



CHAPTER ii.

An Act to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State for improving an Area situated in the Parish of St. Pancras in the County of London. A.D. 1897.
[29th March 1897.]

WHEREAS the Right Honourable Sir Matthew White Ridley Baronet one of Her Majesty's Principal Secretaries of State has on the application of the London County Council made the Provisional Order set forth in the schedule hereunto annexed under the provisions of Part I of the Housing of the Working Classes Act 1890 : 53 & 54 Vict.
c. 70.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore 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 :—

1. The Order set out in the schedule to this Act is hereby confirmed. Order in
schedule
confirmed.
2. This Act may be cited as the London (Churchway St. Pancras) Provisional Order Confirmation Act 1897. Short title.

A.D. 1897.

SCHEDULE.

HOUSING OF THE WORKING CLASSES ACT 1890

LONDON (CHURCHWAY ST. PANCRAS) IMPROVEMENT SCHEME 1895.

PROVISIONAL ORDER.

Whereas the London County Council presented to me the Right Honourable Sir Matthew White Ridley Baronet one of Her Majesty's Principal Secretaries of State a petition praying that an Order might be made confirming a scheme made by the said County Council under the Housing of the Working Classes Act 1890 for the improvement of a certain area situated in the parish of St. Pancras in the county of London and subject to the jurisdiction of the said County Council as the local authority under the said Act;

And whereas a copy of the scheme and of the estimate with which it was accompanied is annexed to this Order;

And whereas on consideration of the said petition and on proof of the publication of the proper advertisements and of the service of the proper notices I thought fit to proceed with the case and directed a local inquiry to be made by Mr. Herbert Thomas Steward in or in the vicinity of the area to which the scheme relates for the purpose of ascertaining the correctness of the official representation made to the London County Council as to the area and the sufficiency of the scheme provided for its improvement and any local objections to be made to such scheme;

And whereas before commencing such inquiry the said Herbert Thomas Steward made public by advertisement his intention to make such inquiry and stated the time and place at which he would be prepared to hear all persons desirous to be heard upon the subject thereof in accordance with the provisions of section 18 of the above-mentioned Act;

And whereas the said Herbert Thomas Steward has reported to me in favour of the said scheme subject to certain qualifications contained in his report;

And whereas the number of persons of the working class that will be displaced by the scheme if carried out in accordance with this Order is estimated at 1,095 as set forth in the following table:—

Number of Holdings.	Number of Rooms in each Holding.	Total Number of Rooms.	Average Number of Occupants in each Holding.	Total Number of Occupants.
149	1	149	2·85	425
103	2	206	5·29	545
20	3 or more.	68	6·25	125
272 Holdings.		423 Rooms.		1,095 Occupants.

And whereas by the said scheme it is proposed to provide in the area to which it relates accommodation for 568 persons of the working class : A.D. 1897.

Now in pursuance of the powers vested in me by the said Act I hereby confirm the scheme and authorise the same to be carried into execution subject to the following conditions and modifications :—

With respect to the limits of the improvement area the houses and land which on the plan marked No. 26A (annexed to a copy of this Order and sealed with the official seal of this office and here deposited) are indicated by a blue colour and numbered as hereunder set forth and which houses and lands are hereunder described that is to say :—

Plan.	Description.
87	Houses and premises in Churchway.

shall not be deemed part of the unhealthy area in respect of which official representation was made but shall form part of the improvement area to which the scheme as amended by this Order shall relate and shall be deemed to have been included in the scheme as neighbouring lands and for the First Schedule attached to the scheme there shall be substituted the following schedule.

FIRST SCHEDULE.

PARTICULARS REFERRED TO IN THE FOREGOING SCHEME.

The existing buildings upon the lands constituting the improvement area shall be taken down and removed as may be determined from time to time in that behalf by the Council with the approval of one of Her Majesty's Principal Secretaries of State and new dwellings upon the said lands shall be erected as may likewise be so determined with the like approval. The new dwellings shall be constructed in such manner as to position elevation size design and extent of accommodation as the Council with such approval as aforesaid shall prescribe or approve and to their satisfaction so as to afford in the aggregate suitable accommodation for not less than 580 persons of the working classes and in the proportions following that is to say the dwellings on section I. of the improvement area shall afford accommodation for 348 persons and the dwellings on section II. of the said area shall afford accommodation for 232 persons.

