



CHAPTER ccxi.

An Act to enable the London County Council to construct tramways over Vauxhall Bridge as about to be reconstructed and the approaches thereto in the County of London and for other purposes. [7th August 1896.] A.D. 1896.

WHEREAS it is expedient that the London County Council (herein-after referred to as "the Council") be empowered to construct and maintain the tramways in this Act described from the termination of the tramways of the London Tramways Company Limited at the south-eastern end of Vauxhall Bridge Road to cross over Vauxhall Bridge as about to be reconstructed and to terminate by junctions with existing tramways at or near Vauxhall Cross :

And whereas plans and sections showing the lines situation and levels of the tramways and works by this Act authorised have been deposited with the clerk of the peace for the county of London and are in this Act referred to as the deposited plans and sections :

And whereas under and by virtue of provisions contained in the Pimlico Peckham and Greenwich Street Tramways Act 1869 and the Pimlico Peckham and Greenwich Street Tramways (Extensions) Act 1870 (herein-after referred to as "the Acts of 1869 and 1870") the Council have power (section 48 of the Act of 1870) to purchase the undertaking authorised by those Acts on the terms and in the manner set out in the said section :

32 & 33 Vict.
c. xcv.
33 & 34 Vict.
c. clxxiv.

And whereas the undertaking mentioned in the said Acts is now vested in the London Tramways Company Limited subject to the conditions therein expressed and comprises the tramway in Vauxhall Bridge Road with which the tramways by this Act authorised will be connected on the north and the tramway in the Kennington Lane and other tramways connected therewith with which the tramways by this Act authorised will be connected on the south :

And whereas the powers with respect to the said tramways authorised under the Acts of 1869 and 1870 which were reserved by the said Act of 1870 to the Metropolitan Board of Works were

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A.D. 1896. transferred to and vested in the Council by the Local Government
51 & 52 Vict. Act 1888 and under the said section 48 of the Act of 1870 when
c. 41. the sale thereby contemplated has been made all the rights powers
and authorities of the London Tramways Company Limited in
respect of the undertaking sold will become transferred to and
vested in and may be exercised by the Council in like manner as if
the Council had been authorised by the Acts of 1869 and 1870 to
construct the tramways and had been named in the said Acts
instead of the company and the powers of the Council to purchase
the said undertaking may be exercised within six months after the
10th day of August 1898 :

And it is expedient that provision should be made with respect
to the use and working of the tramways by this Act authorised as
herein-after set forth :

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

58 & 59 Vict. And whereas for the purpose of the London County Council
c. cxxix. (Vauxhall Bridge) Act 1895 authorising the removal of the existing
Vauxhall Bridge and its reconstruction an estimate was prepared
by the Council as to the amount which they would require to
expend on capital account and that estimate is recited in the
preamble of the said Act and amounted to the sum of four hundred
and eighty-four thousand pounds :

And whereas an estimate has been prepared on behalf of the
Council as to the amount which they will require to expend on
capital account for the purposes of this Act and such estimate
amounts to one thousand seven hundred pounds in addition to the
amount comprised in the estimate recited in the said London
County Council (Vauxhall Bridge) Act 1895 and authorised to
be raised by that Act :

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

Short title. 1. This Act may be cited as the London County Council
(Vauxhall Bridge Tramways) Act 1896.

Incorpora- 2. The following Acts and parts of Acts (that is to say) :—
tion of Acts. The Lands Clauses Acts (except the provisions of the Lands
Clauses Consolidation Act 1845 with respect to the entry upon
purchase and taking of lands otherwise than by agreement)
and section 3 (Interpretation of terms) section 19 (Local

authority may lease or take tolls) and Parts II. and III. of the A.D. 1896.
Tramways Act 1870;

as far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

3. In this Act unless the subject or context otherwise require— Interpreta-
tion.
Terms to which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in this Act and for the purposes of this Act the same respective meanings;

“The Council” means the London County Council;

“The tramways” means the tramways by this Act authorised and any part thereof;

“Tramway revenue” means all revenue arising from the tramways.

