



### CHAPTER ciii.

An Act to make provision with regard to high-pressure gas meters music and dancing licences lying-in homes establishments for massage or special treatment and dangerous businesses to make provision as to the administration of powers under the Lunacy Acts to confer various powers upon the London County Council the corporation of the city of London and the metropolitan borough councils and for other purposes. A.D. 1915.

[28th October 1915.]

**W**HEREAS the testing and stamping of gas meters are regulated by the Sale of Gas Act 1859 and that Act contains other provisions with respect to such meters :

And whereas the observance of the rules prescribed by the said Act of 1859 does not constitute a correct test of the soundness and accuracy of meters used for measuring gas supplied at high pressure and certain other provisions of the said Act are not properly applicable to such meters as last aforesaid :

And whereas it is expedient that the provisions contained in this Act with respect to such meters and to the testing thereof should be enacted :

And whereas the London County Council (hereinafter referred to as "the Council") are precluded from granting under the Disorderly Houses Act 1751 licences for music and dancing at any meeting other than an annual autumn meeting :

And whereas it is expedient that the Council should be enabled to grant such licences at any time during the year and that the other provisions in this Act contained with

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915. regard to the licensing of premises to which the said Act of 1751 applies should be enacted:

And whereas it is expedient that provisions as in this Act contained with regard to the control and regulation of premises in the administrative county of London used for the reception of women for the purposes of childbirth and for the reception or treatment of persons requiring massage manicure chiropody light electric vapour or other baths or other similar treatment should be enacted with a view to the prevention of immorality and in the interests of the health of women received for the purposes of childbirth as aforesaid:

And whereas it is expedient that the provisions of section 118 of the London Building Act 1894 with regard to dangerous businesses as therein defined should be modified as hereinafter provided:

And whereas it is expedient that the provisions contained in this Act with respect to the administration of the provisions of the Lunacy Acts 1890 to 1911 in their application to the Council should be enacted:

And whereas it is expedient that the provisions contained in this Act should be enacted with respect to the acquisition by the Council of certain lands in the metropolitan borough of Camberwell for the purposes of the Lunacy Acts 1890 to 1911 and ancillary purposes and to the use by the Council of lands for purposes other than those for which such lands are vested in them and that the time for the completion by the Council of certain authorised works should be extended:

And whereas it is expedient that such further powers as are in this Act contained should be conferred upon the metropolitan borough councils with respect to the recovery of expenses incidental to the execution of works in streets:

And whereas it is expedient that the provisions contained in this Act should be enacted with respect to the acquisition of lands by the council of the metropolitan borough of Paddington (hereinafter referred to as "the Paddington Council") for the purposes of the Baths and Washhouses Acts 1846 to 1896 and the Cleansing of Persons Act 1897 and other matters incidental thereto and with respect to the borrowing of certain moneys by the council of the metropolitan borough of Stepney (hereinafter referred to as "the Stepney Council"):

And whereas it is expedient that the Paddington Council and the Stepney Council should be empowered and required to contribute to the costs charges and expenses incidental to the preparing applying for obtaining and passing of this Act : A.D. 1915.

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 the Paddington Council and the Stepney Council have in relation to the promotion of the Bill for this Act (so far as the same confers upon them respectively the powers aforesaid) complied with the requirements contained in the First Schedule to the Borough Funds Act 1903 :

And whereas the Council have deposited with the clerk of the peace for the county of London plans describing the lands which may be compulsorily taken under the powers of this Act and also 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 the said lands and such plans and book of reference are respectively referred to in this Act as the deposited plans and book of reference :

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 1915. Short title.

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

Part I.—Introductory.

Part II.—High-pressure Gas Meters.

Part III.—Music and Dancing Licences.

Part IV.—Lying-in Homes.

Part V.—Establishments for Massage or Special Treatment.

Division of  
Act into  
Parts.

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

Part VI.—Dangerous Businesses.

Part VII.—Provisions as to Lunacy and other Acts.

Part VIII.—Acquisition of Lands for purposes of Lunacy Acts.

Part IX.—Powers to Paddington Council.

Part X.—Powers to Stepney Council.

Part XI.—Miscellaneous and Financial Provisions.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts (except sections 127 and 133 of the Lands Clauses Consolidation Act 1845) so far as the same are applicable for the purposes of and not inconsistent with or varied by this Act are hereby incorporated with and form part of this Act:

Provided that notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 any claim for compensation under this Act or any Act incorporated herewith 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 121 of the said Lands Clauses Consolidation Act.

Interpretation.

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

“The Council” means the London County Council;

“The county” where used in Part II. (High-pressure Gas Meters) of this Act means the administrative county of London exclusive of the city of London and where used in any other Part of this Act means the administrative county of London;

“The Act of 1859” means the Sale of Gas Act 1859;

“The Sale of Gas Acts” means the Act of 1859 as amended by the Metropolis Gas Act 1861;

“Inspector” means an inspector appointed under and for the purposes of the Sale of Gas Acts or the Act of 1859;

“High-pressure gas” means gas supplied at such pressure as to balance a column of water not less than ten inches high;

- “Standard pressure” means a barometric pressure of thirty inches ;
- “Standard temperature” means a temperature of sixty-two degrees of Fahrenheit’s thermometer ;
- “High-pressure meter” means a meter (as defined by the Act of 1859) used or intended to be used for the purpose of ascertaining the quantity of high-pressure gas bought or sold ;
- “Compensating meter” means a high-pressure meter constructed to measure gas supplied at varying pressures ;
- “The Act of 1751” means the Disorderly Houses Act 1751 ;
- “The Lunacy Acts” means the Lunacy Acts 1890 to 1911 ;
- “Lying-in home” means any premises in the county used or represented as being or intended to be used (whether regularly or on any occasion) for the reception of a woman or women for the purposes of childbirth where any payment or reward is made or given by or on behalf of any woman received therein in respect of such reception but the reception of any woman in any house flat or other self-contained premises taken and held by such woman (or by the husband of such woman) for the purpose of accommodating her during her confinement shall not constitute such premises a lying-in home ;
- “Establishment for massage or special treatment” means any premises in the county used or represented as being or intended to be used for the reception or treatment of persons requiring massage manicure chiropody light electric vapour or other baths or other similar treatment but does not include a lying-in home ;
- “The corporation” means the mayor and commonalty and citizens of the city of London acting by the mayor aldermen and commons of the city of London in common council assembled ;
- “Borough council” means any metropolitan borough council ;
- “The Paddington Council” means the council of the metropolitan borough of Paddington ;
- “The Stepney Council” means the council of the metropolitan borough of Stepney.

A.D. 1915.

A.D. 1915.

PART II.

HIGH-PRESSURE GAS METERS.

High-pressure meters to comply with provisions of this Part of Act.

5.—(1) On and after the first day of April one thousand nine hundred and sixteen no high-pressure meter shall be stamped by an inspector in the county except in accordance with the provisions of the Sale of Gas Acts as amended by this Part of this Act and no high-pressure meter shall be used in the county for buying and selling high-pressure gas or for the collecting of any rates or duties or for making any charges on the passage transmission or conveyance of high-pressure gas unless such meter is stamped by an inspector in accordance with the provisions of the said Acts or of the Act of 1859 as amended by this Part of this Act. Provided that as regards any high-pressure meter in use in the county at the date of the passing of this Act the provisions of this Part of this Act shall not come into operation until the first day of April one thousand nine hundred and twenty and that notwithstanding anything contained in this Part of this Act any such meter may (subject to the provisions of the Act of 1859) continue to be used until the last mentioned date as if this Act had not been passed.