Such dwellings shall be furnished with such water-closets sinks water-supply and other proper sanitary arrangements as the Council shall prescribe and to their satisfaction.

Such of the lands constituting each section of the improvement area as shall not be required for the purpose of providing accommodation as aforesaid for 580 persons of the working class may be sold leased or otherwise disposed of by the Council or as regards section I. if the sale and purchase contemplated by clause 2 of the said agreement of the 15th day of October 1895 is carried out by the purchasers from the Council under that agreement as they may respectively think fit.

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Provisional Order Confirmation Act, 1897.

A.D. 1897. The following streets shall be formed and widened as shown by dark red lines upon the said plan—

Churchway to be widened from Drummond Street to Grafton Place to a minimum width of 40 feet.

Wellesley Street to be extended in width to 40 feet between Seymour Street and the new Churchway.

The following street shall be stopped up and form part of the improvement area—

Churchway from Grafton Place to the Euston Road being the part to the south-east of the red lines shown upon the said plan.

M. W. RIDLEY.

Home Office Whitehall
30th December 1896.

SCHEME.

For the improvement of certain lands situate in the parish of St. Pancras in the County of London in pursuance of the Housing of the Working Classes Act 1890.

PRELIMINARY.

Whereas an official representation under the provisions of the fourth section of the Housing of the Working Classes Act 1890 was on the 10th day of October 1893 made to us the County Council of the Administrative County of London (hereinafter referred to as "the Council") by Shirley Forster Murphy the Medical Officer of Health for the Administrative County of London with respect to a certain area within the parish of St. Pancras under our jurisdiction as the local authority within the meaning of the said Act and delineated on the plan annexed to the said representation and thereon coloured red that the houses courts or alleys within the said area were unfit for human habitation and that the narrowness closeness and bad arrangement or the bad condition of the streets and houses or groups of houses within the said area or the want of light air ventilation or proper conveniences or other sanitary defects or one or more of such causes were dangerous or injurious to the health of the inhabitants either of the buildings in the said area or of the neighbouring buildings and that the evils connected with the said houses courts and alleys and the sanitary defects in such area could not be effectually remedied otherwise than by an improvement scheme for the re-arrangement and re-construction of the streets and houses within the said area or of some such streets or houses :

And whereas we the Council have taken such representation into our consideration and being satisfied of the truth thereof and of the sufficiency of our resources have passed a resolution to the effect that the said area is an unhealthy area and that an improvement scheme ought to be made in respect thereof :

And whereas Lady Isabella Caroline Somerset of The Priory Reigate in the county of Surrey (commonly and hereinafter called Lady Henry Somerset) is or has the powers of a tenant for life for the purposes of or under the Settled Land Act 1882 in respect of so much of the said area as is in the plan hereinafter referred to edged

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with a yellow colour and as such is the person entitled to the first estate of freehold in such portion of the said area within the meaning of section 3 of the Housing of the Working Classes Act 1890 :

And whereas we the Council having taken the said official representation into consideration entered into negotiation with Lady Henry Somerset with a view to her co-operation in any improvement scheme which we the Council might make in respect of the said area and such negotiation has resulted in an agreement dated the 15th day of October 1895 between us the Council and Lady Henry Somerset a copy whereof is set out in the second schedule hereto :

And whereas we the Council being satisfied of the truth of the said official representation and of the sufficiency of our resources and relying on the said agreement between us and Lady Henry Somerset did on the 15th day of October 1895 pass a resolution that the said area is an unhealthy area and that an improvement scheme ought to be made in respect thereof :

And whereas it is necessary for the proper re-arrangement of the area aforesaid that certain neighbouring lands should be acquired by us the Council :

Now therefore we the Council in furtherance of such resolution and in pursuance of the provisions of the Housing of the Working Classes Act 1890 and the powers by the said Act conferred upon us do make the scheme following that is to say :—

Improvement Area.

