



CHAPTER xlvii.

An Act to empower the London County Council and the mayor aldermen and burgesses of the county borough of West Ham to make new streets street widenings and other works for the improvement of the approaches to the Royal Victoria Dock and other docks of the Port of London Authority and to construct and work new tramways in substitution for certain existing tramways to provide for contributions by other authorities towards the cost of the said works and for other purposes. [10th May 1929.] A.D. 1929.

WHEREAS the existing means of approach from and to the administrative county of London and the county borough of West Ham to and from the Royal Victoria Dock and other docks of the Port of London Authority are inadequate and inconvenient for the passage of traffic and it is expedient that for the improvement of such means of approach the London County Council (hereinafter referred to as "the Council") and the mayor aldermen and burgesses of the said borough (hereinafter referred to as "the West Ham Corporation") should be authorised to construct new streets and street widenings and make improvements of streets and of the river Lee (all of which works are hereinafter referred to as "the street works") and to acquire lands for the purposes thereof and to exercise other powers as in this Act provided :

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

— And whereas certain streets or parts of streets in which tramways of the Council and of the West Ham Corporation respectively are laid will be rendered unnecessary by the execution of the street works and it is expedient that the Council and the West Ham Corporation respectively should be authorised in connection with and for the purposes of those works to discontinue and remove the said tramways and construct in certain of the new streets comprised in the street works the tramways described in this Act (which tramways together with the street works are hereinafter referred to as "the improvements") and should be empowered to work and use such last-mentioned tramways :

And whereas the Minister of Transport has with the approval of the Treasury determined to make contributions out of the Road Fund towards the cost of the improvements in accordance with the general conditions set forth in the First Schedule to this Act :

And whereas the councils of certain administrative counties the mayor aldermen and commons of the city of London in common council assembled and the mayors aldermen and burgesses of certain county boroughs within or partly within the London traffic area as defined by the London Traffic Act 1924 have agreed to contribute towards the cost of the improvements amounts as in this Act provided and the Port of London Authority have agreed to provide free of cost certain land for rehousing persons of the working class displaced by the execution of the street works :

And whereas it is expedient that such powers as are contained in this Act should be conferred on the last-mentioned councils and other authorities :

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

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

And whereas an estimate has been prepared of the cost of and incidental to the execution of the improvements (including the acquisition of lands for the street works) and such estimate (being calculated to cover the original cost of purchasing lands and executing the improvements without any allowance in respect of

returns from the re-sale or letting of lands) amounts to two million five hundred and eighteen thousand pounds : A.D. 1929.
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And whereas plans and sections showing the lines and levels of the improvements such plans also showing the lands which may be acquired or used compulsorily under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of London and with the clerk of the peace for the county of Essex and are in this Act referred to as the deposited plans sections and book of reference :

And whereas the West Ham Corporation have in relation to the promotion of the Bill for this Act complied with the requirements of the Borough Funds Acts 1872 and 1903 :

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Royal Victoria and other Docks Approaches (Improvement) Act 1929. Short title.

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

Act divided into Parts.

Part I.—Preliminary.

Part II.—Street works.

Part III.—Tramways.

Part IV.—Improvements.

Part V.—Purchase of lands.

Part VI.—Miscellaneous and financial.

3. The Lands Clauses Acts and section 3 (Interpretation of terms) and Parts II and III of the Tramways Act 1870 (so far as the same are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with and form part of Incorporation of Acts.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. this Act with the following exceptions and modification :—

- (a) Sections 127 and 133 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;
- (b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the seal of the Council or of the West Ham Corporation (as the case may require) and shall be sufficient without the addition of the sureties mentioned in that section.

Interpreta-
tion.

4.—(1) In this Act except as otherwise expressly provided or unless the subject or context otherwise requires—

“ The county ” means the administrative county of London ;

“ The Council ” means the London County Council ;

“ The borough ” means the county borough of West Ham ;

“ The West Ham Corporation ” means the mayor aldermen and burgesses of the borough acting by the council of the borough ;

“ The City Corporation ” means the mayor aldermen and commons of the city of London in common council assembled ;

“ The appropriate authority ” where used in relation to such of the powers of this Act as are exercisable by the Council means the Council and where used in relation to such of the said powers as are exercisable by the West Ham Corporation means the West Ham Corporation ;

“ The Minister ” means the Minister of Transport ;

“ The street works ” means the new streets street widenings improvements of streets and of the river Lee and other works by Part II of this Act authorised or any of them or any part thereof respectively and “ street work ” means any of the street works or any part thereof ;

“ Barking Road Bridge ” means the existing county bridge carrying East India Dock Road and Barking Road over the river Lee and the approaches to that bridge ;

“The tramways” means the tramways by Part III of this Act authorised and any part thereof respectively; A.D. 1929.
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“The improvements” means the street works and the tramways;

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

“The arbitrator” means the arbitrator to whom any question of disputed compensation may be referred under the provisions of this Act;

“Street” where used in relation to the county has the meaning assigned to that term in the Metropolis Management Acts 1855 to 1893 and where used in relation to the borough has the meaning assigned to that term by the Public Health Act 1875 and in relation both to the county and to the borough includes the whole of the carriageway and footways on Barking Road Bridge and on the bridge to be constructed under the powers of this Act for carrying Work No. 1 by this Act authorised over the river Lee;

“Telegraphic line” has the same meaning as in the Telegraph Act 1878;

Terms to which meanings are assigned by any enactment incorporated with this Act or which have in any such enactment special meanings have in and for the purposes of this Act the same respective meanings but the expressions “the promoters of the undertaking” and “the company” in the Lands Clauses Acts shall be construed to mean the Council or the West Ham Corporation as the case may require.

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

(3) Any reference to the junction of any two streets in the descriptions contained in this Act of the works

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — thereby authorised shall be construed as a reference to the point at which the imaginary centre lines of those streets if produced would intersect.

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

PART II.

STREET WORKS.

Power to
Council to
execute
street
works.

5. 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 make and execute the works hereinafter described (that is to say) :—

Work No. 1 A new street commencing in the metropolitan borough of Poplar in the county by a junction with East India Dock Road crossing the river Lee by means of a bridge (forming part of the said work) northward of Barking Road Bridge and terminating in the borough at a point near the left bank of the said river;

And in connection therewith the Council may in the said metropolitan borough raise the levels of the following parts of streets—

(i) Abbott Road between the junction thereof with East India Dock Road and a point 4·7 chains north-westward of that junction;

(ii) Portree Street between the junction thereof with Abbott Road and a point 1·5 chains northward of that junction;

(iii) Dunkeld Street between the junction thereof with Abbott Road and a point 0·9 chain westward of that junction;

(iv) Parian Street between the junction thereof with Abbott Road and a point 2·6 chains north-eastward of that junction :

Work No. 2 A narrowing and improvement of the channel of the river Lee partly in the said metropolitan borough of Poplar and partly in the borough by altering the banks of that river on both sides thereof. A.D. 1929.

6. Subject to the provisions of this Act the West Ham Corporation 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 make and execute the works in the borough hereinafter described (that is to say):— Power to West Ham Corporation to execute street works.

Work No. 3 A new street commencing by a junction with Work No. 1 by this Act authorised at the termination thereof crossing over the Woolwich branch railway of the London and North Eastern Railway Company by means of a bridge (forming part of the said Work No. 3) and terminating by a junction with Barking Road;

And in connection therewith the West Ham Corporation may raise the levels of the following parts of streets:—

(i) Stephenson Street between the junction thereof with Barking Road and a point 7·6 chains northward of that junction;

(ii) Bidder Street between the junction thereof with Stephenson Street and a point 4·0 chains north-westward of that junction;

(iii) Creek Street between the junction thereof with Bidder Street and a point 0·8 chain south-westward of that junction:

Work No. 4 An improvement and raising of the level of Barking Road such raising of level commencing at the termination of Work No. 3 by this Act authorised and terminating at a point 2·1 chains south-westward of the junction with Barking Road of Oak Crescent;

And in connection therewith the West Ham Corporation may—

(i) raise the level of Victoria Dock Road between the junction thereof with Barking Road and a point 3·0 chains south-eastward of that junction;

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

(ii) widen Barking Road on the north-western side thereof between Liverpool Road and the eastern abutment of the existing bridge carrying Barking Road over the said Woolwich branch railway;

(iii) widen Liverpool Road on the eastern side thereof and Barking Road on the north-western side thereof between a point in Liverpool Road 1.6 chains northward of the junction of that road with Barking Road and a point in Barking Road 1.4 chains north-eastward of that junction;

(iv) raise the level of Liverpool Road as widened between the junction thereof with Barking Road and a point 2.2 chains northward of that junction;

(v) widen Barking Road on the south-eastern side thereof and Woodstock Street on the north-eastern side thereof between a point in Barking Road 4.0 chains north-eastward of the junction of Woodstock Street with Barking Road and a point in Woodstock Street 1.3 chains south-eastward of that junction;

(vi) raise the level of Woodstock Street as widened between the junction thereof with Barking Road and a point 0.8 chain south-eastward of that junction:

Work No. 5 A widening of Barking Road on the south-eastern side thereof and Beckton Road on the south-western side thereof between a point 0.6 chain north-eastward of the junction of Rathbone Street with Barking Road and the junction of Mona Street and Peter Street with Beckton Road:

Work No. 6 A new street commencing at the junction of Burnham Street with Barking Road and terminating at a point 0.7 chain south-eastward of the centre of Fulton Street including—

(i) the widening of Barking Road on the south-eastern side thereof and Burnham Street on the south-western side thereof between a

point in Barking Road 2·3 chains south-westward of the junction with that road of Burnham Street and a point in Burnham Street 2·3 chains south-eastward of that junction;

A.D. 1929.

(ii) the widening of Barking Road on the south-eastern side thereof and Burnham Street on the north-eastern side thereof between the junction of Woodstock Street with Barking Road and the south-eastern extremity of Burnham Street;

(iii) the raising of the level of Burnham Street as widened between the junction thereof with Barking Road and a point 3·6 chains south-eastward of that junction;

(iv) the widening of Crawford Street on the south-western side thereof for its entire length between Woodstock Street and Hallsville Road;

(v) the widening of Woodstock Street on both sides thereof between Burnham Street and Victoria Dock Road:

Work No. 7 A new street commencing by a junction with Work No. 6 by this Act authorised at the termination thereof crossing by means of bridges (forming part of the said Work No. 7) over the said Woolwich branch railway eastward of the White Gates and over the dock entrance to the tidal basin of the Royal Victoria Dock north-eastward of that entrance and over the railway sidings of the Port of London Authority southward of the tidal basin and terminating by a junction with North Woolwich Road at or near the junction with that road of Cranbrook Road;

And in connection therewith the West Ham Corporation may—

(i) raise the level of George Street between points respectively 1·5 chains and 3·7 chains south-westward of the junction of that street with Shirley Street;

(ii) construct at approximately the existing ground level streets adjacent to the said new

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

street (Work No. 7) between the following points :—

(a) on the north-eastern side of the said new street between George Street and the northern side of Victoria Dock Road and between the southern side of Tidal Basin Road and Caxton Street;

(b) on the south-western side of the said new street between George Street and the northern side of Victoria Dock Road and between the southern side of Tidal Basin Road and a point 3·4 chains northward of the centre of the swing bridge over the entrance to the tidal basin of the Royal Victoria Dock;

(iii) construct inclined spur roads—

(a) commencing by a junction with the said new street (Work No. 7) and terminating by a junction with Tidal Basin Road;

(b) commencing by a junction with the spur road last hereinbefore described and terminating by a junction with a roadway in the Royal Victoria Dock adjacent to the Customs fence of that dock;

(c) commencing by a junction with the said new street (Work No. 7) and terminating at the boundary fence of the Royal Victoria Dock at a point 3·0 chains north-westward of the junction of Ellesmere Road and Clyde Road:

Work No. 8 A new street commencing by a junction with North Woolwich Road at a point 0·5 chain westward of the junction with that road of Kempton Street crossing by means of a bridge (forming part of the said work) over the railway of the Port of London Authority and the Woolwich branch railway and the goods lines of the London and North Eastern Railway Company and over Connaught Road near to and north-westward of Silvertown Station and terminating by a junction with Andrew Street;

And in connection therewith the West Ham Corporation may— A.D. 1929.

