



CHAPTER lix.

An Act to confer further powers upon the London County Council and other authorities and for other purposes. A.D. 1931.
[8th July 1931.]

WHEREAS it is expedient that the London County Council (hereinafter referred to as "the Council") should be empowered to acquire compulsorily the lands described in this Act as intended to be so acquired and that the other powers by this Act conferred upon the Council should be granted :

And whereas it is expedient that the powers by this Act conferred upon the councils of the royal borough of Kensington and of the metropolitan boroughs of Saint Marylebone Southwark and Woolwich should be granted :

And whereas by the Stepney Borough Council (Superannuation) Act 1905 and Part V of the London County Council (General Powers) Act 1930 provision was made for the establishment by the council of the metropolitan borough of Stepney of a superannuation fund for the benefit of officers and servants of that council and it is expedient that the said Acts should be amended as provided by this Act :

And whereas it is expedient that provision should be made as in this Act contained for the union of the parishes of Holborn Lincoln's Inn and Gray's Inn which parishes together comprise the metropolitan borough of Holborn :

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— And whereas by the Beckenham Sewerage Act 1873 provision was made for the reception into the main drainage system of the Metropolitan Board of Works of sewage and drainage from an area which at the date of the passing of this Act formed part of the urban district of Beckenham upon the terms prescribed by the said Act of 1873 including provisions as to the payment to the said Metropolitan Board of Works throughout a specified period of certain yearly sums by the predecessors of the Beckenham Urban District Council :

And whereas the Beckenham Urban District Council have agreed with the Council for the modification of the said Act of 1873 as provided by this Act and it is expedient that such modification should be made :

And whereas the periods limited by certain Acts for the completion by the Council of certain authorised works and for the compulsory purchase of lands for the execution of other authorised works will shortly expire and it is expedient that the periods so limited should be extended as by this Act provided :

And whereas the council of the metropolitan borough of Fulham (hereinafter referred to as "the Fulham Council") are the authorised undertakers for the supply of electricity in that metropolitan borough and own and use in connection with that undertaking a generating station which by virtue of the South-east England Electricity Scheme 1927 is a selected station within the meaning of the Electricity (Supply) Act 1926 and which the Fulham Council have agreed with the Central Electricity Board to extend and alter at an estimated cost exceeding five million pounds :

And whereas it is expedient that the Fulham Council should be empowered as provided by this Act to borrow money for payment of interest on money borrowed or to be borrowed by them for or in connection with such extension and alteration :

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

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

And whereas plans showing the lands which may be acquired or used compulsorily by the Council and the council of the royal borough of Kensington respectively

and the passage or way in the metropolitan borough of Woolwich to be stopped up 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 such lands and passage or way have been deposited with the clerk of the Council and are in this Act respectively referred to as the deposited plans and book of reference : A.D. 1931.
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And whereas in relation to the promotion of the Bill for this Act the council of the royal borough of Kensington (as respects the provisions of the said Bill relating exclusively to that council) and the council of the metropolitan borough of Woolwich (as respects the provisions of the said Bill relating to the stopping up of a passage or way in that borough) have 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 (that is to say) :—

PART I.

INTRODUCTORY.

1. This Act may be cited as the London County Council (General Powers) Act 1931. Short title.

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

Part I.—Introductory.

Part II.—Acquisition of land by the Council.

Part III.—Acquisition of land by Kensington Council.

Part IV.—Amendment of Stepney Borough Council (Superannuation) Acts 1905 and 1930.

Part V.—Union of parishes (Holborn).

Part VI.—Beckenham drainage.

Part VII.—Extensions of time.

Part VIII.—Miscellaneous.

[Ch. lix.] *London County* [21 & 22 GEO. 5.]
Council (General Powers) Act, 1931.

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Incorporation of
Lands
Clauses
Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes of and are not inconsistent with or varied by this Act) are hereby incorporated with and form part of 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 said Act of 1845 shall be under the seal of the Council or of the Kensington Council (as the case may be) and shall be sufficient without the addition of the sureties mentioned in that section.

Interpretation.

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

- “The Council” means the London County Council;
- “The county” means the administrative county of London;
- “Street” has the meaning assigned to that term in the Metropolis Management Acts 1855 to 1893;
- “The Fulham Council” means the council of the metropolitan borough of Fulham;
- “The Kensington Council” means the council of the royal borough of Kensington;
- “The Saint Marylebone Council” means the council of the metropolitan borough of Saint Marylebone;
- “The Southwark Council” means the council of the metropolitan borough of Southwark;
- “The Stepney Council” means the council of the metropolitan borough of Stepney;
- “The Woolwich Council” means the council of the metropolitan borough of Woolwich;
- “Borough council” means any metropolitan borough council;
- “The Lands Clauses Acts” means those Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919; and
- “The arbitrator” means the arbitrator to whom any question of disputed compensation may be referred under the provisions of this Act.

(2) 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 Kensington Council or the Woolwich Council as the case may require.

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(3) Save as otherwise expressly provided any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

PART II.

ACQUISITION OF LAND BY THE COUNCIL.

5.—(1) Subject to the provisions of this Act the Council may enter upon take and use all or any of the lands in the county which are hereinafter described and are shown on the deposited plans and described in the deposited book of reference (that is to say):—

Power to
Council to
take lands.

All the lands and premises in the city of Westminster in the rear of premises in Aldwych and situate on the north side of New Inn Passage the east side of Houghton Street and the south side of Clements Inn Passage excluding No. 16 Houghton Street and the property abutting on Clements Inn Passage eastward of the premises numbered 11 in that passage.

(2) The Council may convey transfer or lease the lands and premises acquired by them under the powers of this Part of this Act to the London School of Economics and Political Science for the purpose of university education on such terms and conditions as the Council may think fit.