The lands delineated and coloured red and blue on the plan marked No. 26 to this scheme annexed on which plan the area referred to in the before-mentioned official representation is coloured red and the neighbouring lands are coloured blue and all which lands are situate in the parish of St. Pancras in the County of London shall constitute the improvement area to which this scheme refers That portion of the said improvement area which is on the said plan edged with the colour yellow is hereinafter and in the said agreement of the 15th day of October 1895 referred to as Section I. the remainder of the said improvement area being hereinafter and in the said agreement referred to as Section II.

Acquisition of Lands.

The lands constituting the said improvement area or any of them may for the purposes of this scheme be taken compulsorily.

Appropriation of Lands.

The existing buildings upon the lands constituting the said improvement area shall be removed and dwellings for the working classes shall be constructed thereon or on some part or parts thereof affording the accommodation and having the sanitary arrangements specified in the particulars set forth in the first schedule to this scheme annexed and the street shown on the said plan marked No. 26 shall be formed and widened as nearly as may be to the extent shown by dark red lines on the said plan and according to the particulars set forth in the same schedule and the streets mentioned in the same schedule as to be stopped up shall be stopped up and form part of the said improvement area.

Execution of Scheme.

Subject to the provisions of the Housing of the Working Classes Act 1890 and this scheme and to such modifications therein or additions thereto as may be prescribed and made under the authority of the said Act the Provisional Order authorising the

A.D. 1897. execution of this scheme or the Act confirming such Provisional Order this scheme shall be carried into effect in the following manner that is to say :—

The said Agreement of the 15th day of October 1895 is hereby confirmed and shall be carried into effect by the Council and Lady Henry Somerset provided that if the sanction of the Chancery Division of the High Court of Justice referred to in clause 2 of such Agreement shall be refused or shall not within two years after the confirmation by Parliament of the Provisional Order authorising the execution of this scheme be obtained then the said Agreement shall be null and void and this scheme shall be carried into execution by the Council as if such agreement had never been made.

If the said sanction shall be obtained within the two years aforesaid and the purchase from the Council of the leases sub-leases and other similar interests in the lands comprised in Section I. of the said improvement area contemplated by the said Agreement be carried out and the contract between Lady Henry Somerset and the Council also contemplated by the said Agreement be entered into the removal of the existing buildings and the erection of the new dwellings on the lands comprised in that section shall be carried out by Lady Henry Somerset or her successors in title in accordance with such provisions to be contained in such contract as the Council and Lady Henry Somerset may agree or as in case of disagreement between them may be determined by one of Her Majesty's Principal Secretaries of State.

Unless and until the said sanction shall have been refused or the said two years shall have expired without such sanction having been obtained the Council shall not be entitled and shall not be required to acquire the freehold of the lands comprised in Section I. of the said improvement area.

Subject to the provisions aforesaid this scheme as regards both Sections I. and II. shall be carried into execution by the Council.

Short Title.

This scheme may be cited for all purposes as the London (Churchway St. Pancras) Improvement Scheme 1895.

Dated this 16th day of October 1895.

Sealed by Order.

(Signed) H. DE LA HOOKE Clerk of the Council.

L.S.

THE FIRST SCHEDULE.

PARTICULARS REFERRED TO IN THE FOREGOING SCHEME.

The existing buildings upon the lands constituting the Improvement Area shall be taken down and removed and new dwellings upon the said lands shall be erected as may be determined from time to time in that behalf by the Council with the approval of one of Her Majesty's Principal Secretaries of State. The new dwellings shall be constructed in such manner as to position elevation size design and extent of accommodation as the Council with such approval as aforesaid shall prescribe or approve and to their satisfaction so as to afford in the aggregate suitable accommodation for not less than 568 persons of the working classes and in the proportions following that

is to say the dwellings on Section I. of the Improvement Area shall afford accommodation for 348 persons and the dwellings on Section II. of the said Area shall afford accommodation for 220.