(2) On and after the first day of April one thousand nine hundred and sixteen the Act of 1859 as regards high-pressure meters to be stamped or in use or intended for use in the county as aforesaid shall be read and have effect as if the provisions of this Part of this Act (other than the section of this Part of this Act of which the marginal note is "As to payments under this Part of Act") had been inserted in the Act of 1859 instead of sections 12 13 and 19 thereof.

High-pressure meters to comply with certain rules.

6. Every high-pressure meter shall comply with the following rules :—

(1) The meter shall have permanently marked upon it in some conspicuous place the words "High-pressure Meter" together with particulars of the pressure or (in the case of a compensating meter) the minimum and maximum pressures at which it is constructed to be used such particulars to be in terms either of the height in inches of a column of water or mercury or of pounds to the square inch :

(2) The meter shall be so designed and constructed as to ensure that when the supply of gas to such meter is

turned on or off there shall be no undue strain upon the mechanism of the meter : A.D. 1915.

- (3) In the case of any meter which is so constructed as to allow gas supplied through such meter to exert pressure on any glass used in connection with such meter plate glass only shall be so used and such glass shall be adequately protected by metal bars :
- (4) The measuring capacity at one revolution or complete action of the meter and also the quantity of gas per hour at standard pressure and standard temperature which it is intended to measure in cubic feet or multiples or decimal parts of a cubic foot shall be permanently denominated or marked on the index of the meter in legible letters or figures :
- (5) The index of every meter shall be so fixed in the meter that such meter may be readily stamped by an inspector in such manner that the index cannot be interfered with or removed from the meter without defacing the stamp :
- (6) That part of the meter containing the index and the gearing between the index and the measuring chambers shall be secured to the other parts of the meter so that the meter may be readily stamped by an inspector in such manner that the meter cannot be opened without defacing the stamps.

7.—(1) No high-pressure meter shall be stamped by an inspector unless after examining and testing the index thereof he is satisfied as to the accuracy of such index.

Rules for testing high-pressure meters.

(2) Every high-pressure meter for the purpose of being tested shall be fixed upon a horizontal base and be tested by an inspector in accordance with the following rules:—

Test for soundness or leakage—

- (a) Gas shall be passed into the meter under a pressure equivalent to double the pressure or (in the case of a compensating meter) the maximum pressure at which the meter is constructed to be used and the outlet of the meter shall be closed and if there is any leakage or defect in the meter whereby gas

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

escapes the meter shall be deemed to be unsound and shall not be stamped. Provided that where the pressure or (in the case of a compensating meter) the maximum pressure at which a meter is constructed to be used exceeds twenty-five pounds to the square inch the pressure under which the gas shall be passed into the meter shall be equivalent to one and one half times the pressure or maximum pressure (as the case may be) at which the meter is constructed to be used; and

(b) Gas shall be passed into the meter under a pressure equivalent to the pressure or (in the case of a compensating meter) the maximum pressure at which the meter is constructed to be used and shall be allowed to pass out of the meter at the following respective rates according to the quantity of gas per hour which the meter is intended to measure as marked thereon:—

Quantity of Gas per Hour which Meter is intended to measure.	Rate per Hour at which Gas is to be allowed to pass out.
Not exceeding 120 cubic feet.	Not exceeding one-twentieth part of the quantity per hour marked on the meter or 3 cubic feet whichever is the less.
Exceeding 120 cubic feet but not exceeding 1,000 cubic feet.	Not exceeding one-sixtieth part of the quantity per hour marked on the meter or 8 cubic feet whichever is the less.
Exceeding 1,000 cubic feet but not exceeding 2,000 cubic feet.	Not exceeding 10 cubic feet.
Exceeding 2,000 cubic feet	Not exceeding 15 cubic feet.

Provided that in no case shall the rate at which gas is allowed to pass out of a meter as aforesaid be less than one half of a cubic foot per hour. Any meter found not to work under such conditions shall not be stamped.

Test for correct measurement or percentage of error—

A sufficient quantity of gas or atmospheric air shall be passed through the meter at the pressure or (in the



case of a compensating meter) the varying pressures at which the meter is constructed to be used and in a quantity per hour equal to the quantity of gas per hour which the meter is intended to measure as marked thereon. Any water used in such testing and the air of the room in which such testing is made shall be as nearly as practicable of the same temperature as the gas or air passed through the meter. If the meter registers quantities varying from the true standard measure of gas more than two per centum when corrected to standard pressure and standard temperature it shall be deemed to be incorrect as to measurement and shall not be stamped.

A.D. 1915.

8. No high-pressure meter shall be used unless it have affixed thereto or immediately adjacent thereto a gauge or gauges or similar device or devices of such a character and so affixed that the pressure of the gas passing through the meter and (in the case of a compensating meter) the accuracy of the correcting mechanism may be readily determined by the consumer. Notice of the effect of the provisions of this section shall be permanently and legibly marked on every high-pressure meter before it is submitted for stamping by an inspector.

High-pressure meters not to be used without gauges.

9. Every high-pressure meter which shall be found by an inspector to comply with the rules contained in this Part of this Act and when tested in accordance with the provisions of this Part of this Act to be sound and to work and to measure and register accurately within the limits set forth in the said provisions shall be deemed to be correct and shall be stamped by the inspector in such manner and on such part of the meter as shall be directed by the authority appointing him or in default of such direction as shall in his opinion best prevent fraud.

High-pressure meters under certain circumstances to be stamped.

10. Fees for the examination comparison and testing with or without stamping of high-pressure meters pursuant to the provisions of the Sale of Gas Acts or of the Act of 1859 as amended by this Part of this Act shall be payable according to the volume of gas which such meters are respectively capable of delivering in one revolution or complete action of the meter as follows ;—

Fees for testing and stamping high-pressure meters.

[Ch. ciii.] London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.

A.D. 1915.

Volume of Gas which the Meter is capable of delivering as aforesaid.	Fees.
Not exceeding 2 cubic feet - - -	Three shillings.
Exceeding 2 cubic feet but not exceeding 20 cubic feet.	Three shillings together with one shilling for each cubic foot or part thereof beyond two cubic feet.
Exceeding 20 cubic feet but not exceeding 100 cubic feet.	One pound and one shilling together with sixpence for each cubic foot or part thereof beyond twenty cubic feet.
Exceeding 100 cubic feet - - -	Three pounds and one shilling together with threepence for each cubic foot or part thereof beyond one hundred cubic feet.

Power to use by agreement meters for measuring gas otherwise than at standard pressure.

11.—(1) Notwithstanding anything contained in this Part of this Act any meter (not being a meter in use at the date of the passing of this Act or a meter intended to be used for the purpose of registering at standard pressure the quantity of high-pressure gas bought or sold) may (subject to the provisions of the section of this Act of which the marginal note is “High-pressure meters not to be used without gauges”) by agreement between any gas company and a consumer of high-pressure gas supplied by such company be used at any time before the first day of April one thousand nine hundred and twenty for selling gas to and buying gas by such consumer and for the collecting of rates and duties and for making charges on the passage transmission and conveyance of such gas provided that there be permanently marked upon such meter in some conspicuous place particulars of the pressure at which it is constructed to be used and that such meter—

- (a) comply with the requirements of subsections (2) (3) (5) and (6) of the section of this Act of which the marginal note is “High-pressure meters to comply with certain rules”;
- (b) satisfy the test prescribed by paragraph (a) of subsection (2) of the section of this Act of which the marginal note is “Rules for testing high-pressure meters”; and
- (c) be a correct and sound meter within the meaning of the Act of 1859.