4. Subject to the provisions of this Act the Council may make Power to
make
tramways.
form lay down and maintain within the county of London the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing places works and conveniences connected therewith as may be necessary or proper therefor And the Council may provide place maintain and work carriages on the tramways:

The tramways herein-before referred to and authorised by this Act will be of the gauge of four feet eight and a half inches but carriages or trucks adapted for use upon railways shall not be run upon the tramways:

A Tramway (No. 1) (double line) 2 furlongs 8·85 chains or thereabouts in length commencing in the parish of Saint John the Evangelist Westminster in the county of London at the termination of the existing tramway of the London Tramways Company at the south-eastern end of Vauxhall Bridge Road by a junction with that tramway and terminating in the parish of Lambeth in the same county by a junction with the same company's tramway under the railway bridge carrying the London and South Western Railway over Upper Kennington Lane:

A Tramway (No. 2) (double line) 1 chain or thereabouts in length in the parish of Lambeth in the county of London commencing by a junction with the existing tramway at Vauxhall Cross of the South London Tramways Company and

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the London Southern Tramways Company or one of them at or near the junction of the said two tramways and terminating in Upper Kennington Lane by a junction with the intended Tramway (No. 1) at a point one chain or thereabouts westward of the South London Tramway.

Period for
completion
of tram-
ways.

5. If the tramways be not constructed as part of the New Vauxhall Bridge and approaches authorised by the London County Council (Vauxhall Bridge) Act 1895 then on the expiration of the period limited by the said Act for the completion of the said bridge the powers by this Act granted to the Council for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as is then completed.

Tramways
not to be
opened until
certified by
Board of
Trade.

6. No part of the tramways shall be opened for public traffic until the same has been inspected by an officer of the Board of Trade and certified under the hand of a secretary or an assistant secretary of the said Board to be fit for such traffic.

As to rails of
tramways.

7. The rails of the tramways shall be such as the Board of Trade approve and the Board of Trade may from time to time require the Council to adopt and apply such improvements in the tramways including the rails and substructure and formation thereof as experience may from time to time suggest having regard to the greater security of the public and advantage to the ordinary traffic and the Council shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying into effect any such improvements.

Further pro-
vision as to
construction
of tram-
ways.

8. In addition to the requirements of section 26 of the Tramways Act 1870 the Council before they proceed to open or break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Council shall not commence the construction laying down maintenance and renewal of any of the tramways or any part of the tramways respectively except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Power to
alter level
of rails.

9. The Council may and shall from time to time alter and maintain the level of the rails of any part of the tramways so that they shall correspond with the level of the street wherein the tramways are laid.

10. Any paving metalling or material excavated by the Council in the construction of the tramways from any road under the control of any vestry may be applied by the Council so far as may be necessary in making the foundation for the tramways and in the reinstating of the road and the surplus paving metalling or material not so used shall be delivered to the surveyor of the vestry in whose district the road is situate or to such person or persons as he may appoint to receive the same to be removed by him or them. Provided that if within seven days after the excavation of any such paving metalling or material and notice duly given the same is not removed by such surveyor or by some other person or persons named by him for that purpose such paving metalling or material shall absolutely vest in and belong to the Council and may be dealt with removed and disposed of by them in such manner as they may think fit. Any difference between the Council and any vestry or their surveyor with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the promoters and any road authority.

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Application
of road
materials
excavated in
construction
of works.

11. Nothing in this Act shall limit the rights and powers of the vestry of Lambeth with respect to free access to and communication with their sewers and drains and to lay lateral and private drains to communicate therewith without the consent or concurrence of the Council and the provisions contained in the thirty-second and thirty-third sections of the Tramways Act 1870 shall be applicable in the case of any sewer or private drain of or under the control of the vestry as if the same were a pipe for the supply of gas or water.

Saving
rights of
access to
sewers.

12. The obligations of the Council with respect to maintaining and keeping in good condition and repair the portion of the road defined in the Tramways Act 1870 as to be kept in good condition and repair by the promoters shall extend to a distance of three feet beyond the lines of and on each side of the tramways instead of eighteen inches as provided by that Act.

Further pro-
visions as to
maintenance
of portion of
roadway.

13. The Council shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways by this Act authorised and the substructure upon which the same rest and if the Council at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues and such penalty shall be a penalty

Penalty
for not
maintaining
rails and
roads in good
condition.

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A.D. 1896. — within the meaning of section 56 of the said Act In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate or by twenty inhabitant ratepayers of such district that the Council have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Council to the penalty or penalties in respect thereof which is or are by this section imposed.

Rates for passengers.

14. For any passenger travelling upon the tramways or any part thereof including every expense incidental to such conveyance the lessees or licencees of the Council or the Council as the case may be may charge any sum not exceeding one penny.

