improvements is situate the said structure may be vested in, or the maintenance thereof may be transferred to, the said borough council.

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

35.—(1) In relation to any of the improvements and to any other works and conveniences authorised by Part III of this Act to which, apart from this section, the provisions contained in Part II of, and the Fourth Schedule to, the Act of 1950 (which regulate the relations between an authority executing a road alteration and undertakers within the meaning of the Act of 1950 whose apparatus is affected thereby) would not apply, the said provisions shall apply as if the said improvements, works and conveniences were mentioned in paragraph (a) of subsection (1) of section 21 of the Act of 1950, and as if the undertakers' apparatus affected thereby was in a street.

PART III
—cont.
Application
of Public
Utilities
Street Works
Act, 1950.

(2) In this section "apparatus" has the meaning assigned to it in section 38 (For protection of certain undertakers) of this Act.

36. If the improvements are not completed within five years from the first day of October, nineteen hundred and sixty-three, then, as from the expiration of that period, the powers of the Council under this Part of this Act shall cease except so far as any works are then completed.

Period for
completion of
improvements.

PART IV

PROTECTIVE PROVISIONS

37.—(1) Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing herein contained authorises the Council to take, use or in any manner interfere with any land or hereditaments or any rights of whatsoever description—

Crown rights.

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose; or
- (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department.

(2) Nothing in this section shall prejudice or affect any statutory powers of the Council—

- (a) to carry out code-regulated works within the meaning of the Act of 1950, in any highway vested in or maintained by the Minister; or
- (b) to carry out any works by reason only that such works involve or are likely to involve an alteration in any

PART IV
—cont.

telegraphic line of the Postmaster General in relation to which paragraphs (1) to (8) of section 7 of the Telegraph Act, 1878, apply.

For
protection
of certain
undertakers.

38. For the protection of certain undertakers the following provisions shall unless otherwise agreed in writing between the Council and the undertakers concerned apply and have effect:—

(1) In this section unless the subject or context otherwise requires—

“ apparatus ” means—

(a) electric lines or works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the London Electricity Board or the Central Electricity Generating Board;

(b) mains, pipes, valves, siphons, stopcocks, pillars or other apparatus belonging to or maintained by the North Thames Gas Board or the South Eastern Gas Board;

(c) mains, pipes, valves, hydrants, stopcocks or other apparatus belonging to or maintained by the Metropolitan Water Board; or

(d) hydraulic mains, pipes or other apparatus belonging to the London Hydraulic Power Company;

and includes any works constructed for the lodging therein of apparatus;

“ in ” in a context referring to apparatus includes under, over, across, along or upon;

“ the undertakers ” means—

the London Electricity Board;

the Central Electricity Generating Board;

the North Thames Gas Board;

the South Eastern Gas Board;

the Metropolitan Water Board; and

the London Hydraulic Power Company;

or any of them and in relation to any apparatus or property means the undertakers by whom the apparatus is maintained and in relation to the supply of electricity, gas, water or hydraulic power means the undertakers by whom the supply is provided:

“ works ” includes the underpinning or strengthening of any house or building under the powers conferred by section 22 (Underpinning of houses or buildings near improvements) of this Act :

- (2) Notwithstanding anything in this Act or shown on the deposited plans or contained in the deposited book of reference, the Council shall not under the powers of this Act acquire any apparatus compulsorily:
- (3) The provisions of Part II of, and the Fourth Schedule to, the Act of 1950 shall apply in relation to the carrying out of the improvements and any other works and conveniences authorised by Part III of this Act—
- (a) so as to impose on the Council an obligation before commencing any of the improvements or any of the said works or conveniences to give notice to the undertakers concerned under paragraph 2 of the Fourth Schedule to the Act of 1950 together with plans, sections and particulars of the improvements, works or conveniences to be commenced; and
- (b) as if the words in parentheses in paragraph 3 of the said schedule relating to a road alteration were omitted from that paragraph:
- (4) Where in accordance with section 5 (Power to acquire lands) of this Act any lands are conveyed to the Conservators or where under section 29 (Power to stop up parts of streets on Wimbledon Common and vesting of sites thereof) of this Act any land now forming the site of part of a street on Wimbledon Common is vested in the Conservators, the undertakers shall be entitled to exercise the same rights and powers in respect of any apparatus remaining in such lands as they enjoyed immediately before the passing of this Act:
- (5) Where a street in which any apparatus is situated has been permanently stopped up or diverted by the Council under the powers of section 19 (Power to make subsidiary works, etc.) or section 27 (Power to stop up streets) of this Act, the undertakers shall, notwithstanding such stopping up or diversion, continue to have the same powers and rights in respect of the apparatus remaining in the land which by reason of the stopping up or diversion has ceased to be a street as they would have if it had remained a street, and no such rights shall be extinguished by virtue of section 28 (Vesting of sites of streets stopped up) of this Act, but the undertakers may and if reasonably required by the Council shall—
- (a) remove the apparatus and relay or replace it in the street (if any) substituted for the street so stopped up or diverted or in such other position as the undertakers may reasonably determine; or
- (b) provide and lay or place in the street (if any) so substituted or in such other position as aforesaid other apparatus in place of the existing apparatus:

PART IV
—cont.

- (6) The Council shall repay to the undertakers the reasonable expenses incurred by the undertakers in or in connection with the carrying out of such works as are referred to in sub-paragraphs (a) and (b) of the last foregoing paragraph (whether or not the Council have required those works to be carried out) including expenses so incurred in cutting off any apparatus from any other apparatus and in doing any work rendered necessary in consequence of carrying out the said works:

Provided that subsections (3) and (4) of section 23 of the Act of 1950 (which impose limitations on undertakers' rights to payment) shall so far as applicable extend and apply to any payment to be made by the Council under this paragraph as if the works in respect of which the payment is to be made were such undertakers' works as are referred to in the said subsection (3) and as if in that subsection for the words "specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act" there were substituted the words "agreed or settled by arbitration under section 38 (For protection of certain undertakers) of the London County Council (Improvements) Act 1963":

- (7) The temporary stopping up or diversion of the whole or any part of the carriageway or footway of any street or part of a street under the powers of section 30 (Power to stop up ways temporarily) of this Act shall not prejudice or affect any right of the undertakers—

(a) to maintain, operate, inspect, repair, renew or remove any apparatus which at the time of the stopping up or diversion is in the carriageway or footway as the case may be; or

(b) for the purpose of such maintenance, operation, inspection, repair, renewal or removal to enter upon, break open or carry out works in that carriageway or footway as the case may be:

- (8) Notwithstanding anything contained in section 31 (Prohibition of persons, vehicles, etc., on reserved area) of this Act, the undertakers, their officers, engineers, workmen and contractors shall be at liberty, at all times, to enter upon the reserved area for the purpose of inspecting, placing, repairing, maintaining, renewing or removing any apparatus situated in, or adjoining, the reserved area:

- (9) The Council in the case of the powers conferred by section 22 (Underpinning of houses or buildings near

improvements) of this Act and the Council or a borough council, as the case may be, in the case of powers conferred by section 32 (Power to prevent access to or from improvements) of this Act shall so far as is reasonably practicable so exercise those powers as not to obstruct or render less convenient the access to any apparatus:

- (10) If by reason or in consequence of the execution by the Council of any works under the powers of this Act any damage to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal or abandonment) or property of the undertakers or any interruption in the supply of electricity, gas, water or hydraulic power as the case may be by the undertakers shall be caused, the Council shall bear and pay the cost reasonably incurred by the undertakers in making good such damage and shall—

(a) make reasonable compensation to the undertakers for any loss sustained by them; and

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

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

Provided that—

(i) nothing in this paragraph shall impose any liability on the Council with respect to any damage or interruption which may be attributable to the act, neglect or default of the undertakers or their contractors or workmen;

(ii) the undertakers shall give to the Council reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Council:

- (11) The expenses of all repairs and renewals of any apparatus which may be rendered necessary by reason or in consequence of the construction of any works under the powers of this Act or any subsidence resulting from those works shall be borne by the Council and paid by them to the undertakers:

- (12) The Council shall bear and pay any cost reasonably incurred by the undertakers in the reasonable employment of watchmen and inspectors during the execution under the powers of this Act of any work which will or may interfere with or affect any apparatus:

PART IV
—cont.

(13) (a) The consent of the Council under section 33 (Prohibiting interference with certain works) of this Act shall not be required for—

(i) the execution of undertakers' works (within the meaning of the Act of 1950 but excepting the placing of new apparatus) in relation to any apparatus for the time being laid in any of the works to which this paragraph applies;

(ii) the placing of new apparatus in any of the works to which this paragraph applies if the apparatus is to be laid along a line crossing the work by the route which is as short as is reasonably practicable and not along the route of the work:

(b) This paragraph applies to those parts of the specified works within the meaning of the said section 33 which are not constructed at a level substantially above or below the level of the adjoining land.

(14) (a) In this paragraph "the board" and "the board's works" mean respectively the South Eastern Gas Board, and the works apparatus or land owned or used by the South Eastern Gas Board in the borough of Greenwich;

(b) In the exercise of the powers conferred by section 25 (Power to pump water and use sewers for removing water) of this Act the Council shall do as little damage as may be to the board's works and shall pay compensation to the board for any damage sustained by them or any liability which they may incur by reason of the exercise of those powers, and for the purposes of this sub-paragraph any extra expenditure which as a result of the exercise of the said powers it becomes reasonably necessary for the board to incur for the purpose of properly discharging their statutory functions or of safeguarding property or apparatus held for that purpose shall be deemed to be damage sustained by them as aforesaid. Any question as to the amount of the compensation to be so paid shall be settled by arbitration:

(15) Any difference arising between the Council and the undertakers under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

For
protection of
Postmaster
General.

39.—(1) As soon as practicable after a street has been permanently stopped up or diverted by the Council under the powers conferred by this Act, the Council shall send by post to the Postmaster General a notice informing him of such stopping up or diversion.

(2) Where in pursuance of section 19 (Power to make subsidiary works, etc.) or section 27 (Power to stop up streets) of this Act the Council stop up or divert the whole or any portion of a street, the following provisions of this subsection shall, unless otherwise agreed in writing between the Council and the Postmaster General, have effect in relation to so much of any telegraphic line belonging to or used by the Postmaster General as is under, in, upon, over, along or across the land which by reason of the stopping up or diversion ceases to be a street or part of a street (in this subsection referred to as "the affected line"), that is to say:—

- (a) The power of the Postmaster General to remove the affected line shall be exercisable notwithstanding the stopping up or diversion so however that the said power shall not be exercisable as respects the whole or any part of the affected line after the expiration of a period of three months from the date of the sending of the notice referred to in subsection (1) of this section unless before the expiration of that period the Postmaster General has given notice to the Council of his intention to remove the affected line or that part thereof, as the case may be;
- (b) The Postmaster General may by notice in that behalf to the Council abandon the affected line or any part thereof and shall be deemed as respects the affected line or any part thereof to have abandoned it at the expiration of the said period of three months, unless before the expiration of that period he has removed it or given notice of his intention to remove it;
- (c) The Postmaster General shall be entitled to recover from the Council the expense of providing in substitution for the affected line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the affected line a telegraphic line in such other place as he may require;
- (d) Where under paragraph (b) of this subsection the Postmaster General has abandoned the whole or any part of the affected line it shall vest in the Council and the provisions of the Telegraph Acts, 1863 to 1962, shall not apply in relation to it as respects anything done or omitted after the abandonment thereof.

(3) Where in pursuance of section 29 (Power to stop up parts of streets on Wimbledon Common and vesting of sites thereof) of this Act the Council stop up any part of a street and immediately before such stopping up there was under, in, upon, over, along or across that part any telegraphic line belonging to or used by the Postmaster General, the Postmaster General shall have the same powers in respect of that line as if that part had not been stopped up:

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—cont.

Provided that if the Conservators or other person for the time being entitled to land which was the site of that part require that the telegraphic line shall be altered, paragraphs (1) to (8) of section 7 of the Telegraph Act, 1878, shall apply to the alteration and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the Conservators or other person so requiring the line to be altered.

(4) The exercise by the Council of the powers conferred by section 30 (Power to stop up ways temporarily) of this Act in relation to any street or subway shall not prejudice or affect the right of the Postmaster General—

- (a) to maintain, inspect, repair, renew or remove any telegraphic line belonging to or used by him under, in, upon, over, along or across that street or subway; or
- (b) for the purpose of such maintenance, inspection, repair, renewal or removal to enter upon that street or subway or break open that street.

(5) Nothing in section 33 (Prohibiting interference with certain works) of this Act shall alter, prejudice or affect any of the rights and powers of the Postmaster General under the provisions of the Telegraph Acts, 1863 to 1962.

(6) (a) The Council shall in executing so much of Works Nos. 10 and 13 as incorporates a bridge or bridges and so much of Work No. 11 as consists of an improvement of a bridge and in constructing the bridge to carry Charlton Road over Work No. 41 provide in such bridges accommodation for the telegraphic lines of the Postmaster General as specified in paragraph (b) of this subsection and shall provide also means whereby the Postmaster General may have access to such telegraphic lines after the same have been laid.

(b) The accommodation to be provided in each such bridge in pursuance of the foregoing paragraph of this subsection shall be for ducts having an external diameter of five inches each as follows:—

- (i) in the bridge or bridges incorporated in Works Nos. 10 and 13, sufficient accommodation for twenty-eight ducts conveniently situated for the purpose of carrying over such bridge or bridges telegraphic lines to be laid in Work No. 10;
- (ii) in the improved bridge over the Grand Union Canal (part of Work No. 11) sufficient accommodation for six ducts (including three ducts by way of replacement of existing ducts);

(iii) in the bridge carrying Charlton Road over Work No. 41, sufficient accommodation for five ducts (including four ducts by way of replacement of existing ducts in Charlton Road).

(c) The accommodation and means of access thereto shall be of such nature and in such position or positions as may be agreed between the Council and the Postmaster General, taking into account the requirements of other undertakers.