(i) raise the level of Kempton Street between the junction thereof with North Woolwich Road and a point 0·5 chain northward of that junction;

(ii) lower the level of Connaught Road between points respectively 3·8 chains and 6·1 chains north-westward of the junction of Drew Road with that road;

(iii) widen Camel Road on the eastern side thereof and Drew Road on the northern side thereof between a point in Camel Road 1·3 chains northward of the junction of that road with Drew Road and a point in Drew Road 1·3 chains eastward of that junction.

Work No. 9 A new street commencing by a junction with Connaught Road at a point 3·3 chains north-westward of the junction with that road of Drew Road and terminating by a junction with Camel Road.

7. In connection with or for the purpose of the construction of any bridge or other work for carrying the street works over the river Lee or any other river stream or waterway or over any dock tidal basin dock-entrance cut or channel the appropriate authority may construct provide maintain and use either permanently or temporarily all such piles fenders piers dolphins pontoons caissons stagings cofferdams walls abutments and other works as they may deem necessary in under or near to the said river Lee or any such other river stream or waterway and the banks bed and foreshore thereof and in under or near to any such dock tidal basin dock-entrance cut or channel as aforesaid and may from time to time alter or remove all or any of such piles fenders piers dolphins pontoons caissons stagings cofferdams walls abutments or other works.

Temporary and other works in river Lee &c.

8. In connection with the execution of Work No. 2 by this Act authorised the Council shall to such extent as may be reasonably necessary or expedient dredge deepen or alter the bed and channel of the river Lee or parts thereof between the northern side of Barking Road

Dredging of river Lee.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — Bridge and a point 7·2 chains northward of the centre of that bridge.

Reclama-
tion of part
of river Lee.

9. In connection with the execution of Work No. 2 by this Act authorised the Council may reclaim by the construction of camp-shedding walls banks or other works the portions of the bed and channel of the river Lee which in consequence of the narrowing of that river under the powers of this Act will cease to form part thereof and any lands so reclaimed shall by virtue of this Act vest as respects lands on the right bank of the said river in the Council and as respects lands on the left bank of the said river in the West Ham Corporation.

As to
construc-
tion of
bridge over
river Lee.

10. Notwithstanding anything contained in this Act or shown on the deposited plans or sections the bridge carrying Work No. 1 by this Act authorised over the river Lee shall be constructed as a skew bridge of one arch having a span measured along the line of the said Work No. 1 of not less than one hundred and ninety-five feet in the clear measured between the faces of the abutments of the said bridge in such manner that the hinges of the arch are not below Trinity high-water mark and so as to give a clear waterway of not less than one hundred and ninety-five feet at Trinity high-water mark and a clear headway above Trinity high-water mark of not less than eighteen feet at the centre of the span.

Power to
make
subsidiary
works &c.

11. Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the appropriate authority in connection with and for the purposes of this Act and as part of the street works (in addition to the works described in the sections of this Act of which the marginal notes are respectively "Power to Council to execute street works" and "Power to West Ham Corporation to execute street works") may execute or do any of the following works or things (that is to say):—

- (a) Make junctions and communications (including the provision of steps for the use of persons on foot) with any existing streets intersected or interfered with by or contiguous to the street works and divert widen or alter the line or alter the level of any existing street for the purposes of the street works;

- (b) Make and maintain passages for persons on foot through or under the embankments on which any of the new streets by this Act authorised are constructed for the purpose of forming a means of communication between the severed portions of any existing streets across which such embankments are constructed;
- (c) Relay and alter the line or alter the level of any tramway in or along any street of which the whole or part is to be diverted widened raised lowered or otherwise interfered with under the powers of this Act and provide during such relaying and alteration any temporary line or lines of tramway which may be necessary for continuing the traffic on any tramway to be so relaid or altered;
- (d) Suspend (either wholly or partially) for such periods as they may deem necessary the working or user of any tramway or portion thereof without being subject to any liability penalty or forfeiture by reason or in consequence of any such suspension;
- (e) Stop up any street or part of a street within the limits of deviation shown on the deposited plans which they may consider unnecessary to retain or to throw into the street works and alter and divert any street or part of a street within the same limits;
- (f) Raise sink or otherwise alter the position of any of the steps areas cellars cellar-flaps pavement-lights gratings boundary walls railings fencings windows watercourses pipes or spouts belonging to any house or building and remove all other obstructions so as to cause in so doing as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the appropriate authority shall make reasonable compensation to any person who suffers damage by any such alteration;
- (g) Execute any works for the protection of any adjoining land or buildings;
- (h) Execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings.

A.D. 1929.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Under-
pinning of
houses near
street
works.

12. The appropriate authority 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 street works and the following provisions shall have effect (that is to say) :—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers of the house or building so intended to be underpinned or otherwise strengthened :
- (2) Each such notice shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 :
- (3) If any owner lessee or occupier of any such house or building shall within seven days after the giving of such notice give a counter notice in writing that he disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of a referee to be agreed upon or in case of difference appointed at the instance of either party by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference :
- (4) The appropriate authority shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section provided that the claim for compensation in respect of such loss or damage be made within three months from the occurrence thereof :
- (5) (a) In any case in which any house or building shall have been underpinned or strengthened under the powers of this section the appropriate authority may from time to time after the completion of such underpinning or strengthening and during the execution of the street work in connection with which such underpinning or strengthening was done or within twelve months after the opening for traffic of such street work enter upon and survey

such house or building and do such further underpinning or strengthening thereof as they may deem necessary or expedient or as in case of dispute between the appropriate authority on the one hand and the owner lessee or occupier of the house or building on the other hand shall be determined by a referee to be agreed upon or appointed as aforesaid; A.D. 1929.

(b) If in any such case as is referred to in this subsection the underpinning or strengthening done by the appropriate authority shall at any time within twelve months from the opening for traffic of the street work in connection with which such underpinning or strengthening was done prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of such street work the appropriate authority shall make compensation to the owner lessee and occupier of the house or building for such injury provided that the claim for compensation in respect thereof be made within one month from the discovery thereof :

- (6) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the appropriate authority from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :
- (7) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts :
- (8) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

13. Subject to the provisions of this Act the appropriate authority may for the purposes of and in connection with the street works stop up the following streets or parts of streets (that is to say) :— Power to stop up streets.

- (1) The Council may in the county stop up so much of Lanrick Road as is situate between points respectively 0·3 chain and 1·9 chains

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

southward of the junction with that road of
Parian Street:

(2) The West Ham Corporation may in the borough
stop up—

(a) (i) Such portions of Poplar Street as
are situate between points respectively 0·4
chain and 3·3 chains south-westward of
the junction of that street with Emily
Street and between the junction of Poplar
Street and Hoy Street and a point 3·3
chains north-westward of that junction;

(ii) So much of Clyde Road as is situate
between the junction of that road with
North Woolwich Road and a point 3·3
chains north-eastward of that junction;

(iii) So much of Emma Street as is situate
between points respectively 0·3 chain and
4·0 chains northward of the junction of
that street with North Woolwich Road;

(iv) Hartmann Road for its entire length;

(v) So much of Gray Street as is situate
between the junction of that street with
Connaught Road and a point 1·8 chains
northward of that junction;

(b) (i) So much of Hoy Street as is situate
between points respectively 1·7 chains and
5·8 chains north-eastward of the junction
of that street with Victoria Dock Road;

(ii) So much of Agnes Street as is situate
between points respectively 0·3 chain and
4·4 chains southward of the junction of
that street with Oriental Road;

(iii) So much of Drew Road as is situate
between points respectively 0·6 chain and
3·0 chains eastward of the junction of that
road with Connaught Road:

Provided that if the West Ham Corporation stop
up any of the parts of streets referred to in paragraph
(b) of this subsection they shall provide on the site
of such part of a street a passageway for persons on
foot through the embankment carrying the new street
in connection with the construction of which such

part of a street is stopped up so as to form a means of communication between the severed portions of the street.

A.D. 1929.

14.—(1) As from the completion and opening for traffic of the new streets (Works Nos. 1 and 3) by this Act authorised and of the tramways all obligations of the Council and the West Ham Corporation or either of them to maintain Barking Road Bridge shall cease and determine and within a reasonable time after such completion and opening for traffic the Council shall (except as provided by the section of this Act of which the marginal note is "For protection of Lee Conservancy Board") demolish and remove the said bridge and may appropriate and use or sell or dispose of the materials thereof.

Power to remove Barking Road Bridge and stop up parts of East India Dock Road and Barking Road.

(2) At any time after the completion and opening for traffic of the said new streets and of the tramways the Council and the West Ham Corporation may respectively if they think fit stop up the whole or part of so much of East India Dock Road and of Barking Road or one of those roads as is situate between the commencement of the said new street (Work No. 1) and the termination of the said new street (Work No. 3).

(3) In connection with the construction of the new streets (Works Nos. 1 and 3) and the exercise of the powers conferred by subsections (1) and (2) of this section the Council and the West Ham Corporation may remove divert or alter subject to the provisions of the sections of this Act of which the marginal notes are "Removal &c. of apparatus" and "For protection of the Postmaster-General" all or any of the mains pipes tubes cables wires works and apparatus in or under Barking Road Bridge and the said portions of East India Dock Road and Barking Road and any other mains pipes tubes cables wires works and apparatus connected therewith.

15. On the stopping up (otherwise than temporarily) of any street or part of a street under the powers of this Act all rights of way over the same and other rights in respect thereof shall be extinguished and the site and soil thereof shall vest in the appropriate authority but except as respects the portions of East India Dock Road and Barking Road referred to in the section of this Act of

Vesting of site of streets stopped up.

A.D. 1929.

which the marginal note is "Power to remove Barking Road Bridge and stop up parts of East India Dock Road and Barking Road" the appropriate authority shall not stop up any street or portion thereof unless they are owners in possession of all houses and lands on both sides of the street or portion to be stopped up except so far as the owners lessees and occupiers of such houses and lands may otherwise agree :

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

Power to
acquire
bridge of
Gas Light
and Coke
Company.

16.—(1) Subject to the provisions of this Act the Council or the West Ham Corporation may enter upon take and use the bridge (in this section referred to as "the gas bridge") of the Gas Light and Coke Company (in this section referred to as "the gas company") carrying the mains of the gas company over the river Lee near to and northward of Barking Road Bridge and the mains pipes works and apparatus situate in or forming part of the gas bridge and all or any of the mains pipes works and apparatus of the gas company situate in or under any land or street and extending—

(a) between the south-eastern extremity of the gas bridge and the point of termination of the new street (Work No. 3) by this Act authorised; and

(b) between the north-western extremity of the gas bridge and the commencement of the new street (Work No. 1) by this Act authorised.

(2) At any time after the acquisition of the gas bridge and of the said mains pipes works and apparatus the appropriate authority may demolish and remove the gas bridge and take up and remove all or any of the said mains pipes works and apparatus and may appropriate and use or sell or dispose of the materials of the gas bridge and any such mains pipes works and apparatus as aforesaid.

(3) (a) Notwithstanding anything contained in this section the appropriate authority shall not take up or remove any of the said mains or pipes unless and until

they shall have provided and laid to the reasonable satisfaction of the gas company a main or mains or pipe or pipes having a carrying capacity not less than that of the main or mains or pipe or pipes which the Council intend to take up or remove and shall have connected the main or mains or pipe or pipes to be so provided and laid with the mains or pipes of the gas company which the appropriate authority do not intend to take up or remove and shall have provided and laid all such other pipes works and apparatus as may be reasonably necessary in connection with the substitution of the mains to be so provided and laid as aforesaid for the existing mains of the gas company to be acquired and removed. A.D. 1929.