(2) Any meter which is intended to be so used under any such agreement as aforesaid and which complies with the

conditions specified in subsection (1) of this section shall notwithstanding anything contained in this Part of this Act be stamped as complying with the requirements of the Sale of Gas Acts or of the Act of 1859 as amended by this Part of this Act upon payment of the appropriate fee under the provisions of the section of this Act of which the marginal note is "Fees for testing and stamping high-pressure meters" for the examination comparison and testing of such meter Provided that no such meter as aforesaid shall be stamped by an inspector unless he be satisfied that the meter is intended to be used under such an agreement as aforesaid.

A.D. 1915.

(3) Nothing contained in or done under this section shall have any force or effect after the said first day of April one thousand nine hundred and twenty.

**12.** All costs and expenses of the Council in the execution of this Part of this Act shall be defrayed as payments for special county purposes within the meaning of the Local Government Act 1888.

As to payments under this Part of Act.

**13.** Nothing in this Part of this Act shall confer any exemption from the provisions of any general Act relating to high-pressure gas meters which may be passed in any future Session of Parliament.

Saving for general Acts.

### PART III.

#### MUSIC AND DANCING LICENCES.

**14.** Notwithstanding anything contained in the Act of 1751 or any other Act—

Provisions with respect to music and dancing licences.

- (1) Any licence which the Council may grant under or in pursuance of the Act of 1751 may be granted at any meeting or adjourned meeting of the Council and upon such terms and conditions and subject to such restrictions as the Council may determine;
- (2) The Council may on any application made to them for that purpose transfer any such licence;
- (3) Subject to the provisions hereinafter contained as to the revocation of a licence by the Council every licence granted as aforesaid shall be in force for one year or for such shorter period as the Council on the grant of the licence may determine; and

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

(4) If any person applies to the Council for a licence of exemption on any special occasion or occasions from the provisions of the Act of 1751 as amended by the Public Entertainments Act 1875 relating to the hours during which premises may be kept open for the purpose of public dancing singing music or other public entertainment of the like kind it shall be lawful for the Council if in their discretion they think fit so to do to grant to the applicant a licence of exemption from the said provisions during such hours and on such special occasion or occasions as may be specified in such licence and upon such terms and conditions as the Council may determine.

Amendment of Act of 1751 with regard to inscriptions on premises licensed by Council.

**15.** The provisions of section 3 of the Act of 1751 with regard to inscriptions to be affixed and kept up on premises licensed under the said Act shall not apply with respect to any premises licensed by the Council.

Penalties for offences in respect of licences for dancing &c.

**16.—(1)** The provisions of section 2 of the Act of 1751 with regard to the forfeiture of the sum of one hundred pounds shall not apply in the case of any premises in respect of which a licence from the Council is required under or in pursuance of the provisions of the Act of 1751 but in the event of any such premises being kept or used for public dancing singing music or other public entertainment of the like kind without a licence for such purposes first obtained from the Council the person keeping or rated as occupier of the same shall be liable on summary conviction to a penalty not exceeding one hundred pounds and in the case of a continuing offence to a further penalty not exceeding fifty pounds for every day on which the same are so kept or used after conviction thereof.

(2) In the case of any contravention of any of the terms and conditions upon or subject to which a licence to keep or use any premises for public dancing singing music or other public entertainment of the like kind was granted or transferred by the Council the holder thereof shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to a further penalty not exceeding five pounds for each day on which such offence continues after conviction thereof and such licence shall be liable to be revoked by the Council.

PART IV.

A.D. 1915.

LYING-IN HOMES.

17.—(1) On and after the first day of February one thousand nine hundred and sixteen (which date is in this Part of this Act referred to as "the prescribed date") it shall not be lawful for any person to carry on a lying-in home unless the name of such person and the premises used or represented as being or intended to be used for the purpose of such home are registered with the Council.

Registration  
of lying-in  
homes.

(2) Any person requiring registration in respect of any such home shall make application in writing to the Council under his own name and shall in such application state—

(a) his private address or in the case of an application by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body; and

(b) the name under which and the address at which such home is carried on or proposed to be carried on;

and when making such application shall pay to the Council such fee as they may from time to time fix not exceeding five shillings.

(3) Every person carrying on any such home at the date of the passing of this Act and requiring registration in respect thereof shall make application for such registration within one month after the date or (if more than one) the latest date of publication of the advertisements with regard to this Part of this Act referred to in the section of this Act of which the marginal note is "Notice of certain Parts of Act to be given."

(4) Subject as in this section provided the Council shall as soon as reasonably practicable after the receipt of an application under the provisions of this Part of this Act (and not later in the case of an application under subsection (3) of this section than the prescribed date) register the name of the applicant and the premises specified in his application.

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

(5) The Council by order to be served on the person carrying on or proposing to carry on any such home may refuse to register the name of such person or the premises used or represented as being or intended to be used for the purposes of such home or may cancel the registration of such person or premises if—

- (a) The Council have reason to believe that the person carrying on or proposing to carry on such home is of bad character; or
- (b) The premises or their equipment are unsuitable for the purposes of a lying-in home; or
- (c) The Council have reason to believe that the premises or any other premises used for any purpose in connection with such first-mentioned premises or with any business or occupation carried on therein are being used for any immoral purpose.

(6) Before making any such order the Council shall give to the person carrying on or proposing to carry on such home not less than seven days' previous notice in writing of their intention to make such order and such notice shall state the grounds on which the order is proposed to be made and on written application made to them by such person within seven days after the giving of such notice they shall afford to such person an opportunity of being heard against such order.

(7) Any such order cancelling any registration shall take effect at such time as may be specified in the order not being less than fourteen days after the service thereof but in the event of an appeal against any such order the order shall not come into operation unless and until it has been confirmed on appeal or the appeal has been abandoned.

(8) Any person who deems himself to be aggrieved by any order made by the Council under this section may appeal to a metropolitan police magistrate or in the case of any lying-in home in the city of London to a magistrate of that city provided that such appeal is made within fourteen days after the order has been served upon him and that not less than four days' notice in writing of such appeal is sent to the Council.

The magistrate after considering any representations made on behalf of the Council may if he thinks fit confirm such

order or direct the Council to withdraw such order and as soon as reasonably practicable the Council shall give effect to such direction. A.D. 1915.

**18.** Any officer duly authorised by the Council in that behalf may subject to such regulations (if any) as may be made by the Council at all reasonable times enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of a lying-in home. Powers as to entry and inspection.

**19.** Subject to the provisions of this Part of this Act— Penalties for offences in respect of lying-in homes.

(1) Every person who carries on a lying-in home in contravention of the provisions of this Part of this Act shall be liable on summary conviction to a penalty not exceeding fifty pounds and to a further penalty not exceeding twenty pounds for each day on which the offence continues after conviction thereof and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a fine impose any period of imprisonment not exceeding three months; and

(2) Every person who—

(a) Refuses to permit any officer of the Council to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or obstructs any such officer in the execution of such provisions; or

(b) After the prescribed date issues publishes or displays at the instance or on behalf of any person carrying on a lying-in home which is not registered in accordance with the provisions of this Part of this Act any advertisement of such lying-in home after a period of seven days from the receipt of notice in writing from the Council or the publication of notice in the London Gazette that the registration of such home has been refused or cancelled under the provisions of this Part of this Act

shall be liable on summary conviction to a penalty not exceeding five pounds and to a further penalty not exceeding two pounds for each day on which the offence continues after conviction thereof:

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

(3) The court may in addition to imposing a penalty under this section order the cancellation of the registration :

Provided that no person who shall have appealed to a magistrate in accordance with the provisions of this Part of this Act against any order made by the Council thereunder shall be liable to any proceedings under this section for the offence of carrying on a lying-in home in contravention of the provisions of this Part of this Act until such order shall have been confirmed on appeal or the appeal shall have been abandoned.

