

British Transport Commission Act, 1957

5 & 6 ELIZ. 2 Ch. xxxiii

ARRANGEMENT OF SECTIONS

PART I PRELIMINARY

Section

1. Short and collective titles.
2. Division of Act into Parts.
3. Interpretation.
4. Incorporation of general Acts.

PART II WORKS

5. Power to make works.
6. As to limits of vertical deviation in respect of certain works.
7. As to new bridge at Kingsferry.
8. As to removal of existing bridge.
9. As to dimensions of vessels passing through Kingsferry Bridge.
10. Power to enter into agreements with Kent County Council.
11. As to dimensions of bridges etc.
12. Period for completion of certain railways.
13. Abandonment of portions of Works Nos. 12 and 13 authorised by Act of 1955.
14. Further works and powers.
15. As to certain level crossings.
16. Substitution of level crossing for bridge at Busby.
17. Use of sewers etc. for removing water.
18. Incorporation of provisions of Acts of 1949 1950 and 1955 relating to works.

PART III DOCKS AND INLAND WATERWAYS

19. Closing to navigation of certain waterways.
20. Prevention of nuisance.

Section

21. Application of section 33 of Town and Country Planning Act 1947.
22. As to harbour charges.
23. As to Portishead Pier.
24. As to jetty at Salt End.

PART IV

LANDS

25. Power to acquire lands.
26. Acquisition of part only of certain properties.
27. Disregard of recent improvements and interests.
28. Extinction of private rights of way.
29. Extinction of rights of way along Llanelly and Mynydd Mawr railway.
30. Easements only to be acquired under certain lands.
31. Power to acquire easements only in certain cases.
32. Periods for compulsory purchase of lands and easements.
33. As to portion of churchyard of Saint Mark Lincoln.
34. Incorporation of provisions of Act of 1949 relating to lands.

PART V

PROTECTIVE PROVISIONS

35. Incorporation of protective provisions of Acts of 1949 1952 and 1955.
36. Crown rights.
37. For protection of Postmaster-General.
38. Works below high-water mark to be subject to approval of Minister.
39. Survey of works by Minister.
40. Lights on works during construction.
41. Permanent lights on works.
42. Abatement of works abandoned or decayed.
43. Provision against danger to navigation.
44. For protection of Buckingham County Council.
45. For protection of Kent County Council.
46. For protection of sewers of London County Council.
47. For further protection of East Greenwich sewer of London County Council.
48. For protection of Middlesex County Council.
49. For protection of Nottinghamshire County Council.
50. For protection of West Riding County Council.
51. For protection of Coventry Corporation.
52. For protection of Llanelly Corporation.
53. For protection of Rugby Corporation.
54. For protection of Stockport Corporation.
55. For protection of Tottenham Corporation.

Section

56. For further protection of Middlesex County Council and Tottenham Corporation.
57. For protection of Kent River Board.
58. For protection of Lee Conservancy Catchment Board.
59. For further protection of Lee Conservancy Catchment Board.
60. For protection of Metropolitan Water Board.
61. For further protection of Metropolitan Water Board.
62. For protection of North Western Electricity Board and North Western Gas Board.
63. For protection of South Eastern Gas Board and Sheppey Water Board.
64. For protection of Trent River Board.
65. For protection of Harris Lebus Limited.

PART VI

MISCELLANEOUS

66. Power for Minister to authorise special safety arrangements at public level crossings.
67. Power to supply heat to Royal Naval College Greenwich.
68. As to charges on Southampton Harbour Board tramways.
69. As to bridge over Eau Brink Cut.
70. As to swing bridge at Diglis.
71. As to Clyst Viaduct.
72. Dissolution of Dundalk Newry and Greenore Railway Company.
73. Repeals.
74. Extensions of time.
75. Powers to owners and lessees to give notice as to purchase of land.
76. Saving for town and country planning.
77. Arbitration.
78. Costs of Act.

SCHEDULES:

First Schedule—Lands referred to in section 6 (As to limits of vertical deviation in respect of certain works) and section 30 (Easements only to be acquired under certain lands) of this Act.

Second Schedule—The roads referred to in section 11 (As to dimensions of bridges etc.) of this Act.