(b) If any difference shall arise between the appropriate authority and the gas company under the provisions of this subsection such difference shall be settled by arbitration.

(4) The appropriate authority and the gas company may enter into and carry into effect agreements for and with respect to the acquisition demolition and removal of the gas bridge and of any such mains pipes works and apparatus as aforesaid and the providing and laying of such substituted mains pipes works and apparatus as aforesaid and any other matters incidental to or arising out of such acquisition demolition removal providing and laying.

(5) The powers conferred by subsections (1) and (2) of this section shall not be exercised except with the consent of the gas company.

17.—(1) Subject to the provisions of this Act the appropriate authority may cause such parts of the street works to be laid out for carriageway and such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act and within the limits of deviation shown on the deposited plans construct erect and provide such vaults cellars arches bridges sewers drains subways and other works and conveniences as they may think proper for the purposes of or in connection with the street works. Carriageway
footway
sewers and
other works.

(2) The provisions of the London County Council (Subways) Act 1893 shall extend and apply to any subway

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. to be constructed in the county by the Council under the powers of this Act as well during as after the construction thereof as if such subway had been included in the expression "subway" in the said Act of 1893 and all byelaws for the time being in force thereunder shall extend and apply to such subway. Provided that for the purposes of the application of the said Act of 1893 to such subway the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies.

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

18. The appropriate authority may cause to be removed arched over or filled up all such sewers drains or watercourses or parts thereof as shall be in or near the streets to be interfered with for the purposes of the street works and as shall become unnecessary by reason of the purchase of the property entitled to the use thereof.

Street
works to
form public
street
repair &c.

19.—(1) When any of the street works is completed a certificate thereof shall be issued under the seal of the appropriate authority and any copy of such certificate certified under the hand of the clerk of the appropriate authority shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and that the street work to which such certificate relates has been completed and from the date of such certificate so much of the street work to which such certificate relates as has been laid out as carriageway or footway shall form part of the street and may be used by the public accordingly.

(2) (a) So much of the street work so laid out as aforesaid shall—

(i) as far as situate in the county be maintained repaired paved drained cleansed and lighted by the council of the metropolitan borough of Poplar; and

(ii) as far as situate in the borough be maintained repaired paved drained cleansed and lighted by the West Ham Corporation.

(b) So much of the land acquired by the appropriate authority for or in connection with the street work as is thrown into and used for carriageway or footway shall after the issue of the certificate relating thereto (subject as respects land in the county to the enjoyment by the

council of the said metropolitan borough of Poplar of all such rights in such land as are usually enjoyed in respect of a street by the road authority) remain vested in the appropriate authority. A.D. 1929.

(3) The provisions of this section with reference to the repair of carriageways shall not apply to that part of any carriageway which under the provisions of the Tramways Act 1870 the Council or the West Ham Corporation are bound to keep in repair.

(4) (a) The structure of so much of the bridge carrying the new street (Work No. 1) by this Act authorised over the river Lee as is situate in the county shall vest in the Council and the structure of so much of the said bridge as is situate in the borough shall vest in the West Ham Corporation.

(b) The Council shall repair and maintain the structure of the whole of the said bridge and the West Ham Corporation shall from time to time repay to the Council one-half of the costs and expenses of such repair and maintenance.

20.—(1) Notwithstanding anything in any other Act to the contrary it shall not be lawful for any person to enter upon break up or interfere with any part of the carriageway or footway of the new bridge over the river Lee (being part of Work No. 1) or of so much of the new streets included in Works Nos. 1 (excluding the said bridge) 3 7 and 8 as is above the existing normal ground level of the adjoining land for the purpose of laying down any main pipe or wire or executing any work whatsoever therein thereon or thereunder except with the consent in writing of the Council as respects such portions of the said bridge and works as are situate in the county and of the West Ham Corporation as respects such portions thereof as are situate in the borough and in accordance with such terms and conditions (including in the case of the bridge but not otherwise the payment of any rent or other valuable consideration) as the Council or the West Ham Corporation (as the case may be) may reasonably determine and any difference between the Council or the West Ham Corporation and any person as to any terms or conditions imposed under the foregoing provisions of this section shall be settled by arbitration :

Restrictions
on execution
of works in
certain
street
works.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Provided that—

- (i) if within one month after the passing of this Act any person gives notice in writing to the Council or the West Ham Corporation as the case may be containing particulars of all mains pipes and wires which he may require to lay down in on or under the said bridge and so much of Works Nos. 1 (excluding the said bridge) 3 7 and 8 as is hereinbefore referred to and of all works which he requires to carry out in connection therewith and agreeing to pay to the Council or the West Ham Corporation as the case may be the reasonable additional cost which will be incurred by them in affording him facilities for laying mains pipes or wires and for the execution of works he may with the consent of the Council or of the West Ham Corporation respectively (which consent shall not be unreasonably withheld and subject to such terms and conditions (including payment of the additional cost before referred to and as regards facilities afforded in on or under the said bridge but not otherwise an annual payment or other valuable consideration) as may be imposed by the Council or the West Ham Corporation respectively lay down mains pipes and wires and execute works to such an extent as is in the opinion of the Council or of the West Ham Corporation respectively reasonably practicable having regard to the accommodation available and to the requirements of all other persons who give such notice as aforesaid ;
- (ii) Any difference arising under the foregoing proviso between the Council or the West Ham Corporation and any person as to the withholding of any consent or as to the reasonableness of any terms and conditions (other than the condition relating to the payment of the additional cost referred to in that proviso) or as to the amount of such additional cost shall be determined by arbitration.

(2) Where under or in accordance with the provisions of this Act any main pipe wire work or apparatus of any person is laid down or placed in or under the carriageway or footway of the new bridge mentioned in subsection (1) of this section or of any such portion as is referred to in that subsection of any of the new streets therein mentioned that person shall notwithstanding the foregoing provisions of this section be entitled to open and break up the soil and pavement of such carriageway or footway for the purpose of inspecting repairing maintaining removing or renewing such main pipe wire work or apparatus subject to and in accordance with the provisions with respect to the opening and breaking up of streets contained in the Gasworks Clauses Act 1847 (as incorporated in the case of electricity undertakers with the Electric Lighting Act 1882) or the Waterworks Clauses Act 1847 (as the case may be) or (in the case of any person to whom none of the said Acts apply) subject to and in accordance with conditions similar to the said provisions of the said Gasworks Clauses Act 1847 :

Provided that nothing in this subsection shall entitle any person—

- (a) to interfere in any way with any part of the structure of the said bridge or streets; or
- (b) to lay down or place in or under such carriageway or footway otherwise than subject to and in accordance with the provisions of subsection (1) of this section any additional main pipe wire work or apparatus; or
- (c) to substitute otherwise than as last aforesaid for any existing main pipe wire work or apparatus any new main pipe wire work or apparatus of larger dimensions :

Provided also that as respects so much of the said new bridge and of the portion of the new street included in Work No. 1 as is situate in the county the Council shall to the exclusion of any other person be deemed for the purposes of the said provisions of the Gasworks Clauses Act 1847 and of the Waterworks Clauses Act 1847 to be the persons under whose control or management the said part of the said new bridge and portion of new street are :

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Provided further that any person exercising the powers conferred by this subsection shall—

- (a) comply with the reasonable directions of the Council or the West Ham Corporation (as the case may be); and
- (b) make good any damage or injury caused by him to the structure of the said bridge or streets or bear and pay the cost reasonably incurred by the Council or the West Ham Corporation in making good such damage or injury.

(3) Nothing contained in this section shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1926.

For
protection
of Gas
Light and
Coke
Company.

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

- (1) In this section "apparatus" includes mains pipes works and other apparatus and "the gas bridge" means the bridge of the company carrying the mains of the company over the river Lee near to and northward of Barking Road Bridge:
- (2) As from the date of the stopping up under the powers of this Act of any part of East India Dock Road or Barking Road the Company shall unless and until the gas bridge is demolished under the powers of the section of this Act of which the marginal note is "Power to acquire bridge of Gas Light and Coke Company" be entitled by their officers workmen and servants whether with or without vehicles of any reasonable description—
 - (a) to pass and repass over so much of the parts of roads so stopped up as is necessary for the purpose of obtaining access to and from the gas bridge; and
 - (b) to enter upon so much of the parts of the said roads so stopped up as is necessary

for the purpose of inspecting maintaining repairing or renewing their existing apparatus laid therein and of laying down or placing new or additional apparatus therein and for those purposes or any of them to open and break up subject to the provisions of the Gasworks Clauses Act 1847 the said parts of the said road :

A.D. 1929.

- (3) Until the gas bridge is demolished as aforesaid the appropriate authority shall maintain such parts of East India Dock Road or Barking Road as are mentioned in paragraph (a) of subsection (2) of this section in a condition reasonably suitable for the proper exercise of the rights by this section conferred upon the company.

22. Notwithstanding anything contained in this Act or shown on the deposited plans and sections the following provisions for the protection of the Lee Conservancy Board (in this section called "the board") shall unless otherwise agreed between the Council and the board apply and have effect (that is to say) :—

For
protection
of Lee Con-
servancy
Board.

- (1) The Council shall before they commence the construction of any temporary or permanent works in connection with the bridge (in this section referred to as "the new bridge") carrying Work No. 1 authorised by this Act over the river Lee (in this section called "the river") or with Work No. 2 authorised by this Act other than works which do not relate to or affect the navigation of the river deposit with the board for their approval proper and sufficient plans sections detail drawings and specifications of such works Provided that if for the space of twenty-eight days after such deposit the board do not signify their disapproval of the said plans sections drawings and specifications they shall be deemed to have approved thereof and if the board shall disapprove the same they shall within the same period send to the Council particulars of such modifications as the board require and unless the said plans sections drawings and specifications are settled by agreement between the board and the Council the matter in difference shall be settled as provided by this

A.D. 1929.

section The said works shall be constructed at the cost of the Council and only according to such plans sections drawings and specifications as shall be approved or settled as aforesaid under the superintendence and to the reasonable satisfaction of the board :

- (2) Any temporary works relating to the new bridge shall at all times leave for the free and uninterrupted passage of boats barges and other vessels through the same a clear opening of the width of one hundred feet at the least with a clear headway in the centre of not less than eighteen feet Provided that such headway may be reduced to not less than fifteen feet if and so long as it may be reasonably necessary to do so during the erection of the arch of the new bridge :
- (3) All works in connection with the new bridge or Work No. 2 authorised by this Act shall when commenced be proceeded with and completed as soon as reasonably practicable and the Council shall upon the completion of the work remove any temporary works and materials for temporary works which may have been erected or placed in the river or on over or under the bed shores or banks thereof in connection therewith and if and whenever the Council fail so to do within a reasonable time after receipt of notice from the board the board may remove the same and the sum which shall have been reasonably expended in so doing shall be repaid to the board by the Council :
- (4) In the exercise of the powers of the section of this Act of which the marginal note is " Power " to remove Barking Road Bridge and stop up " parts of East India Dock Road and Barking " Road " the Council shall within twelve months from the completion of Works Nos. 1 and 3 by this Act authorised remove Barking Road Bridge The demolition of Barking Road Bridge shall be proceeded with and carried out with all reasonable expedition in such manner as the board reasonably approve and the Council within the said period of twelve months from

the completion of the said Works Nos. 1 and 3 shall remove entirely from the river and from the bed shores and banks thereof all temporary works erected or placed in the river or on over or under the bed shores or banks thereof in connection with such demolition and all materials resulting from such demolition and shall also remove all projections from the abutments of Barking Road Bridge up to a height of eighteen feet above Ordnance datum and make good the said abutments so that no part of the faces thereof shall project over the waterway :