Saving for certain premises.

**20.**—(1) Notwithstanding anything contained in this Part of this Act the foregoing provisions thereof shall not apply in the case of—

- (a) Any hospital infirmary institution or other establishment maintained or controlled by any Government department or any local authority or other authority or body constituted by Parliament or incorporated by Royal Charter; or
- (b) Any hospital for the time being recognised by any committee or body administering any of the publicly subscribed funds known respectively as King Edward's Hospital Fund for London the Hospital Sunday Fund and the Hospital Saturday Fund as a hospital to which grants from any of such funds may be made; or
- (c) Any institution or home for the training of persons desirous of becoming midwives which is for the time being approved by the Central Midwives' Board constituted under the Midwives Act 1902; or
- (d) Any lying-in home in which only relatives of the person carrying on such home are received for the purposes of childbirth.

(2) For the purposes of this section the expression "relatives" means sisters daughters granddaughters nieces aunts or mothers by consanguinity or affinity and in the cases of persons of illegitimate birth persons who would be so related if legitimate.

This Part of Act not to apply under certain conditions to homes

**21.** Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of a lying-in home carried on by a duly qualified medical practitioner with respect to which there shall have been lodged with the Council a



certificate in a form to be approved by them and signed by two duly qualified medical practitioners practising or residing in the county not being in partnership with such first-mentioned medical practitioner or with each other and not having any financial or other interest in such home to the effect that the premises used or represented as being or intended to be used for such home and the equipment of such premises are in all respects suitable for the purpose and that the medical practitioner carrying on or proposing to carry on such home is a fit and proper person to carry on the same. Provided that any such certificate (a) shall not be valid with respect to any person or premises other than the person or premises specified therein and (b) shall be valid for a period not exceeding twelve months expiring on the thirty-first day of January in any year.

A.D. 1915.  
—  
carried on  
by medical  
practitioners.

**22.** The Council may delegate to any borough council with or without any restrictions or conditions as the Council may think fit any powers or duties conferred or imposed upon them by or in pursuance of this Part of this Act.

Delegation  
of powers  
to borough  
councils.

## PART V.

### ESTABLISHMENTS FOR MASSAGE OR SPECIAL TREATMENT.

**23.**—(1) On and after the first day of February one thousand nine hundred and sixteen (which date is in this Part of this Act referred to as “the prescribed date”) it shall not be lawful for any person to carry on an establishment for massage or special treatment unless the name of such person and the premises used or represented as being or intended to be used for the purpose of such establishment are registered with the Council.

Registration  
of establish-  
ments for  
massage or  
special treat-  
ment.

(2) Any person requiring registration in respect of any such establishment shall make application in writing to the Council under his own name and shall in such application state—

- (a) his private address or in the case of an application by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

(b) the name under which and the address at which such establishment is carried on or proposed to be carried on; and

(c) the nature of such establishment;

and when making such application shall pay to the Council such fee as they may from time to time fix not exceeding twenty-one shillings.

(3) Every person carrying on any such establishment at the date of the passing of this Act and requiring registration in respect thereof shall make application for such registration within one month after the date or (if more than one) the latest date of publication of the advertisements with regard to this Part of this Act referred to in the section of this Act of which the marginal note is "Notice of certain Parts of Act to be given."

(4) Subject as in this section provided the Council shall as soon as reasonably practicable after the receipt of an application under the provisions of this Part of this Act (and not later in the case of an application under subsection (3) of this section than the prescribed date) register the name of the applicant and the premises specified in his application.

(5) The Council by order to be served on the person carrying on or proposing to carry on any such establishment may refuse to register the name of such person and the premises used or represented as being or intended to be used for the purposes of such establishment or may cancel the registration of such person and premises if—

(a) The Council have reason to believe that the person carrying on or proposing to carry on such establishment is of bad character; or

(b) The Council have reason to believe that the premises are being used for any immoral purpose; or

(c) Any such establishment is being carried on in contravention of the provisions of any byelaw made under this Part of this Act.

(6) Before making any such order the Council shall give to the person carrying on or proposing to carry on such establishment not less than seven days' previous notice in writing of their intention to make such order and such notice shall state

the grounds on which the order is proposed to be made and on written application made to them by such person within seven days after the giving of such notice they shall afford to such person an opportunity of being heard against such order. A.D. 1915.

(7) Any such order cancelling any registration shall take effect at such time as may be specified in the order not being less than fourteen days after the service thereof but in the event of an appeal against any such order the order shall not come into operation unless and until it has been confirmed on appeal or the appeal has been abandoned.

(8) Any person who deems himself to be aggrieved by any order made by the Council under this section may appeal to a metropolitan police magistrate or in the case of any such establishment as aforesaid in the city of London to a magistrate of that city provided that such appeal is made within fourteen days after the order has been served upon him and that not less than four days' notice in writing of such appeal is sent to the Council.

The magistrate after considering any representations made on behalf of the Council may if he thinks fit confirm such order or direct the Council to withdraw such order and as soon as reasonably practicable the Council shall give effect to such direction.

**24.** Any officer duly authorised by the Council in that behalf may subject to such regulations (if any) as may be made by the Council enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of an establishment for massage or special treatment. Powers as to entry and inspection.

**25.** In any case in which the Council or any committee to whom the Council may delegate any powers under this Part of this Act have reason to believe that any premises in the county to which the provisions of this Part of this Act do not apply are advertised as being used for some legitimate business but are in fact being used for immoral purposes the Council or any such committee as aforesaid may subject to the approval of the Secretary of State by resolution determine that the provisions of this Part of this Act and of any byelaws made thereunder shall extend and apply to such premises as if they were included in the expression "Establishment for massage or special treatment" as defined in the section of this Act of which the Extension of this Part of Act to other premises.

A.D. 1915. — marginal note is "Interpretation" and as from the passing of such resolution as aforesaid or as from such date (if any) as may be specified therein the provisions of this Part of this Act and of any such byelaws as aforesaid shall extend and apply accordingly.

Byelaws as to establishments for massage or special treatment.

**26.**—(1) The Council may make byelaws for the prevention of immorality in connection with the carrying on of establishments for massage or special treatment and as to the keeping and inspection of records showing the general character of the business carried on at such establishments.

(2) The provisions of section 114 (Byelaws) of the Public Health (London) Act 1891 shall apply to all byelaws made by the Council under this section but notwithstanding anything in that section or in section 184 (Confirmation of byelaws) of the Public Health Act 1875 as applied by that section all such byelaws shall require confirmation by a Secretary of State instead of by the Local Government Board.

(3) Every person registered under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Council) in the premises in respect of which he is registered a copy of the byelaws made and in force under this Part of this Act.

Penalties for offences in respect of establishments for massage &c.