Passengers' luggage.

15. Every passenger travelling upon the tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof provided that such luggage be carried by hand and at the responsibility of the passenger and shall not occupy any part of the seat nor be of a form or description to annoy or inconvenience other passengers.

Council not to carry animals or goods on tramways.

16. The Council shall not nor shall any lessees or licencees of the Council carry on the tramways any goods animals or things other than passengers and passengers' luggage not exceeding the weight in this Act in that behalf mentioned and small parcels.

Junctions with existing tramways.

17. The junctions of the tramways with the tramways of the London Tramways Company Limited and the South London Tramways and London Southern Tramways Companies and also any works to be executed across the lines of the South London Tramways Company shall be made so as not to interfere with the working of the traffic of the respective companies as at present conducted and also in accordance with plans to be agreed between the engineers of the Council and of the said companies respectively or in case of difference to be settled by an arbitrator to be appointed by the Board of Trade and shall be carried out under the supervision of the engineers of the companies respectively and all expenses which may be incurred thereby or in consequence of the works

authorised by this Act including the reasonable charges of such engineers shall be paid by the Council. A.D. 1896.

18. In conducting traffic over the lines hereby authorised the Council or their lessees (if any) shall not stop or otherwise interfere with or obstruct the traffic of the South London Tramways Company at any point where they cross the tramways of that Company and whenever cars belonging to the Council or their lessees and the South London Tramways Company shall approach within fifty feet of any such crossing at the same time precedence shall be given to the car of the South London Tramways Company so approaching over the car of the Council or their lessees and if any dispute arise in the working of this section the matter shall be referred to the Board of Trade who shall from time to time make such rules and regulations as they may deem fit with respect thereto and to the terms and conditions of working the tramways.

Precedence to be given at crossing to cars of South London Tramways Company.

19. Unless the existing tramways of the London Tramways Company Limited in Vauxhall Bridge Road and Upper Kennington Lane respectively shall have been acquired by the Council before the completion of Tramway No. 1 by this Act authorised the following provisions shall have effect (viz.) :—

Provision as to working of tramways.

From and after the completion of the said Tramway No. 1 in accordance with the provisions of this Act and until the said connecting tramways of the London Tramways Company Limited shall have been acquired by the Council the powers by this Act conferred upon the Council of working the tramways by this Act authorised shall not be exercised nor shall the Council without the consent of the London Tramways Company Limited lease the same and that Company shall work the tramways by this Act authorised as part of their system on terms and conditions which if not agreed between the Company and the Council shall be settled by arbitration :

Provided that in the event of a purchase of the said existing tramways by the Council the company shall not be entitled to claim in respect thereof any larger sum by way of compensation in consequence of the existence of the tramways by this Act authorised or the arrangements with respect to the working of such tramways made in pursuance of this Act.

20.—(1) The Council may expend on capital account for the purposes of the construction of the tramways by this Act authorised such money as they may from time to time think fit not exceeding one thousand seven hundred pounds in addition to any moneys authorised to be raised for the purposes of the reconstruction of

Money to be raised on capital account.

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Vauxhall Bridge and in order to raise or provide the money required for that purpose the Council may from time to time create and issue consolidated stock or resort to the consolidated loans fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time in force regulating the raising of money for capital purposes by the Council :

Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand eight hundred and ninety-seven.

(2) The Council in accordance with the provisions in relation to redemption and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account shall make provision for the redemption of stock or the repayment of money borrowed or expended on capital account for the purposes of this Act within such term not exceeding in any case sixty years as the Council with the consent of the Treasury may determine.

Annual
receipts and
expenditure.

21. The Council shall cause accounts to be kept of their receipts and expenditure in connexion with tramways to which all receipts arising from tramways shall be carried and out of which all payments in respect of tramways shall be made and if and so far as the tramway revenue shall be insufficient to cover the expenses of maintenance and management and of providing for the requisite payments to the consolidated loans fund in respect of money raised or expended for the purposes of tramways the deficiency shall be from time to time defrayed as payments for general or special county purposes as they may decide within the meaning of the Local Government Act 1888 and any balance of tramway revenue over expenditure shall at such times as the Council direct be carried to the general or special county account of the county fund.

As to
costs and
expenses.

22. All costs and expenses of the Council in the execution of this Act so far as not otherwise provided for shall be defrayed as payments for general or special county purposes as they may decide within the meaning of the Local Government Act 1888 and 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.

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