- (5) In the construction of the new bridge and work No. 2 and any works in the river or in on over or under the bed shores or banks thereof and in the demolition of Barking Road Bridge so far as practicable no interference shall be caused to the navigation of and traffic on the river :
- (6) The Council shall during the progress of any works whether temporary or permanent by this Act authorised in the river or in on over or under the bed shores or banks thereof and during the subsequent repairs of any such works and during the demolition of Barking Road Bridge hang out and exhibit on or near to the works every night from sunset to sunrise and at all times of fog such lights (to be kept burning by and at the expense of the Council) and during every day such marks as shall be proper and sufficient for the navigation and safe guidance of vessels The said lights and marks shall from time to time be altered by the Council in such manner and be of such kind and number and be so placed and used as the board shall approve or direct and if the Council fail so to exhibit and keep burning such lights and to exhibit such marks they shall for every such offence forfeit to the board twenty pounds :
- (7) The owners and masters of vessels shall not be liable to make good any damage which may be caused to the temporary works relating to the

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.
—

new bridge or to Work No. 2 authorised by this Act except such as may arise from the wilful act or default of such owners or masters or their servants or agents :

- (8) During such time as the waterway is restricted for the purposes of the works for the demolition of Barking Road Bridge and the construction of the new bridge and of Work No. 2 authorised by this Act a steam tug shall be provided by and at the expense of the Council which shall at all times during that period be in attendance at or near the sites of the new bridge and the said Work No. 2 to render assistance to vessels and barges navigating the river in the vicinity of the new bridge or the said Work No. 2 :
- (9) The Council shall at all times maintain in the position and at the levels approved or settled under the provisions of this section the new bridge and other works which affect the river in substantial repair and good order to the reasonable satisfaction of the board and if and whenever the Council fail so to do within a reasonable time after receipt of notice from the board the board may make and do such repairs in and upon as well the lands of the Council or of the West Ham Corporation as their own lands and the sum from time to time reasonably expended in so doing shall be repaid to the board by the Council :
- (10) The Council shall indemnify the board against the board's liability for any claim or demand which may be made against them by any person in consequence of the obstruction or damage to or interference with the river or the flooding of premises during and due to the construction of the new bridge or the carrying out of Work No. 2 authorised by this Act or the demolition of Barking Road Bridge :
- (11) Any matter in difference between the Council and the board with reference to the provisions of this section or the works to be carried out in pursuance thereof shall be settled by arbitration :

- (12) In the event of the bridge of the Gas Light and Coke Company being acquired and demolished under the powers of the section of this Act of which the marginal note is "Power to acquire bridge of Gas Light and Coke Company" the provisions of this section relating to the demolition of Barking Road Bridge shall mutatis mutandis extend and apply to the demolition (so far as it affects the river) of the said bridge of the Gas Light and Coke Company. A.D. 1929.

PART III.

TRAMWAYS.

23. Subject to the provisions of this Act the Council may make form lay down and maintain the tramway in the metropolitan borough of Poplar in the county hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing places works and conveniences connected therewith as may be necessary or proper therefor (that is to say):— Power to Council to make tramway.

Tramway A (double line 1 furlong 8·7 chains in length) commencing in East India Dock Road by a junction with the existing tramway in that road at a point 0·6 chain westward of the junction of Leamouth Road with East India Dock Road passing thence into and along the new street (Work No. 1) by this Act authorised and terminating in that new street at the point at which the bridge carrying the same over the river Lee will be over the boundary between the county and the borough.

24. Subject to the provisions of this Act the West Ham Corporation may make form lay down and maintain the tramway in the borough hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing places works and conveniences connected therewith as may be necessary or proper therefor (that is to say):— Power to West Ham Corporation to make tramway.

Tramway B (double line 1 furlong 2·8 chains in length) commencing in the new street (Work

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

No. 1) by this Act authorised by a junction with Tramway A so authorised at the termination thereof passing thence along the said new street and the new street (Work No. 3) so authorised into and terminating in Barking Road by a junction with the existing tramway in that road at or near the eastern abutment of the bridge carrying that road over the Woolwich branch railway of the London and North Eastern Railway Company.

Provisions relating to Tramway A.

25. The following provisions shall apply and have effect with respect to Tramway A by this Act authorised (in this section referred to as "the London tramway") :—

- (1) For the purpose of working by electrical power the London tramway the Council may adopt such system of overhead traction as the Minister of Transport may sanction.
- (2) The sections of the Acts mentioned in this subsection of which the numbers and marginal notes are respectively set forth in this subsection are hereby incorporated with and form part of this Part of this Act and shall so far as applicable extend and apply to the London tramway and to the Council in respect thereof as fully and effectually as if such sections had been re-enacted with the necessary modifications in this Act with reference thereto.

The sections of the said Acts hereinbefore referred to are—

London County Tramways (Electrical Power) Act 1900—

- Section 3 (Use of electrical power);
- Section 4 (Special provisions as to use of electrical power);
- Section 6 (Power to construct and provide appliances);
- Section 7 (Further provisions as to paving materials of roads);
- Section 9 (Application of materials excavated in construction of works);
- Section 10 (Alterations in streets &c.);

[19 & 20 GEO. 5.] *Royal Victoria and other Docks Approaches (Improvement) Act, 1929.* [Ch. xlvii.]

- Section 11 (Electrical power works subject to Tramways Act 1870); A.D. 1929.
- Section 12 (Drainage and cleaning of rails and conduit) as amended by section 37 of the London County Council (Tramways and Improvements) Act 1907;
- Section 13 (Reference of certain questions to arbitration);
- Section 14 (Posts &c. to be removed if user discontinued); and
- Section 22 (Agreements as to supply of electric energy).
- London County Council (Tramways and Improvements) Act 1901—
- Section 7 (Tramways not to be opened until certified by Board of Trade);
- Section 8 (As to rails of tramways);
- Section 9 (Rails to be maintained on level of roadway);
- Section 10 (Saving rights of access to sewers);
- Section 11 (Penalty for not maintaining rails and roads in good condition and inspection of tramways);
- Section 17 (Power to Council to work tramways);
- Section 19 (For protection of Postmaster-General) (except paragraph (B) (5) of that section) as amended by section 20 of the London County Council (General Powers) Act 1927;
- Section 22 (Provision against interference with tramways); and
- Section 68 (Separate accounts of receipts and payments relating to tramways).
- London County Council (Tramways and Improvements) Act 1907—
- Section 7 (Motive power) (except subsection (2) thereof);

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Section 9 (Gauge of tramways);

Section 12 (Application of section 32 of
Tramways Act 1870);

Section 14 (Power to make additional
crossovers and to double
tramway lines); and

Section 17 (Power to Postmaster-General in
relation to posts &c.).

London County Council (Tramways and Im-
provements) Act 1911—

Section 14 (Commissioner of Police may affix
notices to standards):

Provided that for the purposes of this
section section 11 of the London County Council
(Tramways and Improvements) Act 1901 shall
be read and have effect as if the words "or by
the Commissioner of Police of the metropolis"
had been inserted therein after the words
"twenty inhabitant ratepayers of such
district."

(3) The London tramway shall for all purposes
form part of the tramway undertaking of the
Council.

Provisions
relating to
Tramway B. **26.** The following provisions shall apply and have
effect with respect to Tramway B by this Act authorised
(in this section referred to as "the West Ham
tramway"):—

(1) The sections of the Acts mentioned in this
subsection of which the numbers and marginal
notes are respectively set forth in this sub-
section are hereby incorporated with and form
part of this Part of this Act and shall so far as
applicable extend and apply to the West Ham
tramway and to the West Ham Corporation in
respect thereof as fully and effectually as if
such sections had been re-enacted with the
necessary modifications in this Act with
reference thereto.

The sections of the said Acts hereinbefore
referred to are—

West Ham Corporation Act 1898—

Section 6 (Corporation to work tramways);

[19 & 20 GEO. 5.] *Royal Victoria and other Docks Approaches (Improvement) Act, 1929.* [Ch. xlvii.]

- Section 8 (Power to work tramways by mechanical power); A.D. 1929.
Section 9 (As to laying down and maintaining works necessary for using mechanical power);
Section 10 (As to use of electric power);
Section 12 (Byelaws);
Section 13 (Amendment of Tramways Act 1870 as to byelaws by local authorities);
Section 14 (Orders and byelaws); and
Section 15 (As to recovery of penalties).
- West Ham Corporation Act 1900—
- Section 33 (Inspection by Board of Trade);
Section 34 (Tramways to be kept on level of surface of road);
Section 35 (Further provisions as to construction of tramways);
Section 36 (As to rails of tramways);
Section 37 (Power to make interlacing lines &c. and crossings);
Section 38 (Power to make crossings &c.);
Section 39 (Application of road materials excavated in construction of works);
Section 41 (Temporary tramway to be made where necessary);
Section 46 (For protection of observatories);
Section 47 (Regulations); and
Section 53 (Provision as to general Tramway Acts).

West Ham Corporation Act 1902—

- Section 13 (For protection of the Postmaster-General) as amended by this Act;
Section 15 (Penalty for not maintaining rails and roads); and
Section 45 (Tramway revenue).

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

West Ham Corporation Tramways Order
1904—

Section 9 (Gauge and width of carriages);

Section 11 (Attachment of brackets to
buildings); and

Section 12 (Mortgage may include rents).

West Ham Corporation Tramways Order 1907—

Section 9 (Application of section 30 of
Tramways Act 1870 to over-
head wires); and

Section 10 (Use of tramway posts by Post-
master-General):

Provided that nothing in this Act shall
empower the West Ham Corporation to con-
struct any station for generating electrical
power nor any works outside the borough nor
to create or permit a nuisance.

(2) The West Ham tramway shall for all purposes
form part of the tramway undertaking of the
West Ham Corporation.

Amendment
of section 13
(B) (4) of
West Ham
Corporation
Act 1902.

27. Subsection (B) (4) of section 13 (For protection
of Postmaster-General) of the West Ham Corporation
Act 1902 shall be read and have effect as if the words
“generated or used by or supplied to the Corporation
“for tramway purposes enter any of the Corporation’s
“works” were inserted in that subsection in substitution
for the words “generated for tramway purposes by the
Corporation at any such works enter thereon.”

As to
placing of
posts for
working
tramways.

28. No posts shall be placed in the centre of any
street for the purpose of working any of the tramways
by a system of traction conducted by means of posts and
wires placed overhead without the consent of the Com-
missioner of Police of the metropolis which consent shall
not be unreasonably withheld.

Power to
remove
existing
tramways.

29.—(1) Upon the completion and opening for
traffic of the tramways—

(a) the Council may discontinue the working of the
whole or so much as they think fit of so much
of the existing tramway in East India Dock
Road as lies between the junction therewith of

Tramway A by this Act authorised and the point at which Barking Road Bridge is over the boundary between the county and the borough at or near the centre of the river Lee;

A.D. 1929.

(b) the West Ham Corporation may discontinue the working of the whole or so much as they think fit of so much of the existing tramway in Barking Road as lies between the point lastly hereinbefore described and the point of termination of Tramway B by this Act authorised.

(2) The Council and the West Ham Corporation respectively may at any time after the discontinuance of the portions of existing tramways which they are by this section respectively authorised to discontinue take up and remove the rails posts cables wires and other works and apparatus constructed or provided for the purposes of or in connection with the said portions of tramways and may use or sell or dispose of the rails posts cables wires and other works and apparatus so taken up and removed.

(3) All costs and expenses incurred by the Council and the West Ham Corporation or either of them under the provisions of this section shall for the purposes of this Act be deemed to be part of the cost of the improvements.

(4) So much of section 28 (Repair of part of road where tramway is laid) of the Tramways Act 1870 as imposes any obligation upon the promoters where any tramway is taken up shall not apply with respect to any portions of East India Dock Road or Barking Road which are stopped up under the powers of this Act.

PART IV.

IMPROVEMENTS.

30.—(1) Subject to the provisions of this Act the appropriate authority may for the purposes of and during the execution of the improvements stop up interfere with alter or divert temporarily all or any part of the carriage-way or footway of any street or part of a street shown within the limits of deviation delineated upon the deposited plans and may execute and do all necessary works and things for or in connection with such stopping up

Power to stop up ways temporarily.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — interference alteration or diversion and for keeping such carriageway or footway open for traffic and may after consultation with the Commissioner of Police for the metropolis remove or alter any drinking-troughs lamp posts and other erections upon the said lands.