(d) The cost of providing so much of the accommodation and means of access as is required for ducts which will replace existing ducts shall be borne by the Council. The additional cost reasonably incurred by the Council of providing the remainder of the said accommodation and means of access shall be paid to the Council by the Postmaster General in a single payment or in such other manner as may be agreed between the Council and the Postmaster General.

(e) Any question or difference which may arise between the Council and the Postmaster General under this subsection (other than a question or difference as to the meaning or construction of this subsection) shall be settled by arbitration.

(7) Subject to the foregoing provisions of this section, subsection (1) of section 35 (Application of Public Utilities Street Works Act, 1950) of this Act shall apply in relation to telegraphic lines belonging to or used by the Postmaster General as it applies in relation to apparatus as defined by subsection (2) of that section.

(8) In this section "alter" and "telegraphic line" have the same meanings respectively as in the Telegraph Act, 1878.

40. Nothing in this Act shall be deemed to authorise the Council to acquire otherwise than by agreement the lands vested in the Receiver for the Metropolitan Police District and numbered on the deposited plans 432 to 438 (inclusive) and 440 to 448 (inclusive) in the borough of Paddington.

For protection of receiver for Metropolitan Police District.

41. For the protection of the British Railways Board (in this section referred to as "the board"), the following provisions shall, unless otherwise agreed in writing between the Council and the board, apply and have effect:—

For protection of British Railways Board.

(1) In this section—

"transport property" means any lands or premises belonging to or occupied by the board shown on the deposited plans, and the railways of the board and works connected therewith belonging to the board or for the maintenance of which they are responsible;

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“ the works ” means so much of the works authorised by Part III of this Act as may be situated upon, across, under or over or within fifty feet measured in any direction from transport property, and includes the construction of such works as herein defined;

“ construction ” includes reconstruction and for the purposes of paragraphs (9), (10), (14) and (16) of this section includes maintenance and repair on or over transport property, but does not include maintenance or repair of the surface of a highway;

“ the engineer ” means an engineer to be appointed by the board;

“ plans ” includes sections and particulars:

- (2) The Council shall not under the powers of this Act (except as provided in this section or in accordance with a requirement of the board under subsection (4) of section 11 (Power to acquire easements only) of this Act), acquire compulsorily the interest of the board in any transport property, but they may, in accordance with the said section 11, acquire such easements and rights in any transport property delineated on the deposited plans as they may reasonably require for the purposes of the works, as if such property were land which the Council were authorised to acquire compulsorily under this Act:
- (3) Paragraph (2) of this section shall not apply to so much of the lands of the board numbered on the deposited plans 73 to 80 (inclusive), 126, 127, 129 to 137 (inclusive), 139 to 144 (inclusive), 145, 146, 147, 364, 365 and 366 in the borough of Paddington, and 151, 152 and 312 to 339 (inclusive) in the borough of Greenwich, as may be reasonably required for the purposes of the works and such lands shall cease to be transport property for the purposes of this section upon the service of a notice to treat for the acquisition thereof under section 5 of this Act:
- (4) The Council shall at all times after the acquisition by them under the provisions of this Act of any land belonging to the board secure that such acquisition shall not deprive the board of such access as is reasonably required by them for the purpose of maintaining transport property:
- (5) The Council shall, before commencing the works (other than works of maintenance and repair), furnish to the board proper and sufficient plans thereof for the approval

of the engineer, which approval shall not be unreasonably withheld, and shall not commence the works until plans thereof have been approved in writing by the engineer or settled by arbitration:

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—cont.

Provided that if, within twenty-eight days after such plans have been furnished to the board, the engineer has not intimated his approval or disapproval thereof, he shall be deemed to have approved them:

- (6) If within twenty-eight days after such plans have been furnished to the board, the board give notice to the Council that, in consequence of the nature of the works, it is reasonably necessary that the board should themselves construct any part of the works then, if the Council desire such part of the works to be constructed, the board shall construct it with all reasonable dispatch on behalf of, and to the reasonable satisfaction of, the Council in accordance with the plans approved or deemed to be approved or settled as aforesaid (hereinafter in this section called "the approved plans"), and may recover the reasonable cost of so doing from the Council:
- (7) Upon signifying his approval or disapproval of the said plans, the engineer may specify any temporary or permanent protective works which should be carried out before the commencement of or during the execution of the works to ensure the safety or stability of transport property or protect it from injury or to avoid delay or inconvenience to railway passengers or to traffic on the board's railways and such protective works as may be reasonably necessary for those purposes shall be constructed by the board with all reasonable dispatch and the reasonable cost of such protective works shall be paid by the Council, and the Council shall not commence or continue (as the case may be) the construction of the works until the engineer has notified the Council that the protective works have been completed:
- (8) (a) Except with the consent of the board the Council shall not, in the construction of the works, interfere with any railway station, or station or goods depot entrance or other railway work, or with the means of access to any of such works, or any premises of the board until alternative facilities of the like nature have been provided at the cost of the Council and to the reasonable satisfaction of the board ;
(b) On the completion of the construction of such alternative facilities as aforesaid (other than such as are of a

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—cont.

temporary nature only for the purposes of the construction of the works and except where any alternative means of access provided are situate within the boundaries of the improvements), the same shall by virtue of this Act, without any payment or other consideration and without any further assurance, be transferred to and vest in the board;

- (c) Subject to the provisions of sub-paragraph (a) of this paragraph, the Council may for the purposes of the works acquire, or take possession compulsorily of, the site of transport property in respect of which alternative facilities have been provided as aforesaid:

Provided that if any benefit accrues to the board by reason of the provision of any such alternative facilities as aforesaid, being facilities afforded by means of mains, pipes, cables or other similar apparatus, there shall be taken into account in assessing the amount of compensation or purchase money to be paid by the Council to the board for the acquisition of the site of the transport property in respect of which the alternative facilities are provided the benefit so accruing:

- (9) The Council shall give to the engineer twenty-eight 'days' notice of their intention to commence the construction of any of the works, except in cases of emergency, when they shall give such notice as may be reasonably practicable:
- (10) The works (or so much thereof as shall be carried out by the Council) shall when commenced be carried out with all reasonable dispatch in accordance with the approved plans and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage as may be to transport property and as little interference as may be with the conduct of traffic on the railways of the board and the use by passengers of any railway property of the board, and if any damage to transport property or any such interference shall be caused by the works, the Council shall notwithstanding any such approval as aforesaid, forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage or interference:

Provided that nothing in this paragraph shall impose any liability on the Council with respect to any damage,

costs, expenses or loss which is attributable to the act, neglect or default of the board or their servants or agents:

- (11) The Council shall at all times afford reasonable facilities to the engineer for access to the works during their construction and shall supply him with all such information as he may reasonably require with regard to the works or the method of construction thereof:
- (12) The board shall at all times afford reasonable facilities to the Council for access to any works carried out by the board under this section and shall supply the Council with all such information as they may reasonably require with regard to such works or the method of construction thereof:
- (13) If any alterations or additions, either permanent or temporary, to transport property are reasonably necessary during the construction of the works or during a period of twelve months after the completion thereof in consequence of the construction of the works by the Council such alterations and additions may be effected by the board after notice has been given to the Council and the Council shall repay to the board the reasonable cost thereof including a capitalised sum representing the increased or additional cost of maintaining, working and, when necessary, renewing transport property in consequence of any such alterations or additions:

Provided that if the cost of maintaining, working or renewing transport property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving may be set off against any sum payable by the Council to the board under this section:

- (14) The Council shall repay to the board all costs, charges and expenses reasonably incurred by the board by reason of the works—
 - (a) in respect of the employment of any inspectors, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching, lighting and signalling transport property and for preventing, as far as may be reasonably practicable, interference, obstruction, danger, or accident arising from the construction of the works;
 - (b) in respect of any special traffic working resulting from any speed restriction which may in the opinion of the engineer require to be imposed and which may be due to the construction of the works or from the substitution or diversion of services; and

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(c) in additional lighting of transport property in the vicinity of the works, being lighting made reasonably necessary during and by reason of the construction of the works:

- (15) All temporary structures, erections, works, apparatus and appliances erected or placed by the Council under the powers of section 20 (Power to construct bridges, etc., and to execute temporary works on railways) of this Act upon, over or under any railway of the board shall as soon as reasonably practicable be removed by the Council to the reasonable satisfaction of the engineer and in such a way as to cause as little damage to transport property and as little interference with, or interruption to, the traffic on the railway of the board as may be and if any damage to transport property or such interference, delay or interruption shall be caused by any such failure to remove any such temporary structures, erections, works, apparatus or appliances the Council shall forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of such damage, interference, delay or interruption:
- (16) The Council shall be responsible for and make good to the board all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to the board by reason of any act or omission of the Council or any persons in their employ or of their contractors or others whilst engaged upon the construction of the works and the Council shall effectively indemnify and hold harmless the board from and against all claims and demands arising out of or in connection with the construction of the works or any act or omission as aforesaid and the fact that any work or thing may have been done by the board on behalf of the Council or in accordance with any plan, section or particulars approved by the engineer or in accordance with any requirement by the engineer or under his supervision shall not (if it was done without negligence on the part of the board or of any person in their employ or of their contractors or others whilst engaged upon the construction of the works) excuse the Council from any liability under the provisions of this section:

Provided that the board shall give to the Council reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without prior consent of the Council:

(17) Any additional expense which the board shall reasonably incur after giving one month's notice thereof to the Council in altering, reconstructing or maintaining transport property in pursuance of any powers existing at the passing of this Act by reason of the existence of the works shall be repaid by the Council to the board:

(18) If the Council, under the powers of this Act, acquire any part of the lands of the board numbered on the deposited plans 221, 222 and 223 in the borough of Greenwich they shall construct and thereafter maintain all necessary works to separate and support the remaining part of the board's said lands from and in respect of Work No. 38 and provide suitable means of road access thereto during the construction of Work No. 38 and permanent road access thereto upon completion of Work No. 38:

(19) Any pier or other support for the works constructed within the lands of the board numbered on the deposited plans 286 and 288 in the royal borough of Kensington, 1, 5, 138, 187, 398 and 399 in the borough of Paddington, and 234 in the borough of Greenwich, shall be placed in such position as may be reasonably required by the engineer:

(20) Before stopping up in accordance with the provisions of this Act so much of Siebert Road as lies within the line of Work No. 40 the Council shall construct over Work No. 40 on the board's land and to the reasonable satisfaction of the board a private pedestrian access way connecting Westcombe Park Station and the premises of the board known as Angerstein Works, and the board shall grant to the Council any necessary facilities for the construction thereof:

Provided that in constructing the said pedestrian access way the Council shall not be required to reconstruct any part of the railway bridge over Westcombe Hill:

(21) Notwithstanding anything shown on the deposited plans and sections the Council shall construct so much of Work No. 40 as is to be under the board's railway adjoining Westcombe Park Station as to provide that the existing rail level shall remain unaltered:

(22) Any difference arising between the Council and the board under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

PART IV
—cont.For protection
of London
Transport
Board.

42. For the protection of the London Transport Board (in this section referred to as “the board”), the following provisions shall, unless otherwise agreed in writing between the Council and the board, apply and have effect:—

(1) In this section—

“transport property” means any lands or premises (including railways and works connected therewith) belonging to or occupied by the board or for the maintenance of which they are responsible within the limits of deviation shown on the deposited plans or within fifty feet thereof;

“the works” means so much of the works authorised by Part III of this Act as may be situated upon, across, under or over or within fifty feet measured in any direction from transport property, and includes the construction of such works as herein defined;

“construction” includes reconstruction and for the purposes of paragraphs (7), (8), (13) and (15) of this section includes maintenance and repair on or over transport property, but does not include maintenance or repair of the surface of a highway;

“the engineer” means an engineer to be appointed by the board;

“plans” includes sections and particulars:

(2) The Council shall not under the powers of this Act except in accordance with a requirement of the board under subsection (4) of section 11 (Power to acquire easements only) of this Act, acquire compulsorily the interest of the board in any transport property which is required or used for the purpose of the carrying on of the board’s undertaking, but they may, in accordance with the said section 11, acquire such easements and rights in any transport property within the limits of deviation shown on the deposited plans as they may reasonably require for the purposes of the works, as if such property were land which the Council were authorised to acquire compulsorily under this Act:

(3) The Council shall, before commencing the works (other than works of maintenance and repair), furnish to the board proper and sufficient plans thereof for the approval of the engineer, which approval shall not be unreasonably withheld, and shall not commence the works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that if, within twenty-eight days after such plans have been furnished to the board the engineer has not intimated his approval or disapproval thereof, he shall be deemed to have approved them:

- (4) If within twenty-eight days after such plans have been furnished to them, the board give notice to the Council that, in consequence of the nature of the works it is reasonably necessary that the board should themselves construct any part of the works then, if the Council desire such part of the works to be constructed, the board shall construct it with all reasonable dispatch on behalf of, and to the reasonable satisfaction of, the Council in accordance with the plans approved or deemed to be approved or settled as aforesaid (hereinafter in this section called "the approved plans"), and may recover the reasonable cost of so doing from the Council:
- (5) Upon signifying his approval or disapproval of the said plans, the engineer may specify any temporary or permanent protective works which should be carried out before the commencement, or during the execution, of the works to ensure the safety or stability of transport property or protect it from injury or to avoid delay or inconvenience to railway passengers or to traffic on the board's railways and such protective works as may be reasonably necessary for those purposes shall be constructed by the board with all reasonable dispatch and the reasonable cost of such protective works shall be paid by the Council, and the Council shall not commence or continue (as the case may be) the construction of the works until the engineer has notified the Council that the protective works have been completed:
- (6) (a) Except with the consent of the board the Council shall not, in the construction of the works, interfere with any railway station or station entrance or other railway work of the board or with the means of access to any such railway station or railway work until alternative facilities of the like nature have been provided at the cost of the Council and to the reasonable satisfaction of the board;
- (b) On the completion of the construction of such alternative facilities as aforesaid (other than such as are of a temporary nature only for the purposes of the construction of the works and except where any alternative means of access provided are situate within the boundaries of the improvements), the same shall by virtue of this

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—cont.