6. If there is any omission mis-statement or wrong description of any lands referred to in this Part of 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 Council after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to a metropolitan police magistrate for the correction thereof and if it appears to the magistrate that

Correction
of errors in
deposited
plans.

A.D. 1931. — the omission mis-statement or wrong description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the Council and shall be kept by him with the other documents to which it relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

Compensation payable by Council in case of recently created interest.

7. For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Part 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 twenty-ninth day of July one thousand nine hundred and thirty 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 hereinafter 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

(b) any interest in land greater than that of a quarterly tenant created after 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 Part of this Act for the compulsory purchase of lands any person being the

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owner of or having any estate or interest in any premises which are liable to be acquired compulsorily under the powers of this Part of this Act gives notice in writing to the Council 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 Council 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) paragraph (2) of this section shall not apply with respect to the building improvement alteration or new interest described as aforesaid; and

(b) paragraph (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 twenty-ninth day of July and before the date of the passing of this Act:

- (4) The Council 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 which are liable to be acquired compulsorily under the powers of this Part of this Act.

8. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into any lands and buildings by this Part of this Act authorised to be taken and used for the purposes of surveying and valuing the same 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 and buildings.

Power to Council to enter upon property for survey and valuation.

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Power to
certain per-
sons to
grant ease-
ments &c.
by agree-
ment.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required in connection with the lands to be acquired under the powers of this Part of this Act in or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable shall extend and apply to such grants and to such easements rights and privileges as aforesaid.

Power to
Council to
make agree-
ments with
owners of
property &c.

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

Extinguish-
ment of pri-
vate rights
of way.

11. All private rights of way over any lands which shall under the powers of this Part of this Act be acquired compulsorily by the Council shall as from the date of such acquisition be extinguished. Provided that the Council 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.

Leasing and
exchange of
lands.

12.—(1) The Council 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 by them for the purposes mentioned in this Part of this Act until the said lands and buildings or structures are required for those purposes and the Council may exchange for other lands buildings or structures all or any lands buildings or structures so acquired and not required for the said purposes.

(2) The Council may execute and do any deed act or thing requisite or proper for effectuating any such leasing letting or exchange. A.D. 1931.
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13. The powers of the Council for the compulsory purchase of lands under this Part of this Act shall cease on the first day of October one thousand nine hundred and thirty-four. Limitation of time for purchase of lands.

PART III.

ACQUISITION OF LAND BY KENSINGTON COUNCIL.

14. In this Part of this Act unless the subject or context otherwise requires— Definition of expressions in Part III of Act.

“The General Cemetery Act” means the Act 2 & 3 Will. IV cap. cx intituled “An Act for establishing a general cemetery for the interment of the dead in the neighbourhood of the Metropolis”;

“The company” means the General Cemetery Company incorporated by the General Cemetery Act;

“The cemetery” means the land acquired by the company in pursuance of the provisions of the General Cemetery Act.

15. Subject to the provisions of this Act the Kensington Council may for the purpose of widening the highway known as Ladbrooke Grove in the royal borough of Kensington enter upon take and use all or any of the lands and property next hereinafter described which are shown on the deposited plans and described in the deposited book of reference (that is to say):— Power to Kensington Council to acquire lands.

A strip of land in the royal borough of Kensington forming part of the cemetery situate on the western side of Ladbrooke Grove with the buildings and structures thereon.

16. The provisions of the sections of Part II (Acquisition of land by the Council) of this Act of which the marginal notes are respectively “Correction of errors in deposited plans” and “Limitation of time for purchase of lands” shall extend and apply to the Kensington Council and the lands to be acquired by them under this Part of this Act as if the Kensington Council Application to Kensington Council of certain provisions of Act.

A.D. 1931. were named in the said sections instead of the Council and as if in the said applied sections references to this Part of this Act were substituted for references to the said Part II.

Power to
Kensington
Council to
acquire part
only of
cemetery.

17. Notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 the Kensington Council may acquire the whole or so much as they may think fit of the portion of the cemetery and the buildings and structures erected thereon which is shown on the deposited plans within the limits of land to be acquired marked thereon without being obliged or compellable to acquire any greater part or the whole of the cemetery or of any such building or structure.

Agreements
between
Kensington
Council and
General
Cemetery
Company.

18. Notwithstanding anything contained in the General Cemetery Act the Kensington Council and the company may enter into and carry into effect agreements with reference to the acquisition by the Kensington Council of the land referred to in the section of this Act of which the marginal note is "Power to Kensington Council to acquire lands" and any matters connected therewith or incidental thereto.

Removal of
human re-
mains.

19.—(1) If and when the Kensington Council acquire any lands under the powers of this Part of this Act they shall before applying or using any part of such lands for widening Ladbroke Grove remove or cause to be removed the remains of all deceased persons interred in such lands.

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

(3) At any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said lands may give notice in writing to the Kensington Council of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and reinterred in any burial ground or cemetery in which burials may legally take place.

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

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of fifteen pounds) shall be defrayed by the Kensington Council such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Kensington Council in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Kensington Council may remove the remains of the deceased person and cause them to be interred in some other part of the cemetery or in such other burial ground or cemetery in which burials may legally take place as the Kensington Council think suitable for the purpose.

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

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

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PART IV.

AMENDMENT OF STEPNEY BOROUGH COUNCIL (SUPER-
ANNUATION) ACTS 1905 AND 1930.

Definition
of expres-
sions in
Part IV of
Act.

20. In and for the purposes of this Part of this Act—
“ The Act of 1905 ” means the Stepney Borough
Council (Superannuation) Act 1905;
“ The Act of 1930 ” means the London County
Council (General Powers) Act 1930;
“ The Act of 1931 ” means this Act;
“ The actuary ” means an actuary appointed by the
Stepney Council being a Fellow of the Institute
of Actuaries or of the Faculty of Actuaries in
Scotland.