**27.** Subject to the provisions of this Part of this Act—

(1) Every person who carries on an establishment for massage or special treatment in contravention of the provisions of this Part of this Act shall be liable on summary conviction to a penalty not exceeding fifty pounds and to a further penalty not exceeding twenty pounds for each day on which the offence continues after conviction thereof and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a fine impose any period of imprisonment not exceeding three months; and

(2) Every person who—

(a) refuses to permit any officer of the Council to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or obstructs any such officer in the execution of such provisions or the provisions of any byelaws made thereunder; or

(b) after the prescribed date carries on an establishment for massage or special treatment in contravention of the provisions of any bye-laws made under this Part of this Act; or

A.D. 1915.

(c) after the prescribed date issues publishes or displays at the instance or on behalf of any person carrying on an establishment for massage or special treatment which is not registered in accordance with the provisions of this Part of this Act any advertisement of such establishment after a period of seven days from the receipt of notice in writing from the Council or the publication of notice in the London Gazette that the registration of such establishment has been refused or cancelled under the provisions of this Part of this Act

shall be liable on summary conviction to a penalty not exceeding five pounds and to a further penalty not exceeding two pounds for each day on which the offence continues after conviction thereof:

(3) The court may in addition to imposing a penalty under this section order the cancellation of the registration:

Provided that no person who shall have appealed to a magistrate in accordance with the provisions of this Part of this Act against any order made by the Council thereunder shall be liable to any proceedings under this section for the offence of carrying on an establishment for massage or special treatment in contravention of the provisions of this Part of this Act or of any byelaw made thereunder until such order shall have been confirmed on appeal or the appeal shall have been abandoned.

**28.** Notwithstanding anything contained in this Part of this Act the foregoing provisions thereof shall not apply in the case of—

Saving for certain premises.

(a) Any hospital infirmary institution or other establishment maintained or controlled by any Government department or any local authority or other authority or body constituted by Parliament or incorporated by Royal Charter; or

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.

(b) Any hospital for the time being recognised by any committee or body administering any of the publicly subscribed funds known respectively as King Edward's Hospital Fund for London the Hospital Sunday Fund and the Hospital Saturday Fund as a hospital to which grants from any of such funds may be made; or

(c) Any premises used for the reception or treatment of persons for any purpose to which the provisions of this Part of this Act apply but not so used for the purpose of gain or reward.

This Part of Act not to apply under certain conditions to establishments carried on by medical practitioners.

**29.** Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of an establishment for massage or special treatment carried on by a duly qualified medical practitioner with respect to which there shall have been lodged with the Council a certificate in a form to be approved by them and signed by two duly qualified medical practitioners practising or residing in the county not being in partnership with such first mentioned medical practitioner or with each other and not having any financial or other interest in such establishment to the effect that such establishment is not and will not be used for any immoral purpose and that the medical practitioner carrying on or proposing to carry on such establishment is a fit and proper person to carry on the same Provided that any such certificate (a) shall not be valid with respect to any person or premises other than the person or premises specified therein and (b) shall be valid for a period not exceeding twelve months expiring on the thirty-first day of January in any year.

Powers in this Part of Act to be exercised by corporation in city.

**30.—**(1) The corporation shall exercise within the city of London in substitution for and to the exclusion of the Council the powers by this Part of this Act conferred upon the Council and the corporation within the said city shall be the authority for carrying into execution the provisions of this Part of this Act and in the application of the said provisions to the said city the name of the corporation shall be deemed to be substituted for that of the Council in the said provisions.

(2) The following sections of the City of London (Public Health) Act 1902 shall extend and apply to byelaws made under this Part of this Act by the corporation (that is to say):—

Section 7 (Byelaws to be allowed by Local Government Board); A.D. 1915.

Section 9 (Printing and sale of byelaws);

Section 10 (Proof of byelaws):

Provided that for the purposes of this section the said section 7 shall be read and have effect as if a Secretary of State had been referred to therein in lieu of the Local Government Board.

## PART VI.

### DANGEROUS BUSINESSES.

**31.** It shall be lawful for the Council in the case of the erection of any building in proximity to a building used or intended to be used for any dangerous business as defined in section 118 (Regulations for building near dangerous business) of the London Building Act 1894 or in the case of any building in which it is proposed to establish or carry on any such business or in which any such business is carried on to waive or relax to such extent as they may in their discretion think fit any of the provisions or requirements of the said section 118 either unconditionally or upon and subject to such conditions as to site and construction as they may deem expedient and any person who fails to comply with any such conditions shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further penalty not exceeding twenty pounds for each day on which the offence continues after conviction thereof.

Further powers as to buildings in connection with dangerous businesses.

Any person aggrieved by any decision of a magistrate under this section may appeal therefrom to the next practicable court of quarter sessions.

**32.** The provisions of section 118 of the London Building Act 1894 shall not apply to or in relation to—

Exempting certain businesses.

(a) Any premises or parts of premises in respect of which a licence has been granted under the provisions of the Petroleum Acts 1871 to 1881 or the Explosives Act 1875:

(b) Any premises or parts of premises in respect of which the Secretary of State shall have made regulations under section 79 of the Factory and Workshop Act 1901:

A.D. 1915.

- (c) The manufacture of matches on any premises which were in use as a match factory on the first day of January one thousand nine hundred and fourteen if and so long as such manufacture is carried on under conditions not less favourable for the prevention or diminution of danger to life and property by fire or explosion than those under which such manufacture was being carried on at the date aforesaid :
- (d) The manufacture of varnish turpentine turpentine substitute paint resin tar Brunswick black bitumen creosote or polish by any process (i) in which direct heating by fire or flame is not employed or (ii) which is carried on under such conditions as to obviate so far as practicable the possibility of the ignition of those substances or of inflammable vapours or dust given off or of inflammable liquids or substances used in the course of such manufacture :
- (e) Any other manufacture which would but for the provisions of this section have been or become a dangerous business within the meaning of the said section 118 by reason only of the employment in any process of manufacture of any of the substances named in subsection (d) of this section provided that such manufacture is carried on (i) without the employment of direct heating by fire or flame or (ii) under such conditions as to obviate so far as practicable the possibility of the ignition of the substances so named or of inflammable vapours or dust given off or of inflammable liquids or substances used in the course of such manufacture :

Provided that any officer duly authorised by the Council in that behalf may at all reasonable times enter and inspect any premises (not being premises which under section 121 of the London Building Act 1894 are exempt from the provisions of the said section 118) in or upon which is carried on any manufacture to which subsection (c) or subsection (d) or subsection (e) of this section apply.

This Part of Act to be cited with London

**33.** Any references in the London Building Act 1894 or any Act amending the same to Part X. of the first-mentioned Act shall be construed as referring to that Part as amended by



this Part of this Act and the London Building Acts 1894 to 1909 and this Part of this Act may be cited together as the London Building Acts 1894 to 1915.

A.D. 1915.  
Building  
Acts.

## PART VII.

### PROVISIONS AS TO LUNACY AND OTHER ACTS.

**34.** As from the first day of April one thousand nine hundred and sixteen or such later date as the Council may fix (in this Part of this Act referred to as "the appointed day") all property vested in any committee of the Council acting as or exercising the powers of a visiting committee under and for the purposes of the Lunacy Acts and all the powers rights privileges duties obligations and liabilities of such committee shall be transferred to and vested in the Council and all the officers and servants of such committee shall without prejudice to the rights of such officers and servants be transferred to and become officers and servants of the Council and the Council shall hold such property and may exercise all such powers rights and privileges and shall be subject to all such duties obligations and liabilities so far as applicable in like manner as if they were a visiting committee under the Lunacy Acts.

Transfer to  
Council of  
property  
powers &c.  
of committee  
acting as  
visiting com-  
mittee.