(2) The appropriate authority shall provide reasonable access for all persons bonâ 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.

Deviation
from line
and levels.

31. In executing the improvements the appropriate authority may subject to the provisions of this Act deviate laterally from the line or situation thereof to any extent within the limits of deviation shown on the deposited plans and vertically from the levels thereof defined on the deposited sections to any extent not exceeding five feet Provided that where in any street no limits of deviation are shown on the deposited plans the boundaries of such street shall be deemed to be such limits.

Removal
&c. of
apparatus.

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

“Apparatus” includes sewers drains watercourses and mains pipes tubes cables wires or apparatus laid down or used for carrying conveying or supplying a supply of water or water for hydraulic power gas or electricity or for telegraphic or other purposes standards and brackets carrying street lamps and street refuges lavatories posts and other structures and works;

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

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

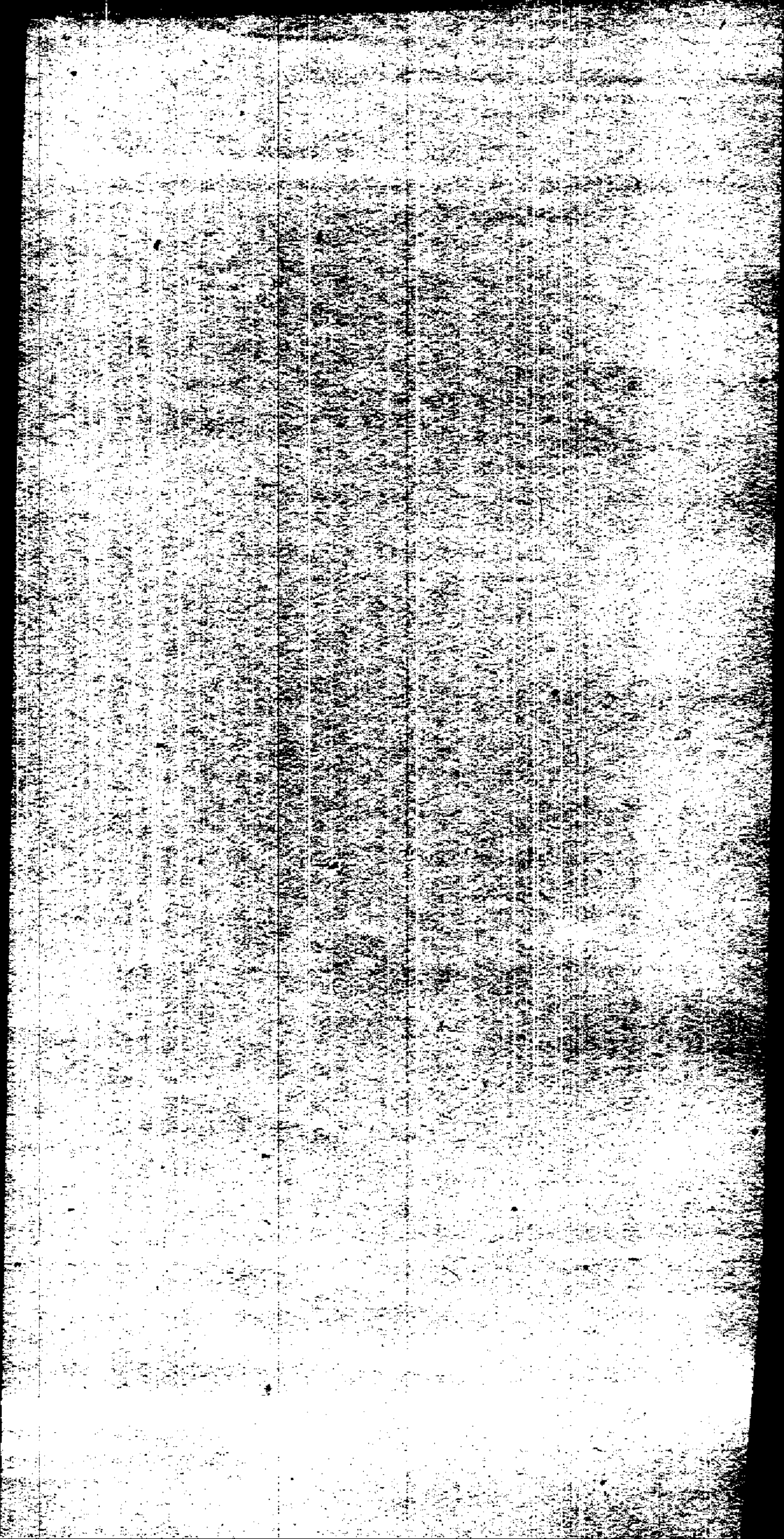
(2) The appropriate authority may for any purpose in connection with the exercise of the powers of this Act and (if and when reasonably required by the undertakers) shall remove divert alter the position of or carry out any other alterations to any apparatus upon the lands acquired by them under the powers of this Act

Raymond Victoria

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1929.

Clause 32



and also in any street or part of a street within the limits of deviation shown on the deposited plans and any other apparatus connected with any apparatus so removed diverted or altered and may remove any other obstruction in under or near such lands street or part of a street and shall make such appropriate substituted works either permanent or temporary as may be reasonably necessary and shall cause as little detriment and inconvenience as circumstances admit and shall make reasonable compensation for any damage caused by the execution of the permitted works Provided that before the appropriate authority execute any of the permitted works relating to any apparatus they shall (except in cases of emergency) give to the undertakers notice of their intention to do so such notice to be given seven days at least before the commencement of the execution of the permitted works and such works shall be done under the superintendence (at the expense of the appropriate authority) of the undertakers unless the undertakers refuse or neglect to give such superintendence at the time specified in the notice for the commencement of such works or discontinue the same during the execution of such works and the appropriate authority shall execute such works to the reasonable satisfaction of the undertakers.

(3) If within seven days after notice under subsection (2) of this section has been served upon any undertakers those undertakers so elect they shall themselves execute such works to their apparatus as may be necessary for the purposes of this section and the reasonable cost of executing such works shall be repaid to them by the appropriate authority Provided that such works shall be carried out in accordance with the directions and to the reasonable satisfaction of the appropriate authority.

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

(5) Where by reason or in consequence of the exercise of any of the powers of this Act any apparatus of an undertaker is rendered derelict or unnecessary the appropriate authority shall pay to the undertaker concerned

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — the value of such apparatus so rendered derelict or unnecessary unless substituted apparatus is provided.

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

For
protection
of the
Postmaster-
General.

33.—(1) The appropriate authority shall not remove divert alter the position of or otherwise interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

(2) Notwithstanding the stopping up (otherwise than temporarily) of any street or part of a street under the powers of this Act the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove therefrom any telegraphic line which is in under upon along over or across the same and any Post Office letter box and the appropriate authority shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line or of any telegraphic line connected therewith which in consequence will be rendered useless and of such letter box and the substitution of a telegraphic line or letter box (as the case may be) in such other place as the Postmaster-General may require.

Notice to
Commis-
sioner of
Police.

34. Before breaking up or otherwise interfering with any street in connection with the improvements the appropriate authority shall (except in cases of emergency) give seven days' notice in writing to the Commissioner of Police of the metropolis and make such arrangements with the said commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street during the execution of the improvements.

Period for
completion
of improve-
ments.

35. If the improvements are not completed on or before the thirty-first day of October one thousand nine hundred and thirty-six then as from that date the powers of the appropriate authority under this Act for the

execution of the improvements shall cease except so far as the same are then completed. A.D. 1929.

36. All building or other materials of houses and buildings acquired under the powers of this Act and all lamp-posts paving metalling and other materials in or under any street or part of a street stopped up altered or diverted and all materials obtained in the alteration of or interference with any street sewer or drain shall by virtue of this Act vest in the appropriate authority who may appropriate and use or sell or dispose of the same or any of them. Vesting and disposal of materials.

PART V.

PURCHASE OF LANDS.

37.—(1) Subject to the provisions of this Act the Council may enter upon take and use any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purposes of such of the street works as are to be executed within the county or for providing space for the erection of houses and buildings adjoining or near to such street works or for the purposes of recoupment or exchange or for other purposes of this Act. Power to take lands.

(2) Subject to the provisions of this Act the West Ham Corporation may enter upon take and use any of the lands shown on the deposited plans and described in the deposited book of reference which may be required for the purposes of such of the street works as are to be executed within the borough (whether by themselves or by the Council) or for providing space for the erection of houses and buildings adjoining or near to such street works or for the purposes of recoupment or exchange or for other purposes of this Act.

(3) The powers of the appropriate authority for the purchase of lands by agreement shall subject to the provisions of this Act be deemed to extend to and to authorise the purchase by the appropriate authority by agreement of any other lands which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be required by them for the purposes of or in connection with the street works,

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

—
For further
protection
of the
Postmaster-
General.

38. Notwithstanding anything contained in this Act or shown on the deposited plans the West Ham Corporation shall not except with the consent in writing of the Postmaster-General enter upon purchase take or use the property numbered 532 on the deposited plan relating to lands in the parish and county borough of West Ham or any part thereof.

As to
taking of
parts of
certain
properties.

39. And whereas in the execution of the street works or otherwise in the exercise by the appropriate authority of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the appropriate authority and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the appropriate authority or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the appropriate authority that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the appropriate authority such portion only without the appropriate authority being obliged or compellable to purchase the whole the appropriate authority paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the appropriate authority

allege that such portion cannot be so severed the arbitrator shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the appropriate authority have compulsory powers of purchase) can be so severed :

- (4) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the appropriate authority the portion so determined to be severable without the appropriate authority being obliged or compellable to purchase the whole the appropriate authority paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbitrator :
- (5) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :
- (6) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the appropriate authority may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

incurred by him in consequence of such notice :

- (7) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the appropriate authority in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the arbitrator shall having regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Power to
acquire
easements
compul-
sorily in
certain
cases.

40. Notwithstanding anything contained in this Act or in any Act wholly or partly incorporated therewith the appropriate authority shall not be required to purchase any railway river canal dock tidal basin navigation or watercourse or any part thereof respectively which may be crossed or interfered with in constructing the improvements or any of them but may acquire such easements and rights in over or under any such railway river canal dock tidal basin navigation or watercourse as they may require for making and maintaining the improvements or any of them and may give notice to treat in respect of such easements and rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements and rights as fully as if the same were lands within the meaning of those Acts.

41. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished:

A.D. 1929.

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

As to private rights of way over lands taken compulsorily.

42. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Act grant to the appropriate authority any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and for the purposes of this Act the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such easements rights and privileges as aforesaid and to any grant of the same respectively.

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

43. If there is any omission mis-statement or wrong description of any lands referred to in this Act or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the appropriate authority after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to a metropolitan police magistrate (as respects lands in the county) or to two justices acting for the borough (as respects lands in the borough) for the correction thereof and if it appears to the magistrate or justices that the omission mis-statement or wrong description arose from mistake he or they shall certify the same accordingly and he or they shall in his or their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate or a copy thereof shall be deposited with the clerks of the peace for the counties of London and Essex and such certificate or copy shall be kept by such clerks with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for

Correction of errors &c. in deposited plans and book of reference.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — the appropriate authority to take the lands and execute the improvements in accordance with such certificate.

Power to enter upon property for survey &c.

44. The appropriate authority and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the appropriate authority may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice to the occupiers thereof enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them or any premises in respect of which a claim for compensation under this Act is received for the purpose of surveying and valuing the said lands and buildings and of inspecting the said premises without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands buildings or premises.

Compensation in case of recently created interest.