Third Schedule—The level crossings referred to in section 15 (As to certain level crossings) of this Act.

Fourth Schedule—The waterways referred to in section 19 (Closing to navigation of certain waterways) of this Act.

Fifth Schedule—Provisions referred to in subsection (4) of section 23 (As to Portishead Pier) of this Act.

Sixth Schedule—Lands referred to in subsection (2) of section 25 (Power to acquire lands) of this Act.

Seventh Schedule—Describing properties whereof portions only may be taken compulsorily.

Eighth Schedule—Describing properties in respect of which easements may be taken as provided by section 31 (Power to acquire easements only in certain cases) of this Act.

Ninth Schedule—

Part I—Lands the period for the compulsory purchase of which is extended by this Act to 31st December 1960.

Part II—Work the period for the completion of which is extended by this Act to 31st December 1963.



CHAPTER xxxiii

An Act to empower the British Transport Commission to construct works and to acquire lands to authorise the closing for navigation of portions of certain inland waterways to make provision with respect to the transfer to the corporation of Bristol of Portishead Pier to authorise the sale to the Lincolnshire Road Car Company Limited of part of the churchyard of Saint Mark Lincoln to extend the time for the compulsory purchase of certain lands and the completion of a certain work to confer further powers on the Commission to dissolve the Dundalk Newry and Greenore Railway Company and for other purposes.

[31st July 1957.]

WHEREAS by the Transport Act 1947 the British Transport Commission (in this Act referred to as "the Commission") were established:

And whereas it is the duty of the Commission under the Transport Act 1947 as amended by the Transport Act 1953 (inter alia) to provide railway services for Great Britain to provide or secure the provision of an adequate and properly co-ordinated system of passenger transport for the London Passenger Transport Area and to provide in such places and to such extent as may appear to the Commission to be expedient facilities for traffic on inland waterways and port facilities due regard being had to efficiency economy and safety of operation and to the needs of the public agriculture commerce and industry:

And whereas it is expedient that the Commission should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

And whereas the Commission are the owners of the waterways known respectively as the Ashby Canal the Birmingham Canal the Leeds and Liverpool Canal the Swansea Canal and the Walsall Canal:

And whereas there has not for some time past been any traffic on the portions of the said respective waterways in this Act mentioned and it is expedient that the Commission should be relieved of their obligations to maintain the same for navigation:

And whereas the churchyard of the parish church of Saint Mark in the city and diocese of Lincoln is an ancient churchyard the consecration of which is presumed in law and by an Order in Council made on the eighth day of February eighteen hundred and fifty-five in pursuance of the Burial Act 1853 it was ordered that burials in the said churchyard be discontinued:

And whereas the portion of the said churchyard in this Act described (hereinafter referred to as "the specified land") is vested in the incumbent for the time being of the benefice of Saint Mark Lincoln:

And whereas the specified land adjoins land owned by the Lincolnshire Road Car Company Limited and the said company desire to acquire the specified land by agreement for use as part of a station for public service vehicles proposed to be constructed by them:

And whereas the capital of the Lincolnshire Road Car Company Limited is held by the Commission and their nominees:

And whereas it is expedient that the specified land should be freed from all restrictions which may affect it by reason of its consecration and that the incumbent for the time being of the benefice of Saint Mark Lincoln should be empowered to convey the same to the Lincolnshire Road Car Company Limited:

And whereas the pier of the Commission known as Portishead Pier is no longer required by the Commission for the purposes of their undertaking and it is expedient to authorise the transfer of the said pier to the lord mayor aldermen and burgesses of the city of Bristol as provided by this Act:

And whereas the Dundalk Newry and Greenore Railway Company (hereinafter referred to as "the company") were incorporated by the Dundalk and Greenore Railway Act 1863

and Commons in this present Parliament assembled and by the authority of the same as follows:—

PART I

PRELIMINARY

Short and
collective
titles.

1.—(1) This Act may be cited as the British Transport Commission Act 1957.

(2) The British Transport Commission Acts 1947 to 1956 and this Act may be cited together as the British Transport Commission Acts 1947 to 1957.