Further
provisions
as to super-
annuation
fund.

21.—(1) The following provisions are hereby repealed
(namely):—

- (a) Section 14 (Superannuation fund) of the Act of 1905;
- (b) The words “ and shall be deemed to be a portion
“ of the percentage amounts referred to in sub-
“ section (3) of section 14 of this Act ” in sub-
section (4) of section 5 (Reckoning service)
of the Act of 1905 as amended by section 36
(Amendment of Stepney Borough Council (Super-
annuation) Act 1905) of the Act of 1930;
- (c) Subsection (3) of the said section 36;
- (d) The words “ and shall be deemed to be a portion
“ of the percentage amount referred to in sub-
“ section (3) of section 14 (Superannuation fund)
“ of the Act of 1905 ” in subsection (2) of
section 37 (Modification of section 16 of Stepney
Borough Council (Superannuation) Act 1905)
of the Act of 1930.

(2) Subject to the provisions of the section of this
Act of which the marginal note is “ Actuarial investiga-
tion ” the Act of 1905 shall be read and have effect as if
the following provisions were inserted therein in lieu of
the said section 14:—

“ (1) The Council shall establish and administer
a superannuation fund to which shall be carried
and credited—

(a) the amount standing to the credit of the
superannuation fund established pursuant to
this Act as amended by the Act of 1930;

(b) all contributions of officers and servants deducted or paid pursuant to this Act or this Act as amended by the Act of 1930;

(c) a sum (in this Act and the Act of 1931 referred to as "the equivalent contribution") to be raised annually equal to the total amount for each year of the contributions referred to in the last foregoing paragraph;

(d) all dividends and interest arising out of the investment of the superannuation fund or any part thereof;

(e) such amount as may be certified by the actuary as necessary in order that the superannuation fund may be solvent to be calculated so as to cast upon the Council so far as may be an equal annual charge for a period not exceeding forty years from the thirty-first day of March one thousand nine hundred and thirty-two;

(f) such further sums if any to be raised in and by the general rate as the Council may be liable to contribute under the provisions of the section of the Act of 1931 of which the marginal note is 'Actuarial investigation.'

(2) The equivalent contribution shall be made out of the same respective funds rates and revenues as those out of which are payable the salaries or wages and emoluments from or in respect of which the deductions or payments referred to in paragraph (b) of subsection (1) of this section are made and in such proportions as the Council may decide.

(3) The following shall be charged upon the superannuation fund (namely):—

(a) superannuation allowances made in pursuance of this Act or of this Act as amended by the Act of 1930; and

(b) contributions (including compound interest thereon) or parts of contributions returned or paid in pursuance of this Act or of this Act as amended by the Act of 1930."

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Actuarial
investiga-
tion.

22.—(1) Once at least in every five years the condition of the superannuation fund referred to in the section of this Act of which the marginal note is "Further provisions as to superannuation fund" shall be submitted by the Stepney Council to the actuary who shall consider the same and shall make an actuarial valuation of the fund and on the basis of such valuation shall after having regard to any sums to be thereafter carried and credited to the fund under the provisions of the said section of this Act and to the then existing and prospective liabilities of the superannuation fund certify—

- (a) the further annual sums (if any) which should be carried and credited to the fund during a period not exceeding forty years from the date of such valuation so that the superannuation fund shall be solvent; or
- (b) the amount of the surplus (if any) which could be disposed of without affecting the solvency of the superannuation fund; and
- (c) the amounts (if any) by which the percentage amounts to be deducted under the provisions of section 12 (Scale of contributions) of the Act of 1905 as amended by section 38 (As to new entrants) of the Act of 1930 should be increased or reduced as respects persons becoming contributors after the date of such valuation in order to maintain an equality of value between the amounts to be contributed by and in respect of such persons and the amount of benefit to which such persons will become entitled.

(2) (a) If on any such valuation the actuary certifies that any such further annual sums should be carried and credited to the superannuation fund the Stepney Council shall annually during such period as shall be so certified contribute such sums to the fund.

(b) If on any such valuation the actuary certifies that there is a surplus which could be disposed of without affecting the solvency of the fund the surplus shall be disposed of in accordance with the following provisions (that is to say):—

- (i) If the amount of the surplus is less than the amount which would be necessary to liquidate the future liability of the Stepney Council at

the date of the valuation to raise in and by the general rate the annual sums (other than any portion of the equivalent contribution) referred to in the section of this Act of which the marginal note is "Further provisions as to superannuation fund" and in paragraph (a) of subsection (1) of this section the surplus shall be disposed of by way of an appropriate reduction of the amount of such annual sums;

- (ii) If the amount of the surplus is equal to or exceeds the amount which would be necessary to liquidate such future liability the obligation of the Stepney Council at the date of the valuation to raise the annual sums referred to in the last preceding sub-paragraph (i) shall cease and any balance of the amount of the excess beyond the amount necessary to liquidate such future liability shall be disposed of by reducing the equivalent contribution by an equal annual amount over a term of forty years from the date of the valuation or such less term as in the opinion of the actuary is reasonable having regard to the amount of the surplus thus to be disposed of.

(3) On receipt of a certificate by the actuary given under paragraph (c) of subsection (1) of this section the Stepney Council may submit to the Minister of Health a scheme for such increase or decrease as the case may require to be applied in equal proportions as between the Stepney Council and the persons referred to in that paragraph.

(4) If any such scheme is approved by the Minister of Health this Part of this Act shall have effect subject to the provisions of the scheme.

(5) The Stepney Council shall within one month of the receipt by them of the actuary's report send a copy thereof to the Minister of Health and if within six months of the receipt by the said Minister of such report the Stepney Council fail to submit a scheme under this section or to submit a scheme of which the Minister approves the Minister may himself make a scheme which shall have the same effect as a scheme submitted by the Stepney Council and approved by him.

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Commence-
ment and
construction
of Part IV
of Act.

23. This Part of this Act shall come into operation on the first day of April one thousand nine hundred and thirty-two and the Act of 1905 Part V of the Act of 1930 and this Part of this Act shall be read and construed as one Act and may be cited as the Stepney Borough Council (Superannuation) Acts 1905 to 1931.

PART V.

UNION OF PARISHES (HOLBORN).

Definition
of expres-
sions in
Part V of
Act.

24.—(1) In this Part of this Act unless the subject or context otherwise requires—

“The appointed day” means the thirty-first day of March one thousand nine hundred and thirty-two;

“The existing parishes” means the parishes of Holborn Lincoln’s Inn and Gray’s Inn;

“The united parish” means the parish of Holborn as constituted under the provisions of this Part of this Act;

“The Holborn Council” means the council of the metropolitan borough of Holborn;

“The Act of 1929” means the Local Government Act 1929.

(2) In this Part of this Act the several words and expressions to which meanings are assigned by the Act of 1929 have the same respective meanings unless there is something in the subject or context repugnant to such construction.

Commence-
ment of
Part V of
Act.

25. Save as otherwise expressly provided this Part of this Act shall come into operation on the appointed day Provided that so far as may be necessary for the purpose of the preparation of any rate or precept in respect of the financial period commencing on the first day of April one thousand nine hundred and thirty-two this Part of this Act shall come into operation on the date of the passing of this Act.

Union of
parishes in
metropoli-
tan borough
of Holborn.

26. Notwithstanding anything contained in section 207 of the Poor Law Act 1927 (which section provides that Gray’s Inn and certain other inns of court shall not be added to a parish) the existing parishes shall on and

from the appointed day be united and for all civil purposes constitute one parish to be known by the name of the parish of Holborn. A.D. 1931.

27. All property and liabilities of any of the existing parishes or any part or parts thereof (including all property held under any trust for any of the existing parishes or any part or parts thereof or the ratepayers parishioners or inhabitants as such of any of the existing parishes or any part or parts thereof) shall as from the appointed day become the property and liabilities of the united parish and in the case of property held in trust as aforesaid shall be held in trust for the united parish or for the ratepayers parishioners or inhabitants thereof for the same purposes as immediately before the appointed day. Provided that this section shall not apply to any property held upon trust for ecclesiastical or charitable purposes or to any property of or held in trust for the honourable societies of Lincoln's Inn and Gray's Inn respectively. Property and liabilities.

28. The valuation lists (including any supplemental or provisional lists) of the existing parishes in force on the appointed day shall be deemed together to constitute the valuation list of the united parish. Valuation lists.

29.—(1) All recoverable arrears of rates and all sums due in respect of any of the existing parishes immediately before the appointed day shall be recoverable from the persons liable to pay the same as fully and effectually as if the provisions of this Part of this Act had not been enacted. Arrears of rates &c.

(2) All contribution orders and precepts made before the appointed day shall be as valid in law as if the provisions of this Part of this Act had not been enacted.

30.—(1) Subject to the provisions of this Part of this Act any sums which on the appointed day may be in the hands of the Holborn Council as overseers of any of the existing parishes shall be carried to the credit of the united parish and all sums which on that day may be due to the Holborn Council as overseers of any of the existing parishes shall when received be credited to the united parish. Credits and debits.

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(2) All debts and liabilities of the Holborn Council as overseers of any of the existing parishes incurred in connection with their functions as overseers shall be a charge upon the rates of the united parish as fully and effectually as they would have been upon the rates of any of the existing parishes if the provisions of this Part of this Act had not been enacted.

(3) If on the appointed day any sums are in the hands of or due to the Holborn Council or their treasurer in respect of or from any of the existing parishes such sums shall be treated as being in hand or due in respect of or from the united parish and the necessary adjustments in the books of the Holborn Council shall be made accordingly.

Pending
actions &c.

31. If on the appointed day any action or proceeding is pending or existing by or against the Holborn Council as overseers of any of the existing parishes the same shall not be in any wise prejudicially affected by reason of the foregoing provisions of this Part of this Act but may be continued prosecuted and enforced by or against the Holborn Council as overseers of the united parish.

Contracts
&c.

32. All contracts deeds bonds agreements and other instruments entered into or made by or with the Holborn Council as overseers of the existing parishes or any of them and subsisting on the appointed day shall be of as full force and effect against or in favour of the Holborn Council as overseers of the united parish and may be enforced as fully and effectually as if instead of the overseers of the existing parishes or any of them the overseers of the united parish had been a party thereto.

Compensa-
tion to exist-
ing officers.

33.—(1) Every officer who by virtue of the provisions of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by determination of appointment or by diminution or loss of fees salary or emoluments shall be entitled to have compensation paid to him for such pecuniary loss.

(2) In determining such compensation regard shall be had to the conditions and circumstances mentioned in paragraph 1 of the Eighth Schedule to the Act of 1929 and the compensation shall not exceed the limit therein mentioned.

(3) The Council shall determine to what authority application shall be made for compensation and out of what fund such compensation if any shall be paid by such authority and the provisions of the said Eighth Schedule shall apply with the substitution of references to such authority for the references in the said paragraphs to "the Council."

A.D. 1931.

34. For the purposes of statutory and official notices the church of St. Giles-in-the-Fields shall be deemed to be the parish church of the united parish.

Parish
church of
united
parish.

35. Nothing in this Part of this Act shall—

General
savings.

- (a) affect any petty sessional division or any coroner's district or any metropolitan police court division; or
- (b) affect the division of the metropolitan borough of Holborn into wards for the purpose of the election of borough councillors or the boundaries of such wards or the number of borough councillors to be elected for the said metropolitan borough or its wards or the boundaries of any parliamentary division or county electoral division; or
- (c) restrict the powers of the Minister of Health under the Poor Law Act 1930 or the powers of the Secretary of State the Minister of Health or the Council under the Local Government Acts 1888 1894 or 1929; or
- (d) affect the area boundaries or divisions of any ecclesiastical parish or ecclesiastical district in any of the existing parishes; or
- (e) be construed as substituting a reference to the united parish for any reference to the existing parishes in the Borough of Holborn (St. Giles-in-the-Fields and St. George Bloomsbury) Scheme 1901 (as confirmed by an Order in Council of His late Majesty King Edward VII dated the twenty-fifth day of March one thousand nine hundred and one) or the Electricity (Supply) Acts 1882 to 1928 or any order made under those Acts; or
- (f) affect any imperial taxes or duties or land tax.

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—
 Saving for
 charitable
 endow-
 ments.

36. Nothing in this Part of this Act shall prejudice vary or affect any right interest or jurisdiction in or over or the administration of any charitable endowment and the Minister of Health may make an order under section 33 of the Local Government Act 1894 with respect to any charity of any of the existing parishes as if the provisions of this Part of this Act had not been enacted.

Repeals.

37.—(1) As on and from the appointed day the following provisions contained in schemes made under the London Government Act 1899 are hereby repealed to the extent hereinafter specified (that is to say) :—

Scheme.	Extent of repeal.
—	—
(i) The Borough of Holborn (Lincoln's Inn) Scheme 1901 (as confirmed by an Order in Council of His late Majesty King Edward VII dated the twenty-fifth day of March one thousand nine hundred and one).	Section 5.
(ii) The Borough of Holborn (Gray's Inn) Scheme 1901 (as confirmed by an Order in Council of His late Majesty King Edward VII dated the fifteenth day of June one thousand nine hundred and one).	Section 3.
(iii) The Borough of Holborn (Adjustment) Scheme 1903 (as confirmed by an Order in Council of His late Majesty King Edward VII dated the ninth day of July one thousand nine hundred and three).	The whole Scheme.

(2) As on and from the thirty-first day of March one thousand nine hundred and thirty section 1 of the said Borough of Holborn (Lincoln's Inn) Scheme 1901 is hereby repealed and all necessary adjustments by way of

repayment differential rating and otherwise shall be made so that the authorities bodies and parishes referred to in that section shall as far as practicable be placed in the same financial position as that in which they would have been if the said section had not remained in force after the thirtieth day of March one thousand nine hundred and thirty. The said adjustments shall be such as may be agreed between the Council the Holborn Council and the treasurer and benchers of the Honourable Society of Lincoln's Inn or failing such agreement determined by the Minister of Health.

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(3) So much of the Metropolitan Borough of Holborn (Union of Parishes) Order 1930 (made by the Council under section 57 of the Local Government Act 1888) as is inconsistent with the provisions of this Part of this Act is hereby repealed as on and from the appointed day.

PART VI.

BECKENHAM DRAINAGE.

38. In this Part of this Act unless the subject or context otherwise requires—

Definition of expressions in Part VI of Act.

“ the Beckenham Council ” means the Beckenham Urban District Council;

“ the Act of 1873 ” means the Beckenham Sewerage Act 1873;

“ the Beckenham sewerage area ” means that area as defined by the Act of 1873;

“ financial year ” means the twelve months ending on the thirty-first day of March in any year; and

“ total rateable value ” and “ total net annual value ” mean respectively (except so far as otherwise stated) as respects the Beckenham sewerage area the total rateable value or the total net annual value as the case may be of the hereditaments in that area in force on the first day of April in the financial year with reference to which the expression is used ascertained in accordance with the provisions of the Rating and Valuation Act 1925 including in either case the value of hereditaments occupied in the Beckenham sewerage area by or on behalf of

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the Crown for public purposes in respect of which a contribution is made by the Crown in aid of rates.

Half-yearly contributions by Beckenham Council.

39.—(1) As on and from the first day of April one thousand nine hundred and twenty-nine the Beckenham Council shall in respect of each financial year pay to the Council by half-yearly payments for the receiving by the Council into the London main drainage system in accordance with and subject to the provisions of the Act of 1873 of the sewage and drainage of the Beckenham sewerage area and for the subsequent treating and disposing of such sewage and drainage such a sum towards the cost incurred by the Council in respect of the London main drainage system as shall bear to the total rateable value of all hereditaments in the Beckenham sewerage area the same proportion as that part of the total cost as hereinafter defined in respect of that financial year of the London main drainage system which is charged upon the rates of the county bears to the total rateable value of the county as hereinafter defined. Provided that for the year commencing on the first day of April one thousand nine hundred and twenty-nine references to "total net annual value" shall be substituted for the references to "total rateable value" in the foregoing provisions of this section. Provided also that the first payment by the Beckenham Council to the Council under the provisions of this section shall be made on the first day of October one thousand nine hundred and thirty-one and shall consist of the five half-yearly payments (calculated in accordance with the provisions of this section) which would have been payable on or before that date if this Part of this Act had been in operation immediately before the first day of April one thousand nine hundred and twenty-nine reduced by the amount of the sums paid by the Beckenham Council to the Council under section 10 (Contributions to be paid by guardians towards cost of main drainage system) of the Act of 1873 in respect of any periods subsequent to the said first day of April.

(2) The amount of the total rateable value and of the total net annual value referred to in subsection (1) of this section shall be subject to adjustment in respect of any alterations duly made therein other than amendments to which the proviso to subsection (10) of section 37 of the Rating and Valuation Act 1925 applies.

(3) The Council shall twice in each financial year by notice in writing delivered as early as reasonably practicable to the clerk to the Beckenham Council inform the Beckenham Council of the amount of the payment to be made by the Beckenham Council next after the date of the notice and the Beckenham Council shall on or before the date named in that behalf in such notice (not being earlier than six weeks from the receipt by them of the notice) pay to the Council the amount stated in such notice. A.D. 1931.

(4) For the purposes of this section—

(a) the total cost in respect of any financial year of the London main drainage system shall be deemed to be the aggregate of the following amounts (that is to say):—

(i) the amount paid or applied by the Council in respect of that financial year for interest on and the repayment or redemption by means of a sinking or redemption fund or otherwise of all moneys borrowed or applied and all stock or bonds issued whether by the Metropolitan Board of Works or by the Council and whether before or after the passing of this Act for the purposes of or connected with the London main drainage system;

(ii) the net expenses (hereinafter referred to as "the cost of maintenance") incurred by the Council in respect of the management maintenance and working of the said system in that financial year; and

(iii) such sum (not exceeding five per centum of the cost of maintenance) in respect of administrative expenses not comprised in the cost of maintenance as the Council may from time to time determine;

(b) the total rateable value and the total net annual value of the county shall respectively be deemed to be the total rateable value or the total net annual value as the case may be of the county on the sixth day of April in the

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financial year with reference to which the expression is used as ascertained in accordance with the provisions of the Valuation (Metropolis) Act 1869 including in either case the annual value on which contributions in lieu of rates are made by or on behalf of the Crown in respect of property held by or on behalf of the Crown in the county which is not for the time being comprised in such total rateable value or total net annual value as the case may be.

(5) Notwithstanding anything contained in this section the sums payable by the Beckenham Council under this section in respect of any financial year shall be calculated in the first instance on the basis of the estimated cost of the London main drainage system for that financial year and shall be paid by the Beckenham Council as if they had been calculated on the basis of the ascertained cost of the said system for that financial year subject to an allowance being made or an additional sum being charged (as the case may require) when the actual cost is ascertained.

Provisions
in case of
default.

40. In case default is made in the payment of any sum payable by the Beckenham Council under the provisions of this Part of this Act interest on such sum at the rate of five per centum per annum from the date at which such payment became due shall be deemed to be a debt due to the Council from the Beckenham Council.

Lump sum
payment by
Council to
Beckenham
Council.

41. The Council shall in respect of the period commencing on the first day of April one thousand nine hundred and three and ending on the thirty-first day of March one thousand nine hundred and twenty-nine repay to the Beckenham Council within three months after the passing of this Act the sum of two thousand eight hundred and fifty pounds in respect of the difference between the aggregate amount (based upon the proportion which the total rateable value of the Beckenham sewerage area bore to the total rateable value of the county) paid by the Beckenham Council to the Council for that period and the aggregate amount which would have been so paid had the amount of the contributions made by the Beckenham Council to the Council in respect

of main drainage during the said period been determined on the basis to prevail pursuant to this Part of this Act for the year commencing on the first day of April one thousand nine hundred and twenty-nine. A.D. 1931. —

42. Notwithstanding anything contained in this Part of this Act the Council and the Beckenham Council may from time to time enter into and carry into effect agreements (which shall have the same force as if effect had been given thereto in this Act) for varying any of the provisions of this Part of this Act so far as they relate only to the rights or obligations of the Council or the Beckenham Council but no such variation shall be made which would affect prejudicially the rights or interests of any person other than the Council and the Beckenham Council. Power to vary provisions of Part VI of Act by agreement.

43. The provisions of section 10 (Contributions to be paid by guardians towards cost of main drainage system) of the Act of 1873 and of section 11 (Power for Lewisham and Metropolitan Boards to levy in default of guardians) of that Act so far as the provisions of the latter section relate to the Metropolitan Board of Works shall be deemed to have ceased to have effect as from the first day of April one thousand nine hundred and twenty-nine and accordingly the said section 10 and (to the extent aforesaid) the said section 11 are hereby repealed but except as otherwise provided by this Part of this Act without prejudice to anything duly done or suffered thereunder or to any right privilege obligation or liability acquired accrued or incurred thereunder. Repeal of section 10 of Act of 1873.

PART VII.

EXTENSIONS OF TIME.

44. The time limited by the London County Council (Tramway Subway and Improvements) Act 1928 for the compulsory purchase of lands for the widening of Great Queen Street in the city of Westminster and the metropolitan borough of Holborn described in and authorised by that Act is hereby extended until the first day of October one thousand nine hundred and thirty-three. Extension of time for compulsory purchase of land.

A.D. 1931.

Extension of time for completion of Lambeth Bridge.

45. The time limited by the London County Council (Lambeth Bridge) Act 1924 for the completion of the improvement described in and authorised by that Act is hereby extended until the first day of October one thousand nine hundred and thirty-three.

PART VIII.

MISCELLANEOUS.

Service of demand notes for rates.

46. The provisions of section 59 of the Rating and Valuation Act 1925 (relating to the service of demand notes and other documents) shall extend and apply with respect to the service of any demand note for a rate made by a rating authority in the county and the said provisions as so extended and applied shall be in substitution for any provisions in any enactment in force in the county immediately before the passing of this Act with respect to the method of service of such demand notes.

Amendment of sections 3 and 4 of 59 & 60 Vict. c. 55.

47. Sections 3 and 4 of the Quarter Sessions (London) Act 1896 (which sections relate to the appointment of the clerk to the chairman and the clerk to the deputy chairman respectively of the court of quarter sessions for the county of London) shall respectively be read and have effect as if—

(a) the words “three hundred and seventy-five pounds” were substituted in the said section 3 for the words “two hundred and fifty pounds”; and

(b) the words “two hundred and fifty pounds” were substituted in the said section 4 for the words “one hundred and fifty pounds.”

Appointment of officers &c. of tribunal of appeal under London Building Act 1930.

48.—(1) The appointment under section 201 (Officers &c. of tribunal) of the London Building Act 1930 of any clerk officer or servant by the tribunal of appeal constituted in accordance with that Act (in this section referred to as “the tribunal of appeal”) shall be subject to the approval of the Secretary of State.

(2) Any person appointed as aforesaid shall cease to hold his office or employment on attaining the age of sixty-five years or on becoming (in the opinion of the tribunal of appeal) before that age permanently incapable of

discharging the duties of his office or employment with efficiency by reason of infirmity of mind or body Provided that— A.D. 1931,
—

(a) if the tribunal of appeal decide that the vacation of his office or employment on the ground of his attaining the age of sixty-five years would prejudicially affect the discharge of the functions of the tribunal of appeal he may continue in his office or employment for a further period not exceeding one year after he has attained the age of sixty-five years and so on for such further periods not exceeding in each case one year as the tribunal of appeal may decide; and

(b) the tribunal of appeal may by notice in writing given either before or after he has attained the age of sixty years and has completed an aggregate period of service of forty years with the tribunal of appeal require him to vacate his office at any time (not being less than three months after the giving to him of such notice) after he has attained the said age of sixty years and has completed the said period of service of forty years and he shall comply with any such requirement.

(3) The Council may on such terms and conditions as they deem expedient confer upon any person appointed as aforesaid superannuation and other benefits similar to those conferred by any scheme made in pursuance of the provisions of Part IV (Superannuation &c.) of the London Council (General Powers) Act 1891.

(4) For the purpose of giving effect to the provisions of subsection (3) of this section the Council may make such annual or other payments to or out of the superannuation and provident fund established in pursuance of the provisions of Part IV of the London Council (General Powers) Act 1891 as they may think fit and may make a scheme or amend any scheme so made or any existing scheme made under the last-mentioned provisions and those provisions shall subject to the provisions of this section in all respects apply to such new or amended scheme.

(5) Nothing in subsection (1) of this section shall prejudice or affect the appointment of the person who immediately before the passing of this Act held the office

A.D. 1931. — of clerk of the tribunal of appeal but subject as aforesaid the provisions of this section shall apply to him as if he had been appointed after the passing of this Act.

Deposit of plans &c. with clerk of Council.

49.—(1) In any case in which any map plan or other document of any description is deposited with the clerk of the Council pursuant to the standing orders of Parliament or to any Act or any rules or regulations made under any Act or by any Government department there shall be paid to such clerk in respect thereof by the person making the deposit such fees as may be provided by a scale prescribed by the Council and approved by the Minister of Health.

(2) The provisions of section 2 of the Parliamentary Documents Deposit Act 1837 shall extend and apply to maps plans and other documents of every description deposited with the clerk of the Council as aforesaid as if such clerk had been named in the said section in addition to the persons named therein and as if all such maps plans and documents had been referred to in the said section.

Borrowing by metropolitan borough councils for provision of register offices.

50. Section 183 of the Metropolis Management Act 1855 shall be construed as if the expenses incurred by a borough council in the execution of that Act included the expenses incurred by a borough council in the provision of register offices for the purposes of the Births and Deaths Registration Acts 1836 to 1929 and the Marriage Acts 1811 to 1929.

Cesser of rights &c. of Crown Estate Paving Commissioners in certain cases.

51. Notwithstanding anything contained in the Act 5 George IV cap. 100 the Act 6 George IV cap. 38 the Act 9 George IV cap. 64 the Act 2 & 3 William IV cap. 56 and the Crown Estate Paving Act 1851 or any of those Acts all rights powers duties and obligations of the commissioners for the time being acting in the execution of the last-mentioned Act in reference to—

(a) any lands granted conveyed or transferred by the Commissioners of Crown Lands to the Council or to a borough council for the widening or improvement of any street or the construction of a new street; or

(b) any lands appropriated or used for any such purpose with the consent of the Commissioners of Crown Lands;

shall cease to be exerciseable or to be performed by the first-mentioned commissioners as from the date on which

such grant conveyance or transfer takes effect or any such lands are so appropriated or used and as from that date the provisions of the said Acts shall cease to apply to such lands.

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52. Notwithstanding anything in the Saint Marylebone (Church Rate Abolition) Act 1898 or otherwise the Saint Marylebone Council may appropriate as part of the highway known as Marylebone Road the portion of land in the metropolitan borough of Saint Marylebone shown by a brown colour on the plan signed in triplicate by Herbert Dunnico the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (of which plan copies have been deposited in the Committee and Private Bill Office of the House of Commons in the Parliament Office House of Lords and with the town clerk of the said metropolitan borough respectively).

Appropriation of land for improvement of Marylebone Road.

53. As on and from the first day of April one thousand nine hundred and thirty so much of clause 10 of the agreement made between the mayor aldermen and councillors of the metropolitan borough of Deptford (in this section referred to as "the Deptford Council") and the mayor aldermen and councillors of the metropolitan borough of Greenwich (in this section referred to as "the Greenwich Council") and dated the eleventh day of December one thousand nine hundred and one (as modified and confirmed by the Boroughs of Deptford and Greenwich (Adjustment) Scheme 1902) as provides that certain liabilities of the Greenwich District Board of Works shall be apportioned between the Greenwich Council and the Deptford Council in such a manner as will comply with the provisions of section 42 of the London County Council (Improvements) Act 1894 shall cease to have effect and such liabilities shall be apportioned between the Greenwich Council and the Deptford Council on the following basis (that is to say):—

Apportionment of certain payments by Deptford and Greenwich Councils &c.

(a) one-third of the amount of such liabilities shall be discharged by the Greenwich Council; and

(b) the remaining two-thirds of the amount of such liabilities shall be discharged by the Deptford Council and the Greenwich Council in proportion to the total rateable values of the

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metropolitan borough of Deptford and of the parish of Greenwich (as existing immediately before the thirty-first day of March one thousand nine hundred and thirty) respectively as appearing in the valuation lists in force on the said thirty-first day of March one thousand nine hundred and thirty.

Time of election of certain wardens of parish of St. Saviour Southwark.

54. Notwithstanding anything contained in the St. Saviour's Southwark (Church Rate Abolition) Act 1883 the power of the Southwark Council by virtue of section 2 of the Borough of Southwark (St. Saviour) Scheme 1901 (as confirmed by an Order in Council of His late Majesty King Edward VII dated the twenty-fifth day of March one thousand nine hundred and one) to elect annually five wardens of the parish church of St. Saviour Southwark may be exercised at any meeting of the Southwark Council held on or after the first day of January and on or before the last day of the week immediately preceding Easter week in any year.

Grants by Woolwich Council for technical instruction.

55. As on and from the first day of April one thousand nine hundred and thirty so much of proviso (e) to section 2 of the London (Woolwich) Scheme 1900 (as confirmed by an Order in Council of Her late Majesty Queen Victoria dated the seventh day of August one thousand nine hundred) as provides that the costs incurred by the Woolwich Council in making contributions for the purpose of technical instruction shall be raised by a rate levied in the parish of Woolwich together with and as an additional item of the general rate shall cease to have effect and such costs shall (notwithstanding anything contained in the Metropolitan Borough of Woolwich (Union of Parishes) Order 1930 made by the Council under section 57 of the Local Government Act 1888) be raised as part of the general rate for the parish of the borough of Woolwich and shall be charged uniformly over such last-mentioned parish.

Power to Woolwich Council to stop up passage or way.

56. The Woolwich Council may in the metropolitan borough of Woolwich stop up that portion of the passage or way leading from Globe Lane Woolwich to the fore-shore of the river Thames and shown on the deposited plans which is situate above high-water mark of ordinary tides and thereupon all rights of way over the said

portion of the said passage or way shall be extinguished
Provided that the Woolwich Council shall make full
compensation to all parties interested in respect of any
private rights of way extinguished by virtue of this section
and such compensation shall be settled in manner pro-
vided by the Lands Clauses Acts with reference to the
taking of lands otherwise than by agreement. A.D. 1931.
—

57. The powers of the Fulham Council of borrowing
money for the extension and alteration of their electricity
generating station shall include a power with the consent
of the Electricity Commissioners to borrow money for
the payment of interest on money borrowed for capital
expenditure whilst the expenditure remains unremunera-
tive but in no case for a period of more than five years
from the commencement of the financial year next after
that in which such expenditure commences or commenced
to be incurred. Power to
Fulham
Council to
borrow
money for
payment of
interest.

58.—(1) Where any notice or other document under
this Act or under any enactment incorporated with this
Act requires authentication by the Council or a borough
council the signature of the clerk of the Council or of the
town clerk of the metropolitan borough (as the case may
be) shall be sufficient authentication. Authentica-
tion and
service of
notices &c.

(2) Notices and other documents required or author-
ised to be served or given by the Council or a borough
council under this Act or under any enactment in-
corporated with this Act may 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 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 con-
spicuous 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;

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(c) in the case of a firm any such notice or document may be delivered or sent by post addressed to the firm by their firm-name at their principal place of business and any notice or document so sent shall be deemed to have been delivered or sent to each member of the firm (the expressions "firm" and "firm-name" where used in this proviso having the same respective meanings as in the Partnership Act 1890).

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.

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

Penalties to be paid to authorities taking proceedings.

60. 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 proceedings leading to the recovery of the penalty.

Recovery of demands.

61. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter if the demand does not exceed the amount recoverable in that court in a personal action.

Judges not disqualified.

62. 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.

63. 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 incorporated 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.

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—
Saving for
indictments
&c.

64. The Council may expend on capital account for the purposes of this Act such moneys as they may from time to time think fit not exceeding thirty-eight thousand pounds and may borrow or otherwise provide the whole or any part of the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912.

Money to be
raised by
Council on
capital
account.

65. Save as is expressly provided by the section of this Act of which the marginal note is "Cesser of rights &c. of Crown Estate Paving Commissioners in certain cases" nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Crown
rights.

66.—(1) All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this Act) shall be defrayed as payments for general or special county purposes within the meaning of the Local Government Act 1888 according as the Council may decide and the costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and passing of this Act shall be defrayed by the Council in like manner Provided that so much of such last-mentioned costs charges and expenses as may be incurred in respect of or in connection with the provisions contained in—

Payments
under this
Act.

- (a) Part II (Acquisition of land by the Council);
- (b) Part III (Acquisition of land by Kensington Council);
- (c) Part IV (Amendment of Stepney Borough Council (Superannuation) Acts 1905 and 1930);

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- (d) the section of this Act of which the marginal note is "Time of election of certain wardens of parish of St. Saviour Southwark";
- (e) the section of this Act of which the marginal note is "Power to Woolwich Council to stop up passage or way"; and
- (f) the section of this Act of which the marginal note is "Power to Fulham Council to borrow money for payment of interest"

shall unless otherwise agreed be paid as regards (a) by the Court of the University of London as regards (b) by the Kensington Council as regards (c) by the Stepney Council as regards (d) by the Southwark Council as regards (e) by the Woolwich Council and as regards (f) by the Fulham Council and such payments shall in the case of each of the said Councils be made out of the general rate authorised to be levied by those councils respectively.

(2) All expenses incurred by a borough council in the execution of any of the provisions of this Act shall except as otherwise expressly provided be defrayed out of the general rate authorised to be levied by them.

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