45. For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the following provisions shall apply and have effect (that is to say):—

(1) The arbitrator shall not take into account any building erected or any improvement or alteration made or any interest in land created after the thirtieth day of July one thousand nine hundred and twenty-eight and before the date of the passing of this Act if in the opinion of the arbitrator the erection of the building or the making of the improvement or alteration or the creation of the interest in respect of which the claim is made was not reasonably necessary and was carried out with a view to obtaining or increasing compensation under this Act:

(2) Subject as is hereafter in this section provided the arbitrator shall not take into account—

(a) any building erected after the date of the passing of this Act or any improvement or alteration of any premises (other than any improvement or alteration reasonably necessary for properly maintaining such premises) made after that date which in the opinion

of the arbitrator materially enhances the value of such premises; or A.D. 1929.

(b) any interest in land greater than that of a quarterly tenant created after the date of the passing of this Act :

- (3) If at any time after the date of the passing of this Act and before the expiration of the period limited by this Act for the compulsory purchase of lands any person being the owner of or having any estate or interest in any premises which are liable to be acquired compulsorily under the powers of this Act gives notice in writing to the appropriate authority of his intention to erect any building upon or to make any improvement or alteration of or to create any such new interest as aforesaid in those premises (such intended building improvement alteration or new interest being specifically described in the notice) and the appropriate authority do not within one month after receiving any such notice serve upon such person notice to sell and convey or release his estate or interest in the said premises but serve such notice at any time after the expiration of the said period of one month—

(a) Subsection (2) of this section shall not apply with respect to the building improvement alteration or new interest described as aforesaid; and

(b) Subsection (1) of this section shall apply with respect to the said building improvement alteration or new interest as if the same had been erected made or created after the said thirtieth day of July and before the date of the passing of this Act :

- (4) The appropriate authority shall forthwith after the passing of this Act send by post or deliver a copy of this section to all persons named in the deposited book of reference having an interest greater than that of a yearly tenant in any lands in the county or in the borough (as the case may be) which are liable to be acquired compulsorily under the powers of this Act.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Benefits to
be set off
against
compensa-
tion.

46. In estimating the amount of compensation or purchase money to be paid by the appropriate authority in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the execution of the street works or arising through such adjoining lands becoming lands fronting on any new or existing street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Leasing
and
exchange
of lands.

47.—(1) Subject to the provisions of this Act the appropriate authority may grant leases of or let for a term of years or from year to year or for any shorter period all or any lands and buildings or structures thereon acquired for the purposes of this Act until the said lands and buildings or structures are required for those purposes and the appropriate authority may exchange all or any lands buildings or structures so acquired and not required for the said purposes.

(2) The appropriate authority may execute and do any deed act or thing requisite or proper for effectuating any such leasing letting or exchange.

As to sale
of ground
rents.

48. Subject to the provisions of this Act the appropriate authority may sell and dispose of the ground rents to be reserved by any leases or agreed to be reserved by any agreements for leases of any lands acquired by them under this Act and not required for the purposes thereof and also the fee simple in reversion in such lands and in the buildings or structures thereon either together or in parcels and either by public auction or by private contract for such sum or sums of money as the appropriate authority think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the appropriate authority think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the appropriate authority for the benefit of the appropriate authority or any party entitled to

other property adjoining or held under title derived from the appropriate authority. A.D. 1929. —

49. Subject to the provisions of this Act the appropriate authority may if they think it expedient so to do sell and dispose of all or any lands acquired under the powers of this Act and not required for the purposes of or in connection with the street works without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the appropriate authority shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the appropriate authority shall think fit.

Power to sell land in first instance without having previously granted a lease thereof.

50. The receipt of the appropriate authority or of any person duly authorised by the appropriate authority for any purchase money rent or money payable to the appropriate authority by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

Receipts of appropriate authority to be effectual discharges.

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

Power to make agreements with owners of property &c.

52. The powers of the appropriate authority for the compulsory purchase of lands under this Act shall cease on the thirty-first day of October one thousand nine hundred and thirty-four.

Limitation of time for purchase of lands.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

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As to
Hallsville
School.

53. Nothing in this Act shall entitle the West Ham Corporation except with the consent of the Board of Education to take use or appropriate for the purposes of this Act the premises of the school in the borough known as the Hallsville School or any part thereof.

Conveyance
by Port of
London
Authority
of land for
re-housing.

54.—(1) The Port of London Authority may and shall within six months from the date of the passing of this Act convey to the West Ham Corporation without any payment therefor the lands in the borough described in the Third Schedule to this Act for all such estate right interest or title as the Port of London Authority may have therein and subject to such rights easements and restrictions if any as may affect the said lands.

(2) The lands so conveyed to the West Ham Corporation shall be used for—

(a) the erection thereon of houses for the accommodation of persons of the working class in conformity with the provisions of the scheme hereinafter referred to; and

(b) such other purposes in connection with or incidental to the use of the said lands for the purpose aforesaid as may be approved by the Minister of Health.

(3) The Minister of Health shall prescribe a scheme for the erection of houses for the accommodation of such number of persons of the working class displaced under the powers of this Act as are in his opinion required and the provisions of the Fifth Schedule to the Housing Act 1925 shall so far as applicable apply to such scheme.

(4) For the purpose of calculating the sum to be paid as in this subsection provided the Minister of Health shall fix the standard of rents reasonably chargeable at the date of the erection of the said houses for the accommodation to be provided under such scheme and in fixing such standard the Minister of Health shall have regard to the rents generally charged in the area of the local authority in the case of similar working class houses. The West Ham Corporation shall pay to the Minister in respect of the said lands and any houses erected thereon and the appropriate authority shall pay to the Minister in respect of any other land acquired and houses erected under such scheme a sum to be agreed between the Minister and the West Ham Corporation or the appropriate authority as the case may be or (in the

event of such sum not being so agreed) such sum as shall be determined by an arbitrator to be agreed on or failing agreement to be appointed by the President of the Surveyors' Institution and in determining such sum the arbitrator shall fix a sum equivalent to the capitalised value of such standard rents calculated on a five per centum basis provided always that if in the opinion of the arbitrator such sum so calculated as aforesaid would render it impossible for the property to be administered without loss the arbitrator shall make such deduction as in his opinion shall be necessary to enable the property to be administered without loss. No sum of money paid under the provisions of this subsection shall be deemed to be expenses incurred within the meaning of the section of this Act of which the marginal note is "Expenses of execution of Act."

A.D. 1929.

(5) The West Ham Corporation shall charge such rents as will enable them to administer the property without loss but if on representation being made to the Minister of Health by the Corporation that owing to changes in the general standard of rents in the neighbourhood such rents cannot be obtained the Minister of Health may approve of such other rents being charged as in the circumstances he may think reasonable and may determine the limits of charge which may fall upon the rates.

(6) Any moneys received by the Minister under any of the provisions contained in this section shall be applied towards defraying the cost of the improvements.

(7) The execution by the Council and the West Ham Corporation or either of them of any scheme prescribed by the Minister of Health under the provisions of this section shall be in full satisfaction and discharge of all obligations of the Council or the West Ham Corporation under the Housing Act 1925 with regard to the erection of houses for the accommodation of persons of the working class in connection with the exercise of the powers of this Act or the making or submission of a scheme with reference to the erection of such houses and nothing in the said Housing Act 1925 shall be deemed to restrict the right of the Council or the West Ham Corporation to enter upon and take houses occupied by persons belonging to the working class under the powers of this Act.

A.D. 1929.

PART VI.

MISCELLANEOUS AND FINANCIAL.

For
protection
of County
of London
Electric
Supply
Company
Limited.

55. Notwithstanding anything in this Act or on the deposited plans and sections the following provisions for the protection of the County of London Electric Supply Company Limited (in this section referred to as "the company") shall unless otherwise agreed between the appropriate authority and the company have effect (that is to say):—

- (1) The appropriate authority shall not acquire or interfere in any manner with the existing cable gantry bridge of the company on the south side of the bridge carrying Barking Road over the North Woolwich branch railway of the London and North Eastern Railway Company:
- (2) The appropriate authority shall not acquire any lands or construct any permanent works southwards of the existing southern boundary of Barking Road and East India Dock Road between the said branch railway and the western end of Parian Street in such a way as to obstruct or interfere in any manner with the access of the company to any apparatus situate in those lands:
- (3) The appropriate authority shall not erect any building over or interfere in any manner with the access of the company to or do any act or thing which would cause any risk of injury to any apparatus of the company situate in the existing East India Dock Road and the company shall be entitled to exercise all such rights of access and otherwise as were vested in them immediately prior to the passing of this Act with respect to any apparatus of the company situate as aforesaid as though this Act had not been passed and any sale lease or other disposition of such lands forming at the passing of this Act part of the site of the existing East India Dock Road and in which any apparatus of the company is or shall be situate shall be subject to all such conditions as are hereby specified respecting buildings acts and things erected or done by the appropriate authority:

(4) In this section "apparatus" has the same meaning as in the section of this Act of which the marginal note is "Removal &c. of apparatus": A.D. 1929.

(5) Any difference which shall arise between the appropriate authority and the company under this section shall be settled by arbitration.

56. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the West Ham Corporation and the company apply and have effect (that is to say):— For protection of London Midland and Scottish Railway Company.

(1) The West Ham Corporation in constructing Work No. 4 by this Act authorised where it passes through the land of the company shall not acquire any land of the company except so much as is necessary to widen Barking Road to a width of eighty-four feet and to round off the corner between Barking Road and Liverpool Road on a radius of not exceeding eighty feet:

(2) The company may carry out any work necessary to reinstate the buildings and other works of the company which will be affected by Work No. 4 including a new entrance to the goods yard from Liverpool Road and other consequential works. The reasonable cost of such works of reinstatement as certified by the engineer to the company shall be repaid by the West Ham Corporation to the company on demand:

(3) The West Ham Corporation shall during the construction of Work No. 4 maintain a reasonable access for vehicular traffic to and from the company's Canning Town goods yard.

57. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the following provisions shall unless otherwise agreed in writing between the Council or the West Ham Corporation (in this section referred to as "the Corporation") as the case may be and the London and North Eastern Railway Company (in this section referred to as "the railway For protection of London and North Eastern Railway Company.

[Ch. xlvii.] *Royal Victoria and* [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.

A.D. 1929. company”) apply and have effect for the protection of
— the railway company (that is to say) :—

- (1) The Council or the Corporation shall not enter upon take or use either permanently or temporarily or purchase or acquire any lands or property belonging to the railway company but the Council or the Corporation as the case may be may purchase and take and the railway company shall within a period of three months after receiving notice from the Council or the Corporation sell and grant an easement or right of using such of the lands of the railway company as may be necessary for the construction and maintenance of the street works (Works Nos. 1 3 4 7 and 8) and the bridges forming part of any such works (including the reconstruction of the existing bridge carrying Barking Road over the railway) and all works and temporary conveniences connected with such works and bridges (all of which street works bridges works and conveniences are in this section referred to as “ the said works ”) subject to and in accordance with the provisions of this section :
- (2) The Council or the Corporation as the case may be shall pay to the railway company for any easement or right which they may acquire under the provisions of this section such consideration as may be agreed upon or in the event of difference as may be determined in manner provided by the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement and for the purpose of any such determination the acquisition of such easement or right shall be deemed to be a taking of lands within the meaning of section 6 of the Lands Clauses Consolidation Act 1845 :
- (3) The Council or the Corporation as the case may be shall construct the said works so far as the same will be carried across or over the railways tramways sidings lands works and property of the railway company in such line or situation within the limits of deviation shown upon the deposited plans as shall be agreed between the engineer or engineers referred to in the First Schedule

to this Act (hereinafter referred to as "the responsible engineer") and the engineer of the railway company or settled by arbitration and so as in no way except as hereinafter provided to obstruct impede or interfere with the free uninterrupted and safe user of the railways tramways and sidings of the railway company or with the traffic thereon and if any such obstruction impeding or interference shall be caused or take place the Council or the Corporation as the case may be shall notwithstanding any agreement as aforesaid pay to the railway company all reasonable costs and expenses to which they may be put as well as full compensation for any loss sustained by them by reason of any such interruption or interference :

A.D. 1929.
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- (4) (a) The Corporation shall construct the bridge by which Work No. 3 is carried over the North Woolwich railway and sidings of the railway company (including the reconstruction of the existing bridge carrying Barking Road over the said railway) by means of a bridge of double span with central supports and with a headway of fifteen feet above existing rail level or as near thereto as may be practicable consistently with the provision within the limits of deviation authorised by this Act of a gradient not steeper than one in thirty-five and subject to the making by the railway company of such temporary arrangements for restricting the traffic on the railway and sidings of the railway company as will enable such central supports to be placed on the property of the railway company and as may be agreed between the responsible engineer and the engineer of the railway company or in case of difference as may be settled by arbitration ;

(b) The Corporation shall carry Works Nos. 7 and 8 over the said railway and sidings by means of bridges which shall have a headway of not less than fifteen feet above existing rail level :

- (5) Where the abutments or supports of the said bridges shall be placed on lands of the railway

[Ch. xlvii.] *Royal Victoria and* [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.