Act, without any payment or other consideration and without any further assurance, be transferred to and vest in the board;

- (c) Subject to the provisions of sub-paragraph (a) of this paragraph, the Council may for the purposes of the works acquire, or take possession compulsorily of, the site of transport property in respect of which alternative facilities have been provided as aforesaid:

Provided that if any benefit accrues to the board by reason of the provision of any such alternative facilities as aforesaid, being facilities afforded by means of mains, pipes, cables or other similar apparatus, there shall be taken into account in assessing the amount of compensation or purchase money to be paid by the Council to the board for the acquisition of the site of the transport property in respect of which the alternative facilities are provided the benefit so accruing:

- (7) The Council shall give to the engineer twenty-eight days' notice of their intention to commence the construction of any of the works, except in cases of emergency, when they shall give such notice as may be reasonably practicable:
- (8) The works (or so much thereof as shall be carried out by the Council) shall when commenced be carried out with all reasonable dispatch in accordance with the approved plans and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage as may be to transport property and as little interference as may be with the conduct of traffic on the railways of the board and the use by passengers of any railway property of the board, and if any damage to transport property or any such interference shall be caused by the works, the Council shall notwithstanding any such approval as aforesaid, forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage or interference:

Provided that nothing in this paragraph shall impose any liability on the Council with respect to any damage, costs, expenses or loss which is attributable to the act, neglect or default of the board or their servants or agents:

- (9) The Council shall at all times afford reasonable facilities to the engineer for access to the works during their

construction and shall supply him with all such information as he may reasonably require with regard to the works or the method of construction thereof:

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—cont.

- (10) The board shall at all times afford reasonable facilities to the Council for access to any works carried out by the board under this section and shall supply the Council with all such information as they may reasonably require with regard to such works or the method of construction thereof:
- (11) If at any time during the construction of the works by the Council the safety of the board's railways or railway works is in the opinion of the engineer endangered thereby the Council shall immediately on being notified thereof by the engineer stop the construction of those works and not recommence the same until after the engineer shall have notified the Council that such remedial works as he shall reasonably require to ensure the safety of the board's railways or railway works have been carried out at the expense of the Council either by the Council, or if it is necessary, by the board:
- (12) If any alterations or additions, either permanent or temporary, to transport property other than such alternative facilities as may be provided at the cost of the Council under paragraph (6) of this section are reasonably necessary during the construction of the works or during a period of twelve months after the completion thereof in consequence of the construction of the works by the Council such alterations and additions may be effected by the board after notice has been given to the Council and the Council shall repay to the board the reasonable cost thereof including a capitalised sum representing the increased or additional cost of maintaining, working and, when necessary, renewing transport property in consequence of any such alterations or additions:

Provided that if the cost of maintaining, working or renewing transport property is reduced in consequence of any such alterations or additions a capitalised sum representing such saving may be set off against any sum payable by the Council to the board under this section:

- (13) The Council shall repay to the board all costs, charges and expenses reasonably incurred by the board by reason of the works—
- (a) in respect of the employment of any inspectors, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching,

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—cont.

lighting and signalling transport property and for preventing, as far as may be reasonably practicable, interference, obstruction, danger or accident arising from the construction of the works;

(b) in respect of any special traffic working resulting from any speed restriction which may in the opinion of the engineer require to be imposed and which may be due to the construction of the works or from the substitution or diversion of services; and

(c) in additional lighting of transport property in the vicinity of the works, being lighting made reasonably necessary during and by reason of the construction of the works:

(14) All temporary structures, erections, works, apparatus and appliances erected or placed by the Council under the powers of section 20 (Power to construct bridges, etc., and to execute temporary works on railways) of this Act upon, over or under any railway of the board shall as soon as reasonably practicable be removed by the Council to the reasonable satisfaction of the engineer and in such a way as to cause as little damage to transport property and as little interference with, or interruption to, the traffic on the railway of the board as may be and if any damage to transport property or such interference, delay or interruption shall be caused by any such failure to remove any such temporary structures, erections, works, apparatus or appliances the Council shall forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of such damage, interference, delay or interruption:

(15) The Council shall be responsible for and make good to the board all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to the board by reason of any act or omission of the Council or any persons in their employ or of their contractors or others whilst engaged upon the construction of the works and the Council shall effectively indemnify and hold harmless the board from and against all claims and demands arising out of or in connection with the construction of the works or any act or omission as aforesaid and the fact that any work or thing may have been done by the board on behalf of the Council or in accordance with any plan, section or particulars approved by the engineer or in accordance with any requirement by the engineer or under his

supervision shall not (if it was done without negligence on the part of the board or of any person in their employ or of their contractors or others whilst engaged upon the construction of the works) excuse the Council from any liability under the provisions of this section:

Provided that the board shall give to the Council reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without prior consent of the Council:

- (16) Any additional expense which the board shall reasonably incur after giving one month's notice thereof to the Council in altering, reconstructing or maintaining transport property in pursuance of any powers existing at the passing of this Act by reason of the existence of the works shall be repaid by the Council to the board:
- (17) Any pier or other support for the works constructed within the lands of the board shall be placed in such position as may be reasonably required by the engineer:
- (18) The provisions of section 28 (Vesting of sites of streets stopped up) of this Act shall not extend or apply to any railway tunnel, works or apparatus of the board situated in or under any street or part of a street referred to in that section and nothing under the said section 28 shall affect the powers and rights of the board under section 85 of the London Passenger Transport Act, 1935, or section 16 of the Railways Clauses Consolidation Act, 1845, in respect of any part of the improvements which forms part of or constitutes a street:
- (19) Before constructing any part of the improvements which will involve interference with a stopping place for public service vehicles, the Council shall consult the board with regard to the provision of a lay-by or other convenient alternative stopping place for such vehicles as part of the improvements:
- (20) Any difference arising between the Council and the board under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

43. For the protection of the British Waterways Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Council and the board apply and have effect:—

For protection
of British
Waterways
Board.

(1) In this section—

"the canal" means so much of the Grand Union Canal of the board and of the lands belonging to the

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—cont.

board and held in connection therewith as is delineated on the deposited plans and described in the deposited book of reference;

“the works” means so much of the works authorised by Part III of this Act as may be situated upon, across or over or within twenty feet from the canal;

“construction” includes reconstruction and any works of maintenance or repair carried out in or over the waterway or towpath of the canal, but does not include maintenance or repair of the surface of a highway;

“the engineer” means an engineer to be appointed by the board;

“plans” includes sections and particulars:

(2) The Council shall not, under the powers of this Act, acquire compulsorily the interest of the board in any part of the waterway or towpath of the canal, but they may in accordance with section 11 (Power to acquire easements only) of this Act acquire such easements and rights over such waterway or towpath of the canal as they may reasonably require for the purposes of the works as if such waterway or towpath were land which the Council were authorised to acquire compulsorily under this Act:

(3) The Council shall before commencing the works (other than works of maintenance or repair) furnish to the board proper and sufficient plans thereof for the approval of the engineer which approval shall not be unreasonably withheld and shall not commence the works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that if within twenty-eight days after such plans have been furnished to the board, the engineer has not intimated his approval or disapproval thereof he shall be deemed to have approved them:

(4) (a) Upon signifying his approval or disapproval of the said plans the engineer may specify any temporary or permanent protective works which should be carried out before the commencement of the works to ensure the safety or stability of the canal or protect it from injury or to avoid interference with traffic on the canal and such protective works as may be reasonably necessary for those purposes shall be constructed with all reasonable dispatch by the Council at their own expense or if the engineer so specifies by the board, and if

- constructed by the board the reasonable cost of such protective works shall be repaid by the Council to the board. The Council shall not commence the construction of the works until the engineer has notified the Council that the protective works have been completed;
- (b) The board shall at all times afford reasonable facilities to the Council for access to any temporary or permanent protective works constructed by the board under this section and shall supply the Council with all such information as they may reasonably require with regard to such works or the method of construction thereof:
- (5) The Council shall give to the engineer twenty-eight days' notice of their intention to commence the construction of any of the works, except in cases of emergency, when they shall give such notice as may be reasonably practicable:
- (6) The works shall when commenced be carried out with all reasonable dispatch in accordance with the approved plans and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage as may be or loss of water to the canal and as little interference as may be with the traffic on the canal and if any such damage or interference or loss of water shall be caused by the works the Council shall notwithstanding any such approval as aforesaid forthwith make good such damage and pay to the board the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage, interference or loss of water:
- Provided that nothing in this paragraph shall impose any liability on the Council with respect to any damage, costs, expenses or loss which is attributable to the act, neglect or default of the board or their servants or agents:
- (7) If any alterations or additions to the banks or towpath of the canal are reasonably necessary during the construction of the works or during a period of twelve months after the completion thereof in consequence of the construction of the works by the Council, such alterations and additions may be effected by the board after notice has been given to the Council and the Council shall repay to the board the reasonable cost thereof including a capitalised sum representing the increased or additional cost of maintaining the canal in consequence of any such alterations or additions:

PART IV
—cont.

Provided that if the cost of maintaining or renewing the banks or towpath of the canal is reduced in consequence of any such alterations or additions a capitalised sum representing such saving may be set off against any sum payable by the Council to the board under this section:

- (8) The Council shall repay to the board all costs charges and expenses reasonably incurred by the board by reason of the works in watching or lighting or attending to the canal during and in consequence of the construction of the works:
- (9) The Council shall be responsible for and make good to the board all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to the board by reason of any act or omission of the Council or any persons in their employ or of their contractors or others whilst engaged upon the construction of the works and the Council shall effectively indemnify and hold harmless the board from and against all claims and demands arising out of or in connection with the construction of the works or any act or omission as aforesaid and the fact that any work may have been done in accordance with any plan approved by the engineer or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without negligence on the part of the board or of any person in their employ) excuse the Council from any liability under the provisions of this section:

Provided that the board shall give to the Council reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without prior consent of the Council:

- (10) Any additional expense which the board shall reasonably incur after giving one month's notice thereof to the Council in altering, reconstructing or maintaining the canal in pursuance of any powers existing at the passing of this Act by reason of the existence of the works shall be repaid by the Council to the board:
- (11) The works shall be constructed so as not to—
 - (a) diminish the width of the waterway available for navigation or the width of the towpath of the canal;
 - (b) restrict the headroom of the proposed new bridge (part of Works Nos. 10 and 13) where it crosses the waterway and towpath of the canal to less than

nine feet, measured from the underside of the said bridge, to the level of the cill of the weir at the rear of Nos. 169-171, Harrow Road, Paddington (No. 421 on the deposited plans);

PART IV
—cont.

(c) reduce the existing headroom of the bridges (parts of Works Nos. 11 and 19 respectively) where they cross the waterway and towpath of the canal:

- (12) Any difference arising between the Council and the board under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

44. For the further protection of the Central Electricity Generating Board and the London Electricity Board (hereinafter in this section referred to severally or collectively as "the board"), the following provisions shall, unless otherwise agreed in writing between the Council and the board, apply and have effect:—

For further protection of the Central Electricity Generating Board and the London Electricity Board.

- (1) In this section, unless the context otherwise requires—

"apparatus" means any electric lines or works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the board and includes any works constructed for the lodging therein of apparatus;

"adequate alternative apparatus" means alternative apparatus adequate to enable the board to fulfil their statutory functions in a manner not less efficient than previously;

"in" in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under, over or upon land;

"works" means the improvements and any other works or things done under the powers conferred by Part III of this Act:

- (2) The provisions of this subsection shall notwithstanding paragraph (i) of the proviso to subsection (2) of section 22 of the Act of 1950 apply where, in consequence of the execution of any works, any apparatus is required to be removed permanently from the land in which it is situated—

(a) If the Council in the exercise of the powers of this Act acquire any interest in any lands in which any such apparatus is placed, that apparatus shall not

PART IV
—cont.

be removed nor shall any right of the board to maintain, repair, renew or inspect that apparatus in those lands be extinguished until any necessary adequate alternative apparatus has been constructed and is in operation to the reasonable satisfaction of the board;

(b) If the Council for the purpose of executing any works in any lands acquired under this Act require any apparatus to be removed permanently from those lands they shall give to the board written notice of such requirement, together with a plan and section of the work proposed and of the proposed position of the alternative apparatus (if any) to be provided;

(c) If the Council require the board to remove any apparatus permanently from any land, or if in consequence of the exercise of any of the powers of this Act the Board shall reasonably require to remove any apparatus permanently, the Council shall, if practicable, afford to the board the necessary facilities and rights for the construction of such alternative apparatus in other lands of the Council and thereafter for the maintenance, repair, renewal and inspection of such apparatus:

Provided that if the Council are unable to afford such facilities and rights as aforesaid the board shall on receipt of a written notice to that effect from the Council, forthwith use their best endeavours to obtain the necessary facilities and rights;

(d) Any alternative apparatus to be constructed in lands of the Council in pursuance of this subsection shall be constructed in such manner and in such line or situation as may be agreed between the board and the Council or, in default of agreement, settled by arbitration;

(e) The Board shall after the alternative apparatus to be provided or constructed shall have been agreed or settled by arbitration as aforesaid and after the grant to the board of such facilities and rights as are referred to in the preceding paragraphs proceed with all reasonable dispatch to construct and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Council to be removed under the provisions of this subsection;

(f) Notwithstanding anything in the preceding paragraphs if the Council give notice in writing to

the board that they desire themselves to execute any part of so much of the work necessary in connection with the construction of the alternative apparatus, or the removal of the apparatus required to be removed as will be situate in any lands of the Council, such work in lieu of being executed by the board shall be executed by the Council with all reasonable dispatch under the superintendence (if given) and to the reasonable satisfaction of the board:

Provided that nothing in this paragraph shall authorise the Council to execute the actual placing, installation, bedding, packing, removal, connection or disconnection of any apparatus or any filling around the apparatus extending (where the apparatus is laid in a trench) to not less than twelve inches above the apparatus;