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Such dwellings shall be furnished with such water-closets sinks water supply and other proper sanitary arrangements as the Council shall prescribe and to their satisfaction.

Such of the lands constituting each section of the Improvement Area as shall not be required for the purpose of providing accommodation as aforesaid for 568 persons of the working class may be sold leased or otherwise disposed of by the Council or as regards Section II. if the sale and purchase contemplated by Clause 2 of the said agreement of the 15th day of October 1895 is carried out by the purchasers from the Council under that agreement as they may respectively think fit.

The following street shall be formed and widened as shown by dark red lines upon the said plan—

Churchway to be widened from Drummond Street to Grafton Place to a minimum width of 40 feet.

The following streets shall be stopped up and form part of the Improvement Area—

Churchway from Grafton Place to the Euston Road being the part to the south-east of the red lines shown upon the said plan.

The whole of Wellesley Street.

THE SECOND SCHEDULE.

AN AGREEMENT made the 15th day of October 1895 between the Council of the Administrative County of London (herein-after called the Council) of the one part and Lady Isabella Caroline Somerset of the Priory Reigate in the County of Surrey (commonly and herein-after called Lady Henry Somerset) of the other part.

Whereas Lady Henry Somerset is or has the powers of a tenant for life for the purposes of or under the Settled Land Act 1882 of the freehold hereditaments situate at Somers Town in the Parish of St. Pancras in the County of London immediately to the east of a thoroughfare known as Churchway :

And whereas an official representation was made to the Council on the 10th day of October 1893 by the Medical Officer of Health of the Administrative County of London under and in pursuance of the 4th and 5th sections of the Housing of the Working Classes Act 1890 with respect to an area in Somers Town aforesaid which area included with other hereditaments the said hereditaments in respect of which Lady Henry Somerset is or has the powers of a tenant for life as aforesaid :

And whereas the Council thereupon requested Lady Henry Somerset to assist and co-operate with the Council in carrying out and effecting an improvement scheme for the improvement of the said area which she agreed to do upon the terms and conditions and in manner hereinafter appearing :

And whereas the Council in reliance on this Agreement being entered into and being satisfied of the truth of the said official representation and of the sufficiency of their resources have on the day of the date hereof passed a resolution that the said area is an unhealthy area and that an improvement scheme ought to be made in respect thereof :

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And whereas the Council have made a scheme for the improvement of the said area and a print of such scheme and a copy of the plan therein referred to are hereto annexed :

And whereas the said hereditaments of which Lady Henry Somerset is or over which she has the powers of a tenant for life as aforesaid are distinguished on the said plan hereto annexed by being edged with a yellow colour and the same are hereinafter and in the same scheme referred to as Section I. of the improvement area under the said scheme the remainder of the said improvement area being hereinafter and in the said scheme referred to as Section II. :

Now this indenture witnesseth that in pursuance of the said agreement and in consideration of the premises it is hereby agreed and declared by and between the parties hereto in manner following—

1. The Council shall take all necessary steps and use its best endeavours to obtain the confirmation of the said scheme under section 8 of the Housing of the Working Classes Act 1890 and after such confirmation has been obtained shall in exercise of its statutory powers purchase all existing leases sub-leases and other similar interests affecting Section I. of the said improvement area under the said scheme and generally carry out and effect the said improvement scheme so far as the same having regard to the terms of this agreement is to be carried out and effected by the Council Provided that no purchase money or compensation to be paid in respect of any such interest as aforesaid shall be settled by agreement or determined otherwise than by the award of an arbitrator to be appointed under the provisions of the Housing of the Working Classes Act 1890 except with the previous approval of Lady Henry Somerset.

2. If and when such purchase shall have been completed Lady Henry Somerset shall as soon as possible after the happening of such event apply to the Chancery Division of the High Court of Justice and use her best endeavours to obtain its sanction (1) to the application of capital money arising under the Settled Land Act 1882 or any other moneys in the hands of the trustees and available for this purpose in the purchase from the Council of the said leases sub-leases and interests affecting the hereditaments comprised within Section I. of the said Improvement Area at a price equal in amount to the aggregate of the purchase and compensation moneys costs charges and expenses of persons interested in such existing leases sub-leases and other similar interests as aforesaid paid or incurred by the Council for or in connexion with the purchase of the same and (2) to a contract by her with the Council binding her and as far as possible her successors in title to erect or cause to be erected on Section I. of the said Improvement Area or some part or parts thereof in accordance with the provisions of the said Scheme dwellings for the working classes affording a suitable accommodation for not less than 348 persons and (3) to the application of capital moneys arising under the Settled Land Act 1882 in erecting such dwellings on any parts of Section I. aforesaid which she shall not lease or agree to lease for that purpose with an obligation on the part of the lessee or person entering into such agreement with her to erect such dwellings at his own cost.

3. That in the event of such sanction as aforesaid being given by the Chancery Division of the High Court of Justice Lady Henry Somerset will enter into such contract as aforesaid and will do and use her best endeavours to induce all other necessary and proper parties to do all things necessary and proper to be done in accordance with such sanction and this agreement for perfecting the purchase from the Council of the leases sub-leases and other similar interests affecting the hereditaments comprised within Section I. of the improvement area at the price aforesaid and for erecting or causing to be erected on Section I. such dwellings as aforesaid and carrying out such contract as aforesaid.

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4. That if and when the said scheme shall have been confirmed and the sanction of the Chancery Division of the High Court of Justice shall have been given as contemplated by clause 2 of these presents and the purchase contemplated by that clause shall have been carried out and the Contract also contemplated by that clause shall have been entered into the Council shall so soon as they have under the powers conferred upon them by the said scheme acquired and obtained possession of the lands necessary for the purpose and which they shall use their best endeavours to do without delay construct sewer and pave in a good and sufficient manner the roadway of a minimum width of 40 feet in the line of Churchway referred to in the said scheme as shown on the said plan hereto annexed.

5. If the sale and purchase contemplated by clause 2 of these presents shall be carried out the conveyance shall contain a covenant by the grantees under such conveyance with the Council that the grantees their heirs or assigns will not at any time build on the land conveyed in any manner or do any act or thing in connection therewith or in relation thereto which will entitle any persons or bodies of persons to claim compensation from the Council under the provisions of section 22 of the Housing of the Working Classes Act 1890.

6. If the sanction of the Chancery Division of the High Court of Justice referred to in clause 2 of these presents shall be refused or such sanction shall not be obtained within two years after the Provisional Order authorising the execution of the said scheme shall have been confirmed by Parliament then these presents shall be void and of no effect.

7. If and when the sanction of the Court as mentioned in clause 2 of this Agreement shall have been obtained the Council shall pay to Lady Henry Somerset the sum of 52*l.* 10*s.* in respect of her costs of the negotiations and of and incidental to the preparation and execution of this Agreement.

One part of the Agreement is executed as follows—

(Signed) ISABEL CAROLINE SOMERSET.
Witness (Signed) MARY A. WARD POOLE The Priory Reigate.

Sealed by Order.

(Signed) H. DE LA HOOKE Clerk of the Council.

The
Seal of the
Council.

The other part of the Agreement is executed as follows—

Sealed by Order.

(Signed) H. DE LA HOOKE Clerk of the Council.

The
Seal of the
Council.

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ESTIMATE.

Required by Section 6 of the Housing of the Working Classes Act 1890.

1. If agreement with Lady Henry Somerset be not carried into effect under sanction of Court—

Cost of land &c.	-	-	-	-	£52,000
Cost of roads &c.	-	-	-	-	6,450
					<u>£58,450</u>
Less recoupment -	-	-	-	-	6,800
					<u>£51,650</u>

2. If agreement with Lady Henry Somerset be carried into effect with sanction of Court—

Cost of land &c.	-	-	-	-	£52,000
Cost of roads	-	-	-	-	6,450
					<u>£58,450</u>
Less recoupment	-	-	-	-	19,300
					<u>£39,150</u>

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