A.D. 1929.

company used or held in connection with the use or maintenance of the railway they shall be placed in such positions and be subject to such terms and conditions as shall be reasonably prescribed by the railway company. The construction of the said bridges when commenced shall so far as they are over the said railway and sidings be carried on continuously and the said bridges shall be completed with the utmost dispatch and so that the temporary interference with the traffic on the railway shall be of the least possible duration and all temporary works in connection therewith shall be removed from the lands of the railway company immediately the permanent works have been completed :

- (6) The Council or the Corporation as the case may be shall twenty-eight days before they commence the construction of any part of the said works which shall or may be carried across or over the railways tramways sidings lands works or property of the railway company furnish to the railway company proper and sufficient plans sections drawings and specifications thereof for the reasonable approval of the engineer of the railway company. Provided that if the said engineer shall not signify his disapproval of such plans sections drawings and specifications within twenty-eight days after they shall have been submitted to him he shall be deemed to have approved thereof :
- (7) If the railway company give notice to the Council or the Corporation as the case may be within twenty-eight days after the submission of the before mentioned plans sections drawings and specifications that they desire themselves to construct so much of the said works as will be carried over or involve interference with or alteration of the railway or works of the railway company the railway company may on behalf of the Council or the Corporation as the case may be construct the same or such portions thereof as the railway company may decide in accordance with the said plans sections drawings and specifications together with any temporary

- works which may be necessary to ensure the safety of and the least practicable interference with the traffic on the railway and the Council or the Corporation as the case may be shall repay to the railway company the expense reasonably incurred by them in that behalf:
- (8) Before the Council or the Corporation as the case may be commence the construction of any of the said works any temporary works which may be necessary to ensure the safety of the traffic on the railways of the railway company may be carried out by the railway company and the costs and expenses reasonably incurred in connection therewith (including any compensation payable to any workmen or their legal representatives or dependants in respect of the injury or death of such workmen whilst employed by the railway company in and about such works) shall be repaid to the railway company by the Council or the Corporation as the case may be :
- (9) If by reason of the construction of any of the said works it shall become necessary to add to or alter any signal cabins signal posts signals or signalling apparatus or any telegraph or telephone wires or works on the railway the railway company may make such additions and alterations and the reasonable expense of such additions and alterations shall be repaid by the Council or the Corporation as the case may be and such reasonable expense as aforesaid shall include a sum to represent the reasonable capitalised cost (i) of maintaining and working any such additional signal cabins signal posts signals or other similar works and (ii) of the increased expenses (if any) entailed in maintaining and working any such altered signal cabins signal posts signals or other similar works :
- (10) The said works so far as the same are to be carried over the North Woolwich railway of the railway company and all works necessary or incidental to the execution or construction thereof or affecting the railway sidings lands works or property of the railway company

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

shall be executed under the superintendence (if such be given) and to the reasonable satisfaction of the engineer of the railway company and the Corporation shall bear and pay to the railway company all reasonable costs charges and expenses incurred by such engineer in respect of such superintendence and the reasonable expense of the employment by the railway company of a sufficient number of inspectors watchmen and signalmen to be appointed by them (including any compensation payable to any workmen or their legal representatives or dependants in respect of the injury or death of such workmen whilst so employed) for inspecting watching lighting and signalling the railway with reference to and during the period of construction renewal or repair of the said works (as the case may be) and for preventing as far as may be all interference obstruction danger or accident arising from any of the operations of the Corporation or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise :

- (11) (i) The Corporation shall at all times at their own expense maintain the bridges by which the said works other than Work No. 3 shall be carried over the railway or sidings of the railway company and all other works which may in any manner affect the said railway or sidings in substantial repair and good order and condition to the reasonable satisfaction of the engineer of the railway company and if and whenever the Corporation fail so to do after reasonable notice in that behalf the railway company may make and do in and upon as well the lands and property of the Corporation as of the railway company such works and things as such engineer shall think requisite in that behalf and the reasonable cost of so doing as certified by such engineer shall on demand be repaid to the railway company by the Corporation ;

(ii) The railway company shall maintain the structure of the bridge carrying Work

No. 3 over the said North Woolwich railway and sidings (including the reconstructed bridge carrying Barking Road over the said railway) and any additional expense to which the railway company may be put by reason of the increased dimensions of the bridge shall be paid to the railway company by the Corporation : A.D. 1929.

- (12) The Council or the Corporation as the case may be shall be responsible for and make good to the railway company all reasonable costs charges losses damages and expenses not otherwise provided for which may be occasioned to the railways tramways or sidings stations depôts or other works of the railway company by reason of the construction maintenance or failure of the said works over or adjacent to the railways tramways sidings lands works or property of the railway company or of any act or omission of the Council or the Corporation or of any person or persons in their employ or of their contractors or others or which may be occasioned to the railway company by reason of any accident or mishap affecting the traffic on such railways tramways and sidings during or arising out of the construction maintenance or failure of the said works and the Council or the Corporation shall effectually indemnify the railway company from all claims and demands upon or against them by reason of such construction maintenance or failure or of any such act or omission Provided that the fact that any work or thing has been done in accordance with any plan section or specification approved by the engineer of the railway company or in accordance with any requirement of the said engineer or under his superintendence shall not excuse the Council or the Corporation from any liability for damage as aforesaid or affect any claim of the railway company for injury to the railways tramways or sidings of the railway company or the traffic thereon :
- (13) If at any time hereafter the railway company shall be desirous of extending widening or altering any part of their railways or sidings

A.D. 1929.

affected by the said works or of adapting their railway for working by electrical power the Council or the Corporation as the case may be shall give to the railway company all proper and reasonable facilities for that purpose including the right in connection with such electrification to make attachments to the said works subject to the reasonable approval of the Council or the Corporation :

- (14) Before the Council or the Corporation shall interfere with any existing buildings offices or facilities at any station or depôt of the railway company they shall provide such temporary buildings offices and facilities as the railway company's engineer may reasonably require and if the said engineer shall give notice to the Council or the Corporation that the company desire themselves to provide such temporary buildings offices and facilities the same shall be provided by the company at the reasonable cost of the Council or the Corporation as the case may be :
- (15) The Council or the Corporation as the case may be shall at all times during the execution of the said works or the alteration of the levels of any existing street provide reasonable access for vehicular and pedestrian traffic going to or coming from any existing station wharf or depôt of the railway company and from and after the completion of such street work or alteration of levels the Council or the Corporation as the case may be shall provide reasonable means of access for vehicular and pedestrian traffic to or from such station wharf or depôt to the reasonable satisfaction of the engineer of the railway company with the least possible alteration of the existing level at the entrances thereto :
- (16) If any difference shall at any time arise between the Council or the Corporation as the case may be and the railway company touching any of the matters referred to in this section except under subsection (2) of this section the same shall be settled by arbitration.

58. The general conditions relating to the grant by the Minister towards the cost of the improvements and to the arrangements for the execution of the improvements and the payment of the cost of such execution as set forth in the First Schedule to this Act are hereby confirmed.

A.D. 1929.
—
Conditions of grant by Minister &c.

59.—(1) The authorities named in the first column of the next following table may and they are hereby required to pay to the Minister as a contribution towards the cost of the improvements such sums as the Minister may from time to time by notice in writing addressed to the said authorities specify not exceeding in the whole in the case of any of the said authorities the amount set opposite to the name of that authority in the second column of that table (that is to say):—

Contributions by certain authorities.

(1)	(2)
Contributing Authority.	Amount.
	£
The Council - - - - -	425,000
The City Corporation - - - - -	60,000
The Middlesex County Council - - - - -	50,000
The Essex County Council - - - - -	27,000
The West Ham Corporation - - - - -	20,000
The Surrey County Council - - - - -	20,000
The Kent County Council - - - - -	10,000
The Hertfordshire County Council - - - - -	6,500
The mayor aldermen and burgesses of the county borough of East Ham - - - - -	5,000
The mayor aldermen and burgesses of the county borough of Croydon - - - - -	4,000
The Buckinghamshire County Council - - - - -	2,500
Total - - - - -	630,000

(2) Any sum which the Council shall contribute in pursuance of this section shall be defrayed as a payment for general county purposes within the meaning of the Local Government Act 1888 and the Council may borrow or otherwise provide such sum in accordance with the

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — provisions of the London County Council (Finance Consolidation) Act 1912.

(3) Any sum which the council of an administrative county (other than the Council) shall contribute in pursuance of this section shall be deemed to be an expense for a general county purpose or a special county purpose in relation to such county or any portion thereof (according as such council may determine) and may be defrayed out of the appropriate account of the county fund or may be borrowed under and subject to the provisions of section 69 of the Local Government Act 1888 Provided that—

- (a) moneys borrowed under the provisions of this subsection shall be repaid within a period of sixty years instead of thirty years as prescribed by the said section 69 of the Local Government Act 1888;
- (b) the consent of the Minister of Health shall not be necessary to the borrowing of such moneys or the period for repayment thereof; and
- (c) any moneys so borrowed shall not be taken into account in reckoning the total debt of such council for the purposes of subsection (2) of the said section 69.

(4) Any sum which the mayor aldermen and burgesses of a county borough shall contribute in pursuance of this section may be defrayed out of the general rate fund and general rate of such borough either in one sum or by instalments or may be borrowed under and in accordance with the provisions of the Public Health Act 1875 relating to the borrowing of money for the purpose of defraying expenses incurred in the execution of that Act and the provisions of sections 236 237 and 238 of that Act shall extend and apply to any mortgages granted under the provisions of this subsection Provided that—

- (a) moneys borrowed under the provisions of this subsection shall be repaid within a period of sixty years;
- (b) the sanction of the Minister of Health shall not be necessary to the borrowing of such moneys or the period for repayment thereof; and

(c) the powers of borrowing money given by this subsection shall not be restricted by any of the regulations contained in section 234 of the said Public Health Act 1875 and in calculating the amount which such mayor aldermen and burgesses may borrow under that Act any sums which they may borrow under this subsection shall not be reckoned. A.D. 1929.

(5) If on the completion of the improvements and the closing of all accounts relating thereto the cost incurred for and in connection with the execution of the same is ascertained to be less than the sum of two million five hundred and eighteen thousand pounds the respective amounts specified in the second column of the table set forth in subsection (1) of this section shall be reduced to amounts which respectively bear the same proportion to the amounts so specified as the said ascertained cost bears to the sum of two million five hundred and eighteen thousand pounds and if the total amount contributed by any of the said authorities in pursuance of the foregoing subsections of this section shall exceed the amount payable by them in accordance with this subsection the Minister shall repay to that authority the amount of the excess.

60. The West Ham Corporation may if they think fit with the approval of the Minister defray or contribute towards any expenses to be incurred by the Port of London Authority or by any other authority company body or person in laying out adapting and equipping for the playing of cricket football or other games any lands belonging to such authority company body or person so as to be available for use for those purposes in substitution for any lands which at the date of the passing of this Act are used for those purposes and which are acquired under the powers of this Act Provided that the West Ham Corporation shall not exercise the powers of this section unless they are satisfied that the owner of the lands to be so laid out adapted or equipped is willing to let such lands or permit the use thereof for such purposes as aforesaid upon and subject to terms and conditions which in the opinion of the West Ham Corporation are reasonable.

Laying out of ground for playing of games.

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929.

Expenses of
execution
of Act.

61. All expenses incurred by the Council and the West Ham Corporation respectively in or in connection with the carrying into execution of the provisions of this Act (including the erection of houses for the accommodation of persons of the working class in lieu of houses occupied by persons of the working class and acquired under the powers of this Act but not including expenses incurred in or in connection with the maintenance repair or working of the tramways) shall be deemed to form part of the cost of the improvements.

Council and
West Ham
Corporation
to account
for proceeds
of sale of
lands &c.

62. All sums received by the Council or the West Ham Corporation from the sale of any lands acquired for the purposes of the street works and not required for those purposes or of any materials or plant or by way of rent or otherwise in respect of any lands so acquired shall be accounted for by them to the Minister and applied towards defraying the cost of the improvements.

Separate
accounts of
receipts and
payments
relating to
improve-
ments
and audit
of accounts.

63.—(1) Notwithstanding anything contained in this or any other Act all receipts and payments by the Council or the West Ham Corporation relating to the improvements (other than receipts and payments relating to the maintenance repair or working of the tramways) shall be carried or charged to separate accounts to be kept by those authorities respectively in relation to the improvements.

(2) The said accounts shall at all times be available for examination by officers appointed for the purpose by the Minister and shall be made up for each financial year and shall be audited by an auditor or auditors appointed or approved by the Minister who shall be entitled to require from any officer of the Council or of the West Ham Corporation (as the case may be) or from any engineer or firm of engineers appointed pursuant to the First Schedule to this Act all such papers books accounts vouchers information and explanations as may be necessary for the performance of his or their duties. The said auditor or auditors shall include in or append to any certificate given by him or them with reference to the said accounts such observations and recommendations (if any) as he or they may deem necessary or expedient with respect to the accounts or any matter arising thereout or in connection therewith.

(3) It shall not for any purpose be necessary to audit under any other enactment accounts audited under the provisions of this section. A.D. 1929. —

64. Subject to the provisions of this Act the Council and the West Ham Corporation may enter into and carry into effect any agreements or arrangements for or in connection with any of the purposes of this Act including agreements or arrangements for the joint exercise of any of the powers by this Act conferred upon them severally or the exercise by one of them of any of the powers by this Act conferred upon the other of them. Agreements between Council and West Ham Corporation.

65. The Council and the West Ham Corporation or either of them on the one hand and the Port of London Authority or the Lee Conservancy Board on the other hand may enter into and carry into effect agreements with reference to any of the provisions of this Act relating to or affecting the parties to such agreements respectively. Agreements between Council and West Ham Corporation and other authorities.

66. Any difference which pursuant to this Act is to be settled by arbitration shall (except as otherwise provided by this Act or any enactment incorporated therewith) be referred to and determined by an arbitrator to be agreed upon between the parties in difference or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination. Arbitration.

67.—(1) Where any notice or other document under this Act or any enactment incorporated therewith requires authentication by the Council or the West Ham Corporation the signature of the clerk of the Council or of the town clerk of the borough (as the case may be) shall be sufficient authentication. Authentication and service of notices &c.

(2) Notices and other documents required or authorised to be served or given by the Council or the West Ham Corporation under this Act or any enactment incorporated therewith may except as by this Act otherwise provided be served by post or by delivering the same to or at the residence of the person to whom they are respectively addressed or where addressed to the owner or occupier of premises by delivering the same or

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. a true copy thereof to some person on the premises or if
— there is no person on the premises who can be so served
by fixing the same on some conspicuous part of the
premises :

Provided that—

(a) a notice to treat given under section 18 of the
Lands Clauses Consolidation Act 1845 if served
by post shall be served by registered post ;

(b) in the case of a company any such notice or
document shall be delivered or sent by post
addressed to the secretary of the company at
its registered office or at its principal office or
place of business.

In proving service by post it shall be sufficient to
prove that the notice or other document was properly
addressed and put into the post.

(3) Any such notice as aforesaid which is required to
be given to the owner or occupier of any premises may
be addressed by the description of the "owner" or
"occupier" of the premises (naming them) in respect
of which the notice is given without further name or
description.

Recovery
of penalties
&c.

68. Save as otherwise expressly provided all offences
against this Act or any enactment incorporated with this
Act and all fines forfeitures penalties costs charges and
expenses imposed or recoverable thereunder may be
prosecuted and recovered in a summary manner Pro-
vided that costs charges and expenses except such as are
recoverable along with a fine shall not be recovered as
penalties but may be recovered summarily as civil debts.

Penalties
to be paid to
authorities
taking
proceedings.

69. Notwithstanding anything contained in the
Metropolitan Police Courts Act 1839 or in any other Act
every penalty recovered under or in pursuance of this
Act shall be payable to the authority taking the pro-
ceedings leading to the recovery of the penalty.

Judges not
disqualified.

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

Saving for
indictments
&c.

71. Nothing in this Act shall protect any person
from being proceeded against by way of indictment in
respect of any matter by this Act or any enactment in-
corporated with this Act made punishable on summary

proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act or any such incorporated enactment Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence. A.D. 1929. —

72. In respect of the exercise of any powers or duties conferred or imposed on the Minister or the giving by him of any consent or approval under this Act the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board." *Inquiries by Minister.*

73. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing in this Act shall authorise the appropriate authority to take use or in any manner interfere with any and or hereditaments of whatever description vested in or in the occupation of the Commissioners of Works for public purposes or for the public service without the consent in writing of the Commissioners of Works first had and obtained for that purpose. *Crown rights.*

74. The costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and passing of this Act shall be deemed to be part of the cost of the improvements and shall in the first instance be defrayed by the Council as respects costs charges and expenses incurred exclusively by them and (except as may be otherwise agreed between the Council and the West Ham Corporation) incurred on their joint behalf and by the West Ham Corporation as respects costs charges and expenses incurred exclusively by them and all amounts so defrayed shall be repaid to the Council and the West Ham Corporation respectively by the Minister. *As to payment of costs of Act.*

A.D. 1929.

The SCHEDULES referred to in the
foregoing Act.

FIRST SCHEDULE.

GENERAL CONDITIONS OF GRANT BY MINISTER OF
TRANSPORT.

(1) The Minister will make a grant from the Road Fund towards the cost of the improvements (after making due allowance for all such receipts as may be properly set against the cost of executing the provisions of this Act) to the following amount:—

- (a) If such cost amounts to £2,518,000 the sum of £1,888,000;
- (b) If such cost is less than £2,518,000 a sum bearing to such cost the proportion of 1,888,000 to 2,518,000;
- (c) If such cost exceeds £2,518,000 the sum of £1,888,000 together with the amount of such excess.

(2) One chartered civil engineer (who shall not be an officer of the Council or of the West Ham Corporation) or one firm of engineers shall be responsible to the Council and the West Ham Corporation respectively for the design and execution of the improvements to be carried out by those authorities respectively under the powers of this Act and for the provision of rehousing accommodation for persons of the working class displaced for or in connection with the purposes of the street works:

Provided that if any dispute or difference shall arise between the Council and the West Ham Corporation or either of them on the one hand and such engineer or firm of engineers on the other hand with reference to such design or execution of such improvements or the provision of such rehousing accommodation such dispute or difference shall so far as it relates to such design or execution of such improvements be determined by the Minister and so far as it relates to such rehousing accommodation be determined by the Minister of Health and the decision of the Minister or the Minister of Health as the case may be shall be final and binding.

The said engineer or firm of engineers shall be appointed by the Council and the West Ham Corporation subject to the approval of the Minister or (in case of difference between the Council and the West Ham Corporation) by the Minister.

[19 & 20 GEO. 5.] *Royal Victoria and other Docks Approaches (Improvement) Act, 1929.* [Ch. xlvii.]

(3) The list of contractors or firms of contractors to be invited to tender for the execution of the improvements and the provision of rehousing accommodation and the contractor or contractors or firm or firms of contractors to be selected from those who submit tenders shall be subject to the approval of the Minister. A.D. 1929.

(4) All plans specifications estimates engineering details forms of contract and agreements and any modifications thereof respectively for or in connection with the execution of the improvements and the said provision of rehousing accommodation shall be subject to the approval of the Minister.

(5) (a) As soon as may be after the passing of this Act the Council and the West Ham Corporation shall each open with a bank to be approved by the Minister a special banking account for the purposes of the improvements and shall each forward to the Minister an estimate in such form as the Minister may require or approve of the expenditure to be incurred by them respectively in respect of the improvements during the three months next ensuing.

(b) On or before the expiration of the said period and thereafter at such intervals as may be approved by the Minister the Council and the West Ham Corporation shall forward to the Minister in such form as he may require or approve statements showing the balances standing to the credit of the said banking accounts and estimates of the liabilities incurred and to be incurred by them in respect of the improvements during such ensuing period as may be specified by the Minister.

(c) After receipt of any such estimate the Minister shall pay to the credit of the respective banking accounts such sum or sums and at such time or times as he may in his discretion think fit but so that at all times until the completion of the improvements and the closing of all accounts relating thereto there shall be a credit balance on each of such banking accounts.

(d) The Council and the West Ham Corporation shall respectively furnish to the Minister at such times and in such form and accompanied by such vouchers certificates reports or other documents as he may require or approve statements of the amounts paid by them respectively in respect of the improvements.

(e) For the purpose of securing the better or more convenient working of the arrangements set forth under heads (a) (b) and (c) of this paragraph the Minister after consultation with the Council and the West Ham Corporation may alter or modify the said arrangements in such manner as he may deem to be necessary or advisable.

(6) The Minister shall in consultation with the Council and the West Ham Corporation settle general conditions governing

[Ch. xlvii.] *Royal Victoria and [19 & 20 GEO. 5.]
other Docks Approaches (Improvement) Act, 1929.*

A.D. 1929. — the acquisition sale exchange letting or other disposal of lands or interests in lands under the powers of this Act (other than the land described in the Third Schedule to this Act and any houses erected thereon) and the Council and the West Ham Corporation shall comply with such conditions.

(7) Any questions between the Council and the West Ham Corporation as to the incidence of any costs charges or expenses incurred by them or either of them or preliminary to or of or incidental to the preparing for obtaining and passing of this Act shall be determined by the Minister whose decision thereon shall be final and binding.

SECOND SCHEDULE.

PROPERTIES OF WHICH PORTIONS ONLY ARE REQUIRED TO
BE TAKEN.

Area. —	Numbers on deposited plans and in book of reference.
County of London—	
Metropolitan borough of Poplar.	46 47 51 and 52.
County of Essex—	
County borough of West Ham	2 3 4 12 61 62 69 73 74 75 101 to 106 inclusive 108 to 130 inclusive 158 200 203 222 223 238 242 249 250 252 263 264 279 311 450 476 521 527 to 531 inclusive 549 to 552 inclusive 576 to 583 inclusive 594 595 768 769 784 785 and 812.

THIRD SCHEDULE.

A.D. 1929.

DESCRIPTION OF LAND TO BE CONVEYED BY THE PORT
OF LONDON AUTHORITY.

(1) A plot of land in the county borough of West Ham containing 14 acres 3 roods and 6 perches or thereabouts being part of the enclosure numbered 60 in the said county borough on the 1/2500 Ordnance map (edition of 1919) Essex (new series) sheet N LXXXVI. 10 such plot of land being bounded on the north by an imaginary line extending from a point in the eastern side of Cumberland Road opposite the centre of Elkington Road to Prince Regent's Lane on the east by Prince Regent's Lane on the south partly by the rear of the premises abutting on the northern side of Brock Road and partly by Holborn Road and on the west by Cumberland Road and the rear of premises abutting on that road.

(2) A plot of land in the said county borough containing 4 acres 2 roods and 12 perches or thereabouts and comprising the enclosures respectively numbered 39 and 40 on the said Ordnance map.

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