**35.** As from the appointed day all matters relating to the exercise by the Council of the powers transferred to them by virtue of this Part of this Act shall stand referred to the Committee for the Care of the Mentally Defective constituted by the Council under the Mental Deficiency Act 1913 and the Council before exercising any such powers shall unless in their opinion the matter is urgent receive and consider the report of the said committee with respect to the matter in question The Council may also delegate to the said committee with or without any restrictions as they think fit any of the powers transferred as aforesaid and the said committee may appoint such sub-committees and may delegate thereto such of the powers delegated to the said committee under the provisions of this Part of this Act as the said committee with the approval of the Council may think fit.

Provisions  
as to exer-  
cise and  
delegation  
of powers  
transferred  
under this  
Part of Act.

**36.** As from the appointed day the obligation under the Lunacy Act 1890 to appoint a visiting committee shall cease to apply with respect to the Council and references in the Lunacy

Construction  
of Lunacy  
Acts &c.

[Ch. ciii.] *London County Council (General Powers) Act, 1915.* [5 & 6 GEO. 5.]

A.D. 1915. Acts or any other Act to the members of the visiting committee shall be construed as references to the members of the committee constituted by the Council under the Mental Deficiency Act 1913 as aforesaid and any proceedings which may under the Lunacy Acts be taken by the clerk of the visiting committee may be taken by the Council in lieu of and in substitution for the clerk of the visiting committee and all penalties recovered on any such proceedings shall be paid to the Council.

Modification of certain provisions of Lunacy Act 1890 and Asylums Officers' Superannuation Act 1909.

**37.** As from the appointed day—

(1) The following provisions of the Lunacy Act 1890 and of the Asylums Officers' Superannuation Act 1909 respectively shall to the extent in this section specified cease to apply with respect to the Council or to any committee of the Council (that is to say):—

**Lunacy Act 1890.**

Number of Section.	Extent to which Section is to cease to apply.
169 to 173 (both inclusive) 175 176 190 239	The whole of the sections.
254	
255	Subsection (3).
256	So much of the section as refers to the consent of a local authority.
258	Subsections (2) (3) and (4).
261	So much of the section as refers to the consent of a local authority.
266	So much of subsection (2) as refers to the sanction of a local authority.
278	The whole section.
283	Subsections (1) (2) and (3).
284	So much of subsection (4) as refers to the submission of statements to a local authority.
326	So much of the section as refers to directions to be given by a local authority. Paragraph (c) of the section.

**Asylums Officers' Superannuation Act 1909.**

Number of Section.	Extent to which Section is to cease to apply.
1	So much of subsection (2) as refers to the consent of a local authority.
4	So much of the section as refers to the consent of a local authority.

(2) In lieu of the said subsections (1) (2) and (3) of section 278 of the Lunacy Act 1890 the following provisions shall have effect (that is to say):— A.D. 1915.

The Council shall keep an account of the receipts and expenditure on account of each of the asylums provided or maintained by them and before the 30th day of September in each year or such other date as the Local Government Board appoint shall send an abstract of the account for the previous year ending on the 31st day of March or such other date as the Local Government Board appoint to the Local Government Board and to the Board of Control constituted under the Mental Deficiency Act 1913;

and subsections (4) (5) (6) and (7) of the said section shall be read and have effect as if the said provisions formed part of the said section.

**38.**—(1) Every officer and servant transferred under this Part of this Act (in this section referred to as an “existing officer”) who held office at the appointed day and who by virtue of this Part of this Act becomes an officer or servant of the Council shall hold his office by the same tenure and upon the same terms and conditions as before the appointed day and if performing the same duties shall receive not less salary or remuneration and be entitled to not less pension or superannuation allowance or gratuity (if any) than he would have received or been entitled to if this Act had not been passed but if any existing officer is required to perform duties which are not analogous to or which are an unreasonable addition to those which he is required to perform at the appointed day he may relinquish his office and any existing officer who so relinquishes his office or whose office is abolished shall be entitled to compensation under this Part of this Act. Provisions as to existing officers and servants.

(2) Every existing officer who by virtue of this section is entitled to compensation and every other existing officer who by virtue of this Part of this Act or of anything done in pursuance or consequence thereof shall suffer any pecuniary loss by abolition of office or diminution of salary or otherwise shall be entitled to have compensation paid to him by the Council

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915. and such compensation shall be determined pursuant to the provisions of section 120 of the Local Government Act 1888 Provided that in construing the said section 120 for the purposes of this section the Board of Control constituted under the Mental Deficiency Act 1913 shall be deemed to be substituted for the Treasury.

PART VIII.

ACQUISITION OF LANDS FOR PURPOSES OF LUNACY ACTS.

Acquisition of lands for purposes of Lunacy Acts.

**39.** Subject to the provisions of this Act the Council may enter upon take and use for purposes of the Lunacy Acts or for any purposes ancillary thereto the lands in the metropolitan borough of Camberwell which are delineated on the deposited plans and described in the deposited book of reference and which comprise the premises known as No. 105 Denmark Hill.

Compensation in case of recently altered buildings acquired by Council.

**40.** In settling any question of disputed purchase money or compensation under this Part of this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the lands created after the fourth day of November one thousand nine hundred and thirteen if in the opinion of such court or person 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 to obtaining or increasing compensation under this Act.

Limitation of time for purchase of lands by Council.

**41.** The powers of the Council for the compulsory purchase or taking of lands under this Part of this Act shall cease after the expiration of three years from the passing of this Act.

Incorporation of certain provisions of London County Council (General Powers) Acts 1901 and 1904 with this Part of Act.

**42.** The sections of the London County Council (General Powers) Act 1901 of which the numbers and marginal notes are set forth in this section and section 14 (As to sale of ground rents) of the London County Council (General Powers) Act 1904 are hereby incorporated with and form part of this Part of this Act and shall so far as applicable extend and apply to the lands by this Part of this Act authorised to be acquired and to the Council in respect thereof as fully and effectually as if such sections had been re-enacted in this Act with reference thereto.

The sections of the said Act of 1901 hereinbefore referred to are— A.D. 1915.

- Section 24 (Power to certain persons to grant easements &c. by agreement);
- Section 25 (Correction of errors &c. in deposited plans and book of reference);
- Section 26 (Power to Council to enter upon property for survey and valuation);
- Section 27 (Costs of arbitration &c. in certain cases);
- Section 32 (Power to lease surplus lands);
- Section 34 (Council may sell land in the first instance without having previously granted a lease thereof);
- Section 35 (Council may let or exchange lands);
- Section 36 (Council to dispose of lands within a certain period);
- Section 37 (Receipts of Council to be effectual discharges);
- Section 38 (Power to Council to make agreements with owners of property &c.).

**43.** All costs and expenses of the Council in the execution of this Part of this Act shall be defrayed as payments for special county purposes within the meaning of the Local Government Act 1888. As to payments under this Part of Act.

## PART IX.

### POWERS TO PADDINGTON COUNCIL.

**44.** Subject to the provisions of this Act the Paddington Council may enter upon take and use all or any of the lands in the metropolitan borough of Paddington which are delineated on the deposited plans and described in the deposited book of reference and which comprise— Power to Paddington Council to acquire lands.

- (a) The premises known as No. 57 Hall Place;
- (b) The premises respectively known as Nos. 7 to 17 (odd numbers inclusive) Alfred Road Nos. 18 20 and 22 Waverley Road and Nos. 5 to 19 (inclusive) Jonson Mews together with that part of the yard approach or roadway comprised in the said mews which is shown on the deposited plans as within the limits of lands to be acquired by the Paddington Council.