Division of
Act into
Parts.

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

Part I.—Preliminary.

Part II.—Works.

Part III.—Docks and inland waterways.

Part IV.—Lands.

Part V.—Protective provisions.

Part VI.—Miscellaneous.

Interpretation.

3.—(1) In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject-matter the same respective meanings and—

“ the Act of 1845 ” means the Railways Clauses Consolidation Act 1845;

“ the Act of 1863 ” means the Railways Clauses Act 1863;

“ the Act of 1947 ” means the Transport Act 1947;

“ the Act of 1949 ” means the British Transport Commission Act 1949;

“ the Act of 1950 ” means the British Transport Commission Act 1950;

“ the Act of 1951 ” means the British Transport Commission Act 1951;

“ the Act of 1952 ” means the British Transport Commission Act 1952;

“ the Act of 1955 ” means the British Transport Commission Act 1955;

“ the Commission ” means the British Transport Commission and any reference to the Commission in relation to any functions of the Commission which are for the time being

delegated to an executive in pursuance of section 5 of the Act of 1947 shall be construed as a reference to that executive;

“constructed in tunnel” means constructed in tunnel in such manner as does not necessitate the cutting through or removal of the surface soil;

“enactment” includes any public general local or private Act and any order or other instrument having the force of an Act;

“the Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 the Town and Country Planning Act 1947 the Lands Tribunal Act 1949 the Town and Country Planning Act 1954 and this Act;

“the limits of deviation” means the limits of deviation shown on the deposited plans;

“the Minister” means the Minister of Transport and Civil Aviation;

“the Street Works Act” means the Public Utilities Street Works Act 1950;

“the tribunal” means the Lands Tribunal;

“the underground railways” means such portions of Works Nos. 1 and 2 as are constructed in tunnel;

“the works” means the works authorised by Part II (Works) of this Act.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

(3) All distances and lengths stated in any description of works powers or lands shall be construed as if the words “or thereabouts” were inserted after each such distance or length and distances between points on a railway or waterway shall be taken to be measured along the railway or the waterway as the case may be.

(4) Unless the context otherwise requires any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

4. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act are incorporated with and form part of this Act and this Act shall be deemed to be the

PART I
—cont.

special Act for the purposes of the said incorporated enactments:—

the Lands Clauses Acts except sections 127 to 133 of the Lands Clauses Consolidation Act 1845;

the Act of 1845 except sections 7 8 9 19 20 22 and 23 thereof and Part I (relating to construction of a railway) of the Act of 1863:

Provided that—

(a) for the purposes of the provisions of the Act of 1845 and the Act of 1863 as incorporated with this Act—

(i) the expression “the company” where used in the said incorporated provisions means the Commission;

(ii) Works Nos. 6 7 16 22 and 23 shall be deemed to be railways authorised by the special Act;

(b) for the purposes of sections 16 and 30 to 44 of the Act of 1845 as incorporated with this Act Works Nos. 3 4 11 12 13 17 18 19 20 and 21 shall be deemed to be railways authorised by the special Act;

(c) the provisions of sections 18 and 21 of the Act of 1845 shall not extend to regulate the relations between the Commission and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—

(i) by the provisions of Part II of the Street Works Act; or

(ii) by the provisions of section 39 (For protection of gas water and electricity undertakers) of the Act of 1952 as incorporated with this Act.

PART II

WORKS

Power to make works.

5. Subject to the provisions of this Act the Commission may in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections make and maintain the works hereinafter described with all necessary works and conveniences connected therewith:—

(Railway at Tottenham and Walthamstow)

In the counties of Middlesex and Essex—

Work No. 1 A railway (one mile two hundred and twenty yards in length) partly in the borough of Tottenham and partly in the borough of Walthamstow (being a deviation of a portion in the said boroughs of

Work No. 12 authorised by the Act of 1955) commencing in the said borough of Tottenham by a junction with the said Work No. 12 at a point beneath Page Green Common three yards south of Broad Lane and terminating in the said borough of Walthamstow by a junction with the said Work No. 12 at a point one hundred and eighty-nine yards west of Dagenham Brook:

PART II
—cont.

In the county of Middlesex—

(Railway at
Tottenham)

Work No. 2 A railway (one thousand three hundred and twenty yards in length) wholly in the borough of Tottenham (being a deviation of a portion in the said borough of Work No. 13 authorised by the Act of 1955) commencing by a junction with Work No. 1 sixty-seven yards from the commencement of Work No. 1 and terminating by a junction with the said Work No. 13 at a point five hundred and eighty-three yards south-west of Carbuncle Ditch;

Work No. 3 A lengthening at the eastern end thereof of the bridge in the borough of Tottenham carrying Ferry Lane over the river Lee Navigation:

(Bridge
lengthening
at Tottenham)

In the county of London and in the county borough of West Ham—

(Bridge
reconstruction
at Bromley-
by-Bow)

Work No. 4 A reconstruction partly in the metropolitan borough of Poplar and partly in the county borough of West Ham of the bridge over the river Lee Navigation known as Three Mills Bridge:

In the county of Kent—

(Widening
between
Headcorn and
Ashford)

Work No. 6 A widening (six miles two hundred and eighty-one yards in length) of the railway between Headcorn and Ashford on the south side thereof partly in the rural district of West Ashford and partly in the urban district of Ashford commencing in the parish of Pluckley at a point nine hundred and ninety-two yards west of the bridge carrying Bethersden Road over the said railway passing through the parishes of Bethersden Little Chart Hothfield and Great Chart and terminating in the urban district of Ashford at a point forty-eight yards west of the bridge carrying Beaver Road over the said railway;

Work No. 7 A bridge and approaches (eight hundred and sixteen yards in length) across the Swale commencing in the parish of Iwade in the rural district of Swale by a junction with an intended new access road in the field or enclosure numbered 187 in the

(Bridge and
approaches at
Kingsferry)

PART II
—cont.

said parish of Iwade on the 1/2500 Ordnance map Kent sheet XXI.5 (revision of 1939) passing through the borough of Queenborough and terminating in the parish of Minster in Sheppey in the rural district of Sheppey by a junction with another intended new access road in the field or enclosure numbered 50 in the said parish of Minster in Sheppey on the said Ordnance map;

(Railway
deviation at
Kingsferry)

Work No. 8 A railway (one thousand three hundred and twenty yards in length) being a deviation of the Sittingbourne and Sheerness railway commencing in the said parish of Iwade by a junction with the said railway at a point three hundred and seventy yards south-west of the south-eastern abutment of the bridge carrying the said railway over Ferry Road passing over Work No. 7 and through the borough of Queenborough and terminating in the said parish of Minster in Sheppey by a junction with the said railway at a point five hundred and ninety-six yards north-east of the north-east end of Kingsferry Bridge:

(Railway at
Port Talbot)

In the county of Glamorgan—

Work No. 9 A railway (four hundred and sixty-two yards in length) wholly in the borough of Port Talbot commencing by a junction with the Rhondda and Swansea Bay railway at a point two hundred and sixty-four yards south-west of the bridge carrying the South Wales railway over the river Avan in the said borough and terminating by a junction with the South Wales railway at a point three hundred and fifty yards south-east of the said bridge:

(Railway at
Felin-Foel)

In the county of Carmarthen—

Work No. 10 A railway (four hundred and sixty-nine yards in length) wholly in the parish of Llanelly Rural in the rural district of Llanelly commencing by a junction with the Llanelly and Mynydd Mawr railway at a point thirty-eight yards south-west of the north-western end of the dam of the Cwm-lliedi Reservoir and terminating by a junction with the said railway at a point five hundred and sixty-four yards south-east of the bridge carrying the road from Hengoed-fawr to Ty'r-heol over the said railway;

(Bridge
lengthening
at Llanelly)

Work No. 11 A lengthening at the north end thereof of the bridge in the borough of Llanelly carrying Trostre Road over the railway between Llanelly and Swansea:

In the county of Monmouth—

PART II
—cont.

Work No. 12 A lengthening at the north-western end thereof of the bridge in the parish of Undy in the rural district of Chepstow carrying Elms Road over the railway between Newport and Swindon: (Lengthening of Elms Road Bridge Undy)