(g) Where in accordance with the provisions of this subsection the Council afford to the board facilities and rights for the construction, maintenance, repair, renewal and inspection in lands of the Council of alternative apparatus in substitution for apparatus to be removed as aforesaid, those facilities and rights shall be granted upon such terms and conditions as may be agreed between the Council and the board or, in default of agreement, determined by arbitration:

Provided that if the facilities and rights to be afforded by the Council in respect of any alternative apparatus and the terms and conditions subject to which the same are to be granted are in the opinion of the arbitrator more or less favourable on the whole to the board than the facilities and rights enjoyed by them in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject, the arbitrator shall make such provision for the payment of compensation to or by the Council by or to the board in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case;

(h) The Council shall pay to the board the costs, charges and expenses reasonably incurred by the board in or in connection with—

(i) the removal, relaying, replacing, alteration or protection of any apparatus and the provision and construction of any new apparatus which may be required in consequence of the execution of any

PART IV
—cont.

works, less the value of any apparatus removed in pursuance of the provisions of this subsection (such value being calculated after removal);

(ii) the cutting off of any apparatus from any other apparatus; and

(iii) any other work or thing rendered reasonably necessary in consequence of any such operations as are referred to in this paragraph:

Provided that subsections (3) and (4) of section 23 of the Act of 1950 (which impose limitations on undertakers' rights to payment) shall so far as applicable extend and apply to any payment to be made by the Council under this paragraph as if the works in respect of which payment is to be made were such undertakers' works as are referred to in the said subsection (3), and as if in that subsection for the words "specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act" there were substituted the words "agreed or settled by arbitration under section 44 (For further protection of the Central Electricity Generating Board and the London Electricity Board) of the London County Council (Improvements) Act 1963":

- (3) Notwithstanding anything contained in section 33 (Prohibiting interference with certain works) of this Act the board may, at all times, enter upon the specified works and execute and do all such works and things necessary for the purpose of inspecting, repairing, maintaining, renewing or removing any apparatus in, on or over the specified works:
- (4) Any question or difference arising between the Council and the board under this section shall be settled by arbitration.

PART V

MISCELLANEOUS

Byelaws.

45.—(1) The Council may make and enforce byelaws for the regulation, control and protection of Works Nos. 1, 4, 7, 8, 23, 34, 35, 40, 41 and 48, and of persons resorting to or using the same and for the management, regulation, direction and control of traffic of every description using any of the said works with power to prohibit the passage of particular traffic, including pedestrians, either generally or during particular hours.

(2) For the purposes of section 147 of the London Government Act, 1939, the Minister shall be the confirming authority as respects byelaws made under this section.

PART V
—cont.

46.—(1) As from the passing of this Act, any part of the churchyard of the church of Saint Mary, in the borough of Paddington, which the Council may acquire under the powers of this Act shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever which immediately before the passing thereof attached to the said part of the churchyard under ecclesiastical law and from all rights and interests of any person who is a personal representative or relative of any deceased person whose remains are interred in the said part of the churchyard and from all other trusts, uses, obligations, disabilities and restrictions whatsoever which attached thereto immediately before the passing of this Act by reason of the churchyard or any part thereof being a disused burial ground or otherwise.

As to
church of
Saint Mary,
Paddington.

(2) The incumbent for the time being of the benefice of Saint Mary, Paddington (or during any period when the benefice is vacant, the bishop), upon any acquisition by the Council of the part of the churchyard referred to in subsection (1) of this section shall, after deducting the amount of any costs, charges and expenses incurred by him in connection with the said acquisition, pay the net proceeds thereof to the parochial church council of the benefice of Saint Mary, Paddington, in the diocese and county of London. All moneys received by the said parochial church council under this section shall be applied by them in defraying the cost of restoring the church of Saint Mary, Paddington, in the county of London, subject to any necessary licence or faculty of the consistory court of the diocese of London.

(3) Notwithstanding anything contained in any enactment but subject to the provisions of this Act, it shall be lawful at any time after the passing of this Act to use, deal with or dispose of the part of the churchyard referred to in subsection (1) of this section for the widening of any street or for the erection of any building or for any other purpose in like manner as if no part thereof had ever been used or set apart for the purpose of burial of human remains.

(4) Before the Council carry out under the powers of this Act any work on any part of the churchyard referred to in subsection (1) of this section they shall remove or cause to be removed the remains of all deceased persons interred in such part.

(5) (a) Before proceeding to remove any such remains the Council shall give notice of their intention so to do by publishing a notice in manner provided in paragraph (b) of this subsection

PART V
—cont.

in at least two local newspapers circulating in the county and shall display a like notice in a conspicuous place in the part of the churchyard referred to in subsection (1) of this section, and such notice shall have embodied in it the substance of subsections (6) to (9) and (11) and (12) of this section.

(b) The notice referred to in paragraph (a) of this subsection shall be published in each of four successive weeks by publication in at least one newspaper in the first and third of those weeks and in at least one other newspaper in the second and fourth of those weeks.

(6) At any time within two months after the first publication of such notice any person who is a personal representative or relative of any deceased person whose remains are interred in the part of the churchyard referred to in subsection (1) of this section may give notice in writing to the Council of his intention to undertake the removal of such remains, and thereupon he shall be at liberty without any faculty for the purpose, but subject as hereinafter mentioned and to any regulations made by the Lord Bishop of the diocese of London, to cause such remains to be removed to and reinterred in any consecrated burial ground or cemetery in which burials may legally take place, but in the case of a churchyard only with the consent of the incumbent of the benefice concerned.

(7) If any person giving such notice as aforesaid fails to satisfy the Council that he is such personal representative or relative as he claims to be, the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of London who shall have power to make an order specifying who shall remove and reinter the remains, and as to the payment of the costs of the application.

(8) The expense of a removal and reinterment (not exceeding in respect of remains removed from any one grave the sum of fifty pounds) shall be defrayed by the Council, such sum to be apportioned if necessary equally according to the number of remains in the grave.

(9) If—

(a) within the aforesaid period of two months no such notice as aforesaid shall have been given to the Council in respect of the remains in any grave; or

(b) within two months after such notice has been given no application has been made under subsection (7) of this section and the person giving the notice fails to remove the remains; or

(c) within two months after any order is made by the registrar under the said subsection the person, not being the Council, specified in the order fails to remove the remains;

PART V
—cont.

the Council may, without any faculty for the purpose, cause the remains of the deceased person to be removed and reinterred in such other consecrated burial ground or cemetery in which burials may legally take place and which, subject to the consent of the said bishop, the Council think suitable for the purpose, but in the case of reinterment in a churchyard the previous consent of the incumbent of the benefice concerned shall also be required.

(10) Upon the reinterment of any remains under this section a certificate of reinterment shall be sent to the Registrar-General by the Council, giving the date of reinterment and identifying the place from which the remains were removed and the place in which they are reinterred.

(11) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Council be removed and re-erected at the place of reinterment of such remains or at such place as the said bishop may direct on the application, if any, of such personal representative or relative as aforesaid, or, failing such application, on the application of the Council, and the Council shall cause a record to be made of each monument or tombstone re-erected under this section containing—

- (a) a copy of the inscription on it; and
- (b) a statement where it has been erected;

and shall deposit a copy of the record with the Registrar-General.

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

PART VI

SUPPLEMENTAL

47. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof is or may be authorised or regulated by or under this Act.

Saving for
town and
country
planning

PART VI
—cont.Notice to
commissioner
of police.

48.—(1) Before commencing the construction of any works forming part of the improvements so as to involve the temporary closing to vehicular traffic of any street or part of a street either absolutely or to the extent of one-third or more of the width of the carriageway the Council shall give not less than twenty-one days' notice in writing to the commissioner of police of the metropolis of their intention so to do and such notice shall specify the works to which the notice relates and the streets or parts of streets which will be closed in the course of the execution of the works.

(2) The Council shall make such arrangements with the said commissioner as shall be reasonably necessary so as to cause as little interference with vehicular traffic as may be reasonably practicable during the execution of the works.

Arbitration.

49. Any question or difference which pursuant to this Act is to be settled by arbitration (other than a question or difference to which the provisions of the Lands Clauses Acts apply) shall, except as otherwise provided by this Act, be referred to and determined by an arbitrator to be agreed upon between the parties in difference or, failing such agreement, to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers.

Costs of Act.

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

SCHEDULES

FIRST SCHEDULE

Section 27.

STREETS AND PARTS OF STREETS WHICH MAY BE STOPPED UP

In the royal borough of Kensington—

So much of Silchester Mews as lies within the limits of deviation of works and of lands to be acquired.

So much of Maxilla Gardens as lies within the limits of deviation of works and of lands to be acquired.

So much of Malton Mews as lies within the limits of deviation of works and of lands to be acquired.

So much of Thorpe Mews as lies within the limits of deviation of works and of lands to be acquired.

In the borough of Paddington—

So much of Waverley Walk as lies within the limits of deviation of works and of lands to be acquired.

Waverley Terrace.

So much of Hampden Crescent as lies within the limits of deviation of works and of lands to be acquired.

So much of Torquay Street as lies within the limits of deviation of works and of lands to be acquired.

So much of Harrow Road between Bourne Terrace and the termination of Work No. 2 as is not within the line of Work No. 2.

So much of Harrow Road as lies between the termination of Work No. 2 and the commencement of Work No. 11.

Westbury Road.

So much of Westbourne Park Crescent as lies within the limits of deviation of works and of lands to be acquired.

So much of Lord Hill's Road as lies within the limits of deviation of works and of lands to be acquired.

Chichester Road.

Chichester Place.

Chichester Mews.

Kinnaird Street.

Blomfield Crescent.

So much of Bourne Terrace as lies within the lines of Works Nos. 1, 8 and 9.

So much of Westbourne Terrace Road as lies within the line of Work No. 9.

So much of Harrow Road as lies between the termination of Work No. 11 and the commencement of Work No. 18.

So much of Porteus Road as lies within the line of Work No. 14.

1ST SCH.
—*cont.*

So much of Harrow Road as lies between its junctions with St. Mary's Square and Paddington Green (west side).

So much of St. Mary's Square as lies within the limits of deviation of works and of lands to be acquired.

Unwin Place.

Sovereign Place.

Consort Place.

In the borough of Greenwich—

So much of Greenfell Street as lies between the lines of Works Nos. 22 and 32.

So much of Boord Street as lies between the lines of Works Nos. 22 and 32.

Morden Wharf Road from its junction with Dreadnought Street to its junction with Tunnel Avenue.

So much of Blackwall Lane as lies within the lines of Works Nos. 23, 25 and 26 and between the lines of Works Nos. 27 and 28 and between the line of Work No. 25 and the junction of Blackwall Lane with Tunnel Avenue.

So much of Farmdale Road as lies within the lines of Works Nos. 35, 36 and 37.

So much of Westerdale Road as lies within the lines of Works Nos. 36, 37 and 40.

So much of Westcombe Hill as lies within the line of Work No. 40.

So much of Siebert Road as lies within the line of Work No. 40.

So much of Bramshot Avenue as lies within the lines of Works Nos. 40 and 41.

So much of Invicta Road as lies within the limits of deviation of works and of lands to be acquired.

So much of Craigerne Road as lies within the limits of deviation of works and of lands to be acquired.

So much of Dorneberg Road as lies within the limits of deviation of works and of lands to be acquired.

St. John's Park from its junction with Old Dover Road to the line of Work No. 44.

Langton Way from its junction with Delacourt Road to the line of Work No. 44.

So much of Delacourt Road as lies within the line of Work No. 43.

So much of Shooter's Hill Road, Delacourt Road and Rochester Way as is contained within Work No. 43.

In the borough of Wandsworth—

So much of Kingston Road as lies between the points of commencement and termination of Work No. 48.

Telegraph Road for a length of ninety-seven yards westwards of its junction with Kingston Road.

So much of Wimbledon Park Side as lies within the lines of Works Nos. 48 and 56.

1ST SCH.
—cont.

So much of Victoria Drive as lies within the line of Work No. 56.

So much of Princes Way as lies within the line of Work No. 56.

So much of West Hill as lies within the lines of Works Nos. 48, 55 and 56.

SECOND SCHEDULE

Section 29.

PARTS OF STREETS ON WIMBLEDON COMMON WHICH MAY BE STOPPED UP
In the borough of Wandsworth—

So much of Portsmouth Road as lies between the points marked A and B, C and D, E and F, G and H on the deposited plans.

So much of Wildcroft Road as lies between the points marked J and K on the deposited plans.

So much of Telegraph Road as lies between the points marked L and M on the deposited plans.

So much of Putney Hill as lies between the points marked N and P on the deposited plans.

Table of Statutes referred to in this Act

Short title	Session and chapter
Lands Clauses Consolidation Act, 1845 ..	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act, 1845 ..	8 & 9 Vict. c. 20.
Metropolis Management Act, 1855	18 & 19 Vict. c. 120.
the Wimbledon and Putney Commons Act, 1871	34 & 35 Vict. c. cciv.
Telegraph Act, 1878	41 & 42 Vict. c. 76.
Electric Lighting Act, 1882	45 & 46 Vict. c. 56.
London County Council (Subways) Act, 1893	56 & 57 Vict. c. ccii.
London Passenger Transport Act, 1935 ..	25 & 26 Geo. 5 c. cxviii.
London County Council (Tunnel and Improvements) Act, 1938	1 & 2 Geo. 6 c. lxxxi.
London Government Act, 1939	2 & 3 Geo. 6 c. 40.
Lands Tribunal Act, 1949	12 & 13 Geo. 6 c. 42.
Public Utilities Street Works Act, 1950 ..	14 Geo. 6 c. 39.
Land Compensation Act, 1961	9 & 10 Eliz. 2 c. 33.
London County Council (General Powers) Act, 1961	9 & 10 Eliz. 2 c. xliii.
Town and Country Planning Act, 1962 ..	10 & 11 Eliz. 2 c. 38.
London County Council (Improvements) Act, 1962	10 & 11 Eliz. 2 c. xlix.

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Felixstowe Dock and Railway Act 1963

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CHAPTER xxxv

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