



CHAPTER cxx.

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1911 to enable the London County Council to put in force the Lands Clauses Acts. A.D. 1913.

[15th August 1913.]

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1911 on behalf of the London County Council (herein-after called "the Council") and it is requisite that the same should be confirmed by Parliament:

And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are severally described in the schedule to the said Provisional Order as set out in Part III. of the schedule to this Act and are delineated on the plans accompanying the petition referred to in the said Provisional Order and copies of the said plans have been duly deposited in the offices of the two Houses of Parliament:

Be it therefore 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:—

1. The following Order as set out in Part III. of the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation of Order in schedule.

2. Save as otherwise expressly provided nothing herein contained shall be construed to authorise the Council to extinguish Saving of public rights of way.

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Order Confirmation (London, No. 3) Act, 1913.

A.D. 1913. — any public rights of way without such order being obtained as but for this Act would have been required for that purpose.

Council may appropriate &c. for street widenings portions of land acquired.

3. In the case of any lands which the Council are by this Act authorised to acquire and which abut upon streets or roads which are not in the opinion of the Council sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said streets or roads it shall be lawful for the Council to appropriate take and use for the purpose of widening any such streets or roads so much of the said lands as the Council may determine to be necessary for such purpose Provided that if the Council appropriate take or use any part of the said lands for the purpose of widening any street or road such part of the cost of the acquisition thereof and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and expenses of the Council in connexion with street improvements.

No compensation to be paid for improvements &c. made since 18th June 1912.

4. In settling any question of disputed purchase money or compensation payable under this Act by the Council the jury arbitrators or other authority settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the eighteenth day of June one thousand nine hundred and twelve if in the opinion of such jury arbitrators or other authority the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view of obtaining or increasing compensation under this Act.

Owners may be required to sell parts only of certain lands and buildings.

5. Notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the house or other building or manufactory shown on the deposited plan and distinguished thereon by the number specified in Part I. of the schedule to this Act and whereof part only is required for the purposes of this Act may if such part can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such premises without material detriment thereto be required to sell and convey to the Council the part only of the premises so required without the Council

being obliged or compellable to purchase the whole or any greater part thereof. A.D. 1913.

6. 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 for the purposes of this Act in over 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 in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

7. The jury arbitrators or other authority to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Council by the claimant giving sufficient particulars and in sufficient time to enable the Council to make a proper offer and if the jury arbitrators or other authority shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Council have been prejudiced thereby the jury arbitrators or other authority shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Council to amend the statement in writing of the claim delivered by him to the Council in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Council if they object to the amendment and such amendment shall be subject to such terms enabling the Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Acts either contained or was endorsed with a notice of the effect of this section.

Costs of arbitration &c. in certain cases.

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Exemption
from s. 133
of Lands
Clauses Act
1845.

Tenancies
having not
longer than
18 months
to run.

Power to
Council to
stop up cer-
tain streets.

8. Section one hundred and thirty-three of the Lands Clauses Consolidation Act 1845 (relating to land tax and poor rate) shall not apply in the case of any lands of which the Council become possessed by virtue of this Act.

9. Notwithstanding anything contained in the Lands Clauses Acts any claim for compensation under this Act by any person having or in respect of any interest in the lands in respect of which compensation is claimed not greater than that of a lessee or tenant for any term of which not more than eighteen months remain unexpired at the time when the claim is made shall be determined by justices in the manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act 1845.

10.—(1) The Council may stop up the public streets or parts thereof (as the case may be) shown on the deposited plans and distinguished thereon by the numbers specified in Part II. of the schedule to this Act and thereupon all public rights of way over such streets or parts thereof (in this section herein-after referred to as “the streets”) shall be extinguished and the Council may appropriate and use the streets for the purposes of Part III. of the Education Act 1902.

(2) The Council may cause to be removed arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets as shall appear necessary for executing the purposes of this section so that no public sewer or drain (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in anywise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided that before removing or filling up any sewer or drain or part thereof as aforesaid the Council shall (where necessary) cause to be made and built other good and sufficient sewers and drains in substitution for the sewers or drains which shall be filled up and when made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains.

(3) The Council may in any of the streets raise sink or otherwise alter the position of any watercourse and any main pipe or apparatus laid down or used for carrying a supply of

water or water for hydraulic power or gas and also any pipe tube wire or apparatus laid down or placed for supplying electricity or for telegraphic or other purposes and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit and making reasonable compensation for any damage caused by any such alteration Provided that before the Council alter the position of any main pipe or apparatus laid down or used as aforesaid they shall (except in cases of emergency) give to the company body or person (in this section herein-after referred to as "the undertakers") to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Council) of the undertakers to whom such main pipe or apparatus belongs unless such undertakers refuse or neglect to give such superintendence at the time specified in the notice for the commencement of such work or discontinue the same during the execution of such work and the Council shall execute such work to the reasonable satisfaction of such undertakers Provided also that the Council shall not cause any of the streets to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main or pipe in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Council shall in such case protect such main or pipe from frost or injury by artificial covering to the satisfaction of the undertakers to whom the same belong or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Council in such case provide special means of access to the same to the satisfaction of such undertakers.

(4) If within seven days after a notice under subsection (3) of this section shall have been served upon any undertakers those undertakers so elect they shall themselves execute all such alterations to their mains and pipes as may from time to time be necessary for the purposes of this Act and the reasonable costs of executing such alterations shall be repaid to them by the Council Provided that such alterations shall be carried out

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Order Confirmation (London, No. 3) Act, 1913.

A.D. 1913. in accordance with the directions and to the reasonable satisfaction
— of the Council.

(5) If any difference arise between the Council and any such undertakers touching the amount of any costs or expenses under the foregoing provisions of this section to be paid by the Council to any such undertakers or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the Council and the undertakers or failing agreement by such engineer as shall on the application either of the Council or of such undertakers be named by the President of the Institution of Civil Engineers.

(6) The powers conferred upon the Council by this section shall not be exercised in regard to the streets specified in Part II. of the schedule to this Act until the Council are owners in possession of all lands and premises having access thereto and immediately abutting thereupon except so far as the owners lessees and occupiers of such lands and premises may otherwise agree.

(7) Nothing in this section shall extend to authorise the Council to raise sink or otherwise alter the position of any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and belonging to the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

(8) Nothing in this section shall extend to prejudice or affect any of the provisions for the protection of any undertakers authorised to supply electrical energy contained in any special Act or any Provisional Order confirmed by Act of Parliament.

Short title.

11. This Act may be cited as the Education Board Provisional Order Confirmation (London No. 3) Act 1913.

SCHEDULE.

A.D. 1913.

PART I.

PARTS OF PREMISES WHICH MAY BE ACQUIRED COMPULSORILY
BY THE COUNCIL.

Metropolitan Borough.	Plan Number.	Distinguishing Number on Plan.
Camberwell - - - - -	18	5

PART II.

THE STREETS WHICH MAY BE STOPPED UP BY THE COUNCIL.

Metropolitan Borough.	Plan Number.	Name of Street.	Distinguishing Number on Plan.
Bethnal Green - -	14	Surat Street - - -	40
Greenwich - - -	26	The Orchard - - -	12
Poplar - - - -	70	Holden Road - - -	24
Poplar - - - -	72	Rook Street - - -	30

PART III.

A.D. 1913.

—
*London
County
Council.*

EDUCATION ACTS 1870-1911
AND
BOARD OF EDUCATION ACT 1899.

THE LONDON COUNTY COUNCIL.

*Provisional Order (No. 3) for putting in force the
Lands Clauses Acts.*

WHEREAS the London County Council require to purchase divers pieces of land for the purposes of Part III. of the Education Act 1902 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereto:

And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1911 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the Board of Education required:

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiries to be made in the districts wherein the said lands are situate as to the propriety of the proposed Order:

And whereas so far as under subsection (2) of section 2 of the Education (London) Act 1903 the concurrence of the council of any metropolitan borough is required to any compulsory acquisition authorised by this Order that council concur in that proposed compulsory acquisition or where they do not concur the Board of Education are satisfied that their concurrence should be dispensed with:

And whereas the Board of Education have received reports after the inquiries above mentioned and having duly considered the same are satisfied of the propriety of the proposed Order:

[3 & 4 GEO. 5.] *Education Board Provisional* [Ch. cxx.]
Order Confirmation (London, No. 3) Act, 1913.

Now therefore the Board of Education do hereby order that the London County Council be authorised to put in force with reference to the lands set forth in the schedule hereto the powers of the said Acts (except the provisions relating to access to the special Act) for the purchase and taking of lands otherwise than by agreement or any of them.

A.D. 1913.

*London
County
Council.*

Given under the seal of office of the Board of Education this
twenty-third day of April one thousand nine hundred and thirteen.

(L.S.)

H. J. SIMMONDS
One of the Assistant Secretaries of the
Board of Education.

The SCHEDULE herein-before referred to.

Plan No. 7.

METROPOLITAN BOROUGH OF BATTERSEA.

Land houses and premises known as Nos. 61 63 65 and 67 Tay-
bridge Road containing 7,560 square feet or thereabouts as the same
are shown on the Plan No. 7 and distinguished thereon by the Nos. 1
to 4 inclusive.

Plan No. 14.

METROPOLITAN BOROUGH OF BETHNAL GREEN.

Land houses and premises known as Nos. 26 to 60 (even numbers)
(inclusive) Moss Street Nos. 1 to 40 (inclusive) Surat Street No. 1 Davis
Place and No. 11 Smart Street and so much of Surat Street as abuts
on the premises aforesaid containing 50,865 square feet or thereabouts
as the same are shown on the Plan No. 14 and distinguished thereon
by the Nos. 1 to 61 inclusive.

Plan No. 17.

METROPOLITAN BOROUGH OF CAMBERWELL.

Land houses and premises known as Nos. 17 19 21 23 25 27 29
and 31 Crystal Palace Road containing 30,720 square feet or there-
abouts as the same are shown on the Plan No. 17 and distinguished
thereon by the Nos. 1 to 8 inclusive.

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Plan No. 18.

METROPOLITAN BOROUGH OF CAMBERWELL.

Land houses and premises known as Nos. 26 28 30 and 32 Elm Grove together with the piece of vacant land at the rear thereof containing 49,700 square feet or thereabouts as the same are shown on the Plan No. 18 and distinguished thereon by the Nos. 1 to 5 inclusive.

Plan No. 21.

METROPOLITAN BOROUGH OF DEPTFORD.

Land houses and premises known as Nos. 1 to 39 (odd numbers) (inclusive) Adolphus Street and Nos. 2 to 40 (even numbers) (inclusive) Idonia Street containing 64,590 square feet or thereabouts as the same are shown on the Plan No. 21 and distinguished thereon by the Nos. 1 to 40 inclusive.

Plan No. 26.

METROPOLITAN BOROUGH OF GREENWICH.

Land houses and premises known as Nos. 232 234 and 236 Church Street Nos. 4 6 8 16 18 22 24 and 26 Stowage and Nos. 25 to 34 (inclusive) The Orchard the yards sheds and buildings between Nos. 8 and 16 (respectively) Stowage so much of the passage known as The Orchard as lies on the east side of No. 18 Stowage and on the north side of No. 25 The Orchard the yard and sheds on the west side of No. 22 Stowage and the piece of land bounded on the north and east sides by the before-mentioned property and on the west side by Church Street containing 39,400 square feet or thereabouts as the same are shown on the Plan No. 26 and distinguished thereon by the Nos. 1 to 26 inclusive.

Plan No. 45.

METROPOLITAN BOROUGH OF ISLINGTON.

Land houses and premises known as Nos. 24 to 42 (inclusive) Luard Street Nos. 7 to 25 (inclusive) Twyford Street and Nos. 12 14 16 and 18 Bemerton Street containing 50,950 square feet or thereabouts as the same are shown on the Plan No. 45 and distinguished thereon by the Nos. 1 to 42 inclusive.

Plan No. 57.

METROPOLITAN BOROUGH OF PADDINGTON.

Land houses and premises known as Nos. 9 10 11 12 13 14 and 15 Maida Hill West containing 22,310 square feet or thereabouts as the same are shown on the Plan No. 57 and distinguished thereon by the Nos. 1 to 7 inclusive.

Plan No. 59.

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METROPOLITAN BOROUGH OF PADDINGTON.

London
County
Council.

Land houses and premises known as Nos. 41 to 49 (inclusive) Star Street land stables yard and premises known as Nos. 1 to 5 (inclusive) Market Street Mews the yard known as Market Street Mews and Nos. 42 and 42A Market Street containing 15,460 square feet or thereabouts as the same are shown on the Plan No. 59 and distinguished thereon by the Nos. 1 to 16 inclusive.

Plan No. 61.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 11 12 and 13 Ashton Street and Nos. 11 and 13 Woolmore Street containing 5,130 square feet or thereabouts as the same are shown on the Plan No. 61 and distinguished thereon by the Nos. 1 to 5 inclusive.

Plan No. 63.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 6 to 26 (even numbers) (inclusive) Vernon Road and Nos. 1 to 21 (odd numbers) (inclusive) Cardigan Road containing 44,660 square feet or thereabouts as the same are shown on the Plan No. 63 and distinguished thereon by the Nos. 1 to 22 inclusive.

Plan No. 64.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 41 to 55 (odd numbers) (inclusive) Aberfeldy Street Nos. 33 35 and 37 Dee Street and Nos. 33 35 and 37 Culloden Street containing 15,750 square feet or thereabouts as the same are shown on the Plan No. 64 and distinguished thereon by the Nos. 1 to 14 inclusive.

Plan No. 65.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 38 to 78 (even numbers) (inclusive) Burcham Street Nos. 50 52 54 56 58 60 and 62 Ida Street and Nos. 45 to 85 (odd numbers) (inclusive) Willis Street containing 44,740 square feet or thereabouts as the same are shown on the Plan No. 65 and distinguished thereon by the Nos. 1 to 49 inclusive.

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*London
County
Council.*

Plan No. 66.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 5 7 9 11 13 and 15 Wellington Road containing 52,440 square feet or thereabouts as the same are shown on the Plan No. 66 and distinguished thereon by the Nos. 1 to 6 inclusive.

Plan No. 67.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 25 27 29 31 33 35 37 and 39 Dace Road containing 5,880 square feet or thereabouts as the same are shown on the Plan No. 67 and distinguished thereon by the Nos. 1 to 8 inclusive.

Plan No. 69.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 2 to 22 (even numbers) (inclusive) Bruce Road and premises comprising stables coach-houses workshops yards and outbuildings bounded on the north by the Council's school in St. Leonard's Street on the west by No. 10 Bruce Road on the south by Nos. 2 4 6 and 8 Bruce Road and on the east by St. Leonard's Street containing 18,850 square feet or thereabouts as the same are shown on the Plan No. 69 and distinguished thereon by the Nos. 1 to 13 inclusive.

Plan No. 70.

METROPOLITAN BOROUGH OF POPLAR.

Land houses and premises known as Nos. 10 to 34 (even numbers) (inclusive) Eagling Road Nos. 100 102 104 106 and 108 Bruce Road Nos. 7 9 11 13 and 15 Botolph Road and Nos. 1 2 3 4 5 6 7 8 9 10A 11A 11 12 13 14 15 16 17 18 19 20 21 22 and 23 Holden Road together with the thoroughfare known as Holden Road containing 45,830 square feet or thereabouts as the same are shown on the Plan No. 70 and distinguished thereon by the Nos. 1 to 48 inclusive.

Plan No. 71.

METROPOLITAN BOROUGH OF POPLAR.

Land house and premises known as Perseverance House and abutting on Billson Street on the north side thereof and the premises comprising an office workshops and yard on the east side thereof containing 8,650 square feet or thereabouts as the same are shown on the Plan No. 71 and distinguished thereon by the Nos. 1 and 2.

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Plan No. 72.

A.D. 1913.

METROPOLITAN BOROUGH OF POPLAR.

*London
County
Council.*

Land houses and premises known as Nos. 8 to 22 (inclusive) Sophia Street Nos. 8 and 10 Shirbutt Street Nos. 12 to 20 (inclusive) and 20A Hale Street and Nos. 11 to 37 (inclusive) Rook Street together with so much of Rook Street as abuts on Nos. 14 to 34 (inclusive) Rook Street containing 38,175 square feet or thereabouts as the same are shown on the Plan No. 72 and distinguished thereon by the Nos. 1 to 55 inclusive.

Plan No. 78.

METROPOLITAN BOROUGH OF STEPNEY.

Land houses and premises known as Nos. 31 to 57 (odd numbers) (inclusive) Walker Street containing 23,900 square feet or thereabouts as the same are shown on the Plan No. 78 and distinguished thereon by the Nos. 1 to 14 inclusive.

Plan No. 81.

METROPOLITAN BOROUGH OF STEPNEY.

Land houses and premises known as Nos. 238 to 252 (even numbers) (inclusive) Bow Common Lane Nos. 29 31 33 and 35 Single Street and Nos. 62 64 66 and 68 Bridge Street containing 13,660 square feet or thereabouts as the same are shown on the Plan No. 81 and distinguished thereon by the Nos. 1 to 16 inclusive.

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