A.D. 1915.

Purposes for which lands acquired by Paddington Council are to be held.

**45.** The Paddington Council may hold and use the lands (a) described in the section of this Part of this Act of which the marginal note is "Power to Paddington Council to acquire lands" for the purposes of the Baths and Washhouses Acts 1846 to 1896 and may hold and use the lands (b) described in the said section for the purposes of the said Acts and of the Cleansing of Persons Act 1897.

Power to Paddington Council to stop up part of yard approach or roadway of Jonson Mews.

**46.**—(1) The Paddington Council may stop up that part of the yard approach or roadway of Jonson Mews which is shown on the deposited plans as within the limits of lands to be acquired by the Paddington Council and thereupon all public rights of way over that part of the said yard approach or roadway shall be extinguished. Provided that the powers conferred upon the Paddington Council by this section shall not be exercised until the Paddington Council are owners in possession of the lands and premises having access from and immediately abutting upon the part of the said yard approach or roadway to be stopped up as aforesaid except so far as the owners lessees and occupiers of such lands and premises may otherwise agree.

(2) The Paddington Council may in the said yard approach or roadway 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 Paddington 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 hereinafter 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 or in the case of a notice to the Metropolitan Water Board fourteen 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 Paddington 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 Paddington Council shall execute such work to the reasonable satisfaction of such undertakers Provided also that the Paddington Council shall not cause the said yard approach or roadway 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 or in the case of a main or pipe belonging to the Metropolitan Water Board two feet six inches where the covering now existing is not less than two feet unless the Paddington 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 five feet where the covering now existing does not exceed five feet or more than such existing covering where the same exceeds five feet unless the Paddington Council in such case provide special means of access to the same to the satisfaction of such undertakers.

A.D. 1915.

(3) If within seven days after a notice under subsection (2) 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 Paddington Council Provided that such alterations shall be carried out in accordance with the directions and to the reasonable satisfaction of the Paddington Council.

(4) If any difference arise between the Paddington 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 Paddington 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 Paddington Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the Paddington Council and the undertakers or failing agreement by such engineer as shall on the application either of the Paddington Council or of such undertakers be named by the President of the Institution of Civil Engineers.

(5) Nothing in this section shall extend to authorise the Paddington Council to raise sink or otherwise alter the position

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915. 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.

(6) 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.

Errors and omissions in plans &c. to be corrected by magistrate who shall certify same.

47. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands in the metropolitan borough of Paddington shown on the deposited plans or described in the deposited book of reference the Paddington Council may after ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction apply to a metropolitan police magistrate for the correction thereof and if it shall appear to such magistrate that such omission misstatement or erroneous description arose from mistake he shall certify the same accordingly and he shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the county of London and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and the Paddington Council may take the lands in accordance with such certificate.

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

48. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Part of this Act grant to the Paddington 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 Part of this Act in over or affecting any such lands and for the purposes of this Part of this Act the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in that behalf shall extend and apply to such easements rights and privileges as aforesaid and to any grant of the same respectively.

Power to Paddington Council to

49. The Paddington Council and their surveyors officers and workmen and any person duly authorised in writing under the



hand of the town clerk of the metropolitan borough of Paddington may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands and buildings by this Part of this Act authorised to be taken and used as aforesaid for the purpose of surveying and valuing the said lands and buildings 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.

A.D. 1915.  
enter upon  
property for  
survey and  
valuation.

**50.** In settling any question of disputed purchase money or compensation under this Part of this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the lands created after the tenth day of November one thousand nine hundred and thirteen if in the opinion of such court or person 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 to obtaining or increasing compensation under this Part of this Act.

Compensa-  
tion in case  
of recently  
altered  
buildings  
acquired by  
Paddington  
Council.

**51.** The tribunal to whom any question of disputed purchase money or compensation under this Part of this Act is referred shall if so required by the Paddington Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Paddington Council by the claimant giving sufficient particulars and in sufficient time to enable the Paddington Council to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars shall have been delivered one half of the costs of the arbitration or as the case may be one half of the costs of the proceedings before the sheriff (including the cost of summoning empanelling and returning the jury and of taking the inquiry and of recording the verdict and judgment therein) shall be defrayed by the person with whom the Paddington Council shall have such question and the remaining half shall be defrayed by the Paddington Council anything in the Lands Clauses Consolidation Act 1845 to the contrary notwithstanding Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the

Costs of  
arbitration  
&c. in certain  
cases.

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915. — Paddington Council to amend the statement in writing of the claim delivered by him to the Paddington 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 Paddington Council if they object to the amendment) and such amendment shall be subject to such terms enabling the Paddington 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 Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Limitation of time for purchase of lands by Paddington Council.

**52.** The powers of the Paddington Council for the compulsory purchase of lands under this Part of this Act shall cease after the expiration of three years from the passing of this Act.

Power to sell &c. lands.

**53.** The Paddington Council may from time to time sell lease let exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under this Act and not required for the purposes specified in the section of this Part of this Act of which the marginal note is "Purposes for which lands acquired by Paddington Council are to be held" and may sell and exchange and dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Receipts of Paddington Council to be effectual discharges.

**54.** The receipt of the Paddington Council or of any person duly authorised by them for any purchase money rent or money payable to the Paddington Council by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person

to whom the receipt shall be given shall not afterwards be answerable or accountable for the mis-application or non-application of the money in such receipt expressed or acknowledged to be received. A.D. 1915.

**55.**—(1) All moneys received by the Paddington Council upon any sale or disposal of lands and all fines and premiums received by the Paddington Council under the provisions of this Part of this Act shall be applied in or towards the repayment of any moneys borrowed by the Paddington Council under the powers of this Part of this Act and for the time being owing and if there shall be no such moneys owing such proceeds of sale or disposal fines and premiums shall be applied in or towards the repayment of any other moneys for the time being owing by the Paddington Council on capital account. Application by Paddington Council of proceeds of sale.

(2) Such proceeds of sale or disposal fines and premiums shall not be applied to the payment of instalments or to payments into any sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

**56.** The Paddington Council may expend on capital account for the purposes of this Part of this Act such moneys as they may from time to time think fit not exceeding six thousand one hundred and twenty-five pounds and notwithstanding anything contained in any other Act the Paddington Council may for those purposes with the approval of the Local Government Board appropriate and use any moneys obtained by them as the result of the sale or disposal of any lands formerly vested in them for the purposes of the Baths and Washhouses Acts 1846 to 1896 and may for the purpose of the acquisition of lands under the provisions of this Part of this Act for the purposes of the said Baths and Washhouses Acts borrow subject in all respects to the provisions of those Acts such further sums of money (if any) as may be required by them. Provided that the aggregate amount so appropriated used and borrowed shall not exceed the amount hereinbefore specified. Capital expenditure by and borrowing powers to Paddington Council.

**57.** Nothing in this Part of this Act shall exempt any buildings or structures or additions to or alterations of buildings structures or works erected constructed or made upon any lands acquired under or in pursuance of the powers of this Part of Saving for London Building Acts.

A.D. 1915. this Act from the provisions of the London Building Acts 1894 to 1909 and any Act amending the same and any byelaws and regulations in force thereunder.

PART X.

POWERS TO STEPNEY COUNCIL.

Borrowing powers to Stepney Council.

**58.**—(1) The Stepney Council may subject in all respects to the provisions of sections 183 to 189 of the Metropolis Management Act 1855 as amended by any subsequent Act borrow such moneys as they may think fit not exceeding four thousand eight hundred and seventy-five pounds in order to replace moneys temporarily applied by the Stepney Council in repaying moneys previously borrowed by them in respect of the provision under Part II. of the Housing of the Working Classes Act 1890 of Edward Mann Buildings situate in Dorset Street in the metropolitan borough of Stepney.

(2) All moneys borrowed by the Stepney Council under this section shall be repaid within a period not exceeding fifty years from the first day of October one thousand nine hundred and twelve.

PART XI.

MISCELLANEOUS AND FINANCIAL PROVISIONS.

Removal of disabilities of co-opted members of education committee of Council.

**59.** Notwithstanding anything contained in the Municipal Corporations Act 1882 as applied to the Council by the Local Government Act 1888 or in any other Act any member of the education committee of the Council who is not a member of the Council shall have the same power of dealing with and voting upon any matter before the said committee or any sub-committee of which he is a member appointed by the said committee as any member of the said committee or sub-committee who is a member of the Council and the said committee and every sub-committee appointed by them shall as regards any matter referred to the said committee by the Council otherwise than as the local education authority be deemed to be a committee or a sub-committee (as the case may be) appointed in accordance with the said Acts.

Appropriation and use of surplus lands for

**60.** Notwithstanding anything contained in any other Act it shall be lawful for the Council to appropriate hold and use for any purpose for which they have statutory power to acquire

or hold lands any lands vested in them for any other purpose and for which such lands are no longer required Provided that the powers conferred by this section shall not be exercised (a) in relation to any lands the appropriation or use of which by the Council for any purpose other than that for which such lands are for the time being vested in them is by any existing enactment expressly made subject to the consent or approval of any Government department without the consent or approval of that department or (b) in relation to any other lands without the consent of the Local Government Board Provided also that the Council shall make any necessary adjustments in their accounts required in consequence of any such appropriation as aforesaid.

A.D. 1915.  
—  
any purpose  
of Council.

**61.** The Council shall be deemed to have been empowered on and from the first day of April one thousand nine hundred and thirteen—

Appropriation of lands to provide accommodation for repair and storage of furniture &c.

(a) To appropriate hold and use for the purpose of a depôt for stores and for the repair of furniture or other articles for use in connection with the various services of the Council all or any of the lands in the metropolitan borough of Hackney formerly used for or in connection with the tramway undertaking of the Council and bounded on the north-west by Portland Avenue on the east by Kyverdale Road on the south by premises respectively known as No. 187 Kyverdale Road and No. 74 Darenth Road and on the west by Darenth Road; and

(b) To make any necessary adjustments in their accounts in respect of such appropriation and use as aforesaid.

**62.** The time limited by the London County Council (General Powers) Act 1909 for the construction of the railway siding (No. 2) described in and authorised by Part II. of that Act is hereby extended till the sixteenth day of August one thousand nine hundred and seventeen.

Extension of time for completion of works.

**63.**—(1) In any case in which the Council for the purposes of the Education Acts 1870 to 1911 acquire property which in the opinion of the Council is either wholly or in part unfit for human habitation or is dangerous or injurious to the health of the inhabitants thereof or of neighbouring property the Council

Allocation of and contributions towards cost of acquiring property for

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915.  
education  
purposes in  
certain  
cases.

may defray as expenditure incurred under Part I. or Part II. of the Housing of the Working Classes Act 1890 so much of the cost of or incidental to the acquisition of such property as they may have regard to all the circumstances of the case think proper.

(2) It shall be lawful for any borough council if they think fit to pay or contribute towards the payment of any cost incurred by the Council in acquiring any such property as aforesaid and any expenditure incurred under this subsection shall be deemed to be expenditure incurred by the borough council for the purposes of Part II. of the Housing of the Working Classes Act 1890 and shall be defrayed accordingly.

Powers to  
metropolitan  
borough  
councils with  
respect to  
expenses in  
connection  
with works  
in streets.

**64.** It shall be lawful for any borough council to include in and as part of the expenses or estimated expenses which are incurred under or in pursuance of the provisions of the Metropolis Management Acts 1855 to 1893 or of any Act amending or extending the same they are empowered to recover from any owner of lands or premises in respect of the execution under or in pursuance of the said Acts of any paving flagging sewerage or repairing works in or in connection with streets a commission (in addition to such expenses or estimated expenses) not exceeding five per centum of the amount thereof in respect of surveys superintendence notices establishment charges and similar matters and the provisions of the said Acts with respect to the apportionment recovery and adjustment of such expenses or estimated expenses shall extend and apply to such commission. Expressions used in this section shall for the purposes thereof have the same respective meanings as in the said Acts.

Application  
of penalties  
under Act.

**65.** 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 or any byelaw or regulation made thereunder shall be payable to the authority taking the proceedings leading to the recovery of the penalty.

Service of  
notices.

**66.—(1)** Any notice or order required or authorised to be given or served by the Council or the corporation under or in pursuance of this Act may be given or served by delivering a copy thereof at or by sending a copy thereof by post to the usual or last known residence of the person to whom it is addressed or by delivering the same to some person on the premises to which such notice or order relates and any such

notice to be served on or given to the owner of any premises may be addressed by the description of "the owner" of the premises (naming the premises) in respect of which the notice is served or given without further name or description. A.D. 1915.

(2) This section shall not apply to any notice or order the service or giving of which is provided for by the Summary Jurisdiction Acts or the Lands Clauses Acts.

**67.** The Council and (in the case of powers exercisable by them) the corporation shall give public notice of the effect of the provisions of Parts II. (High-pressure Gas Meters) IV. (Lying-in Homes) and V. (Establishments for Massage or Special Treatment) of this Act by advertisement in two or more daily newspapers circulating in the county and otherwise in such manner as they think sufficient. Such notice shall be given in the case of the said Part II. within three months and in the case of the said Parts IV. and V. within one month after the passing of this Act. Notice of certain Parts of Act to be given.

**68.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

**69.** The Council may expend on capital account for the purposes of Part VIII. (Acquisition of Lands for Purposes of Lunacy Acts) of this Act such moneys as they may think fit and may borrow or otherwise provide the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912. Provided that nothing in this section shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand nine hundred and sixteen. Money to be raised by Council on capital account.

**70.**—(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 county purposes within the meaning of the Local Government Act 1888 and subject as hereinafter provided the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid 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 Parts IX. (Powers to Paddington Council) and X. (Powers to Stepney Council) of this Act shall As to payments under this Act.

[Ch. ciii.] *London County Council (General [5 & 6 GEO. 5.] Powers) Act, 1915.*

A.D. 1915. be paid as regards Part IX. by the Paddington Council and as regards Part X. by the Stepney Council out of the general rate authorised to be levied by those councils respectively or in the case of the Paddington Council out of moneys obtained by them on the sale or disposal of any lands formerly vested in them for the purposes of the Baths and Washhouses Acts 1846 to 1896.

(2) Any moneys expended by the corporation in the execution of this Act shall be paid out of the general rate authorised to be levied by them.

---

Printed by EYRE and SPOTTISWOODE, LIMITED,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

---

To be purchased, either directly or through any Bookseller, from  
WYMAN AND SONS, LIMITED, 29, BREAMS BUILDINGS, FETTER LANE, E.C., and  
28, ABINGDON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or  
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or  
E. PONSONBY, LIMITED, 116, GRAFTON STREET, DUBLIN;  
or from the Agencies in the British Colonies and Dependencies,  
the United States of America and other Foreign Countries of  
T. FISHER UNWIN, LIMITED, LONDON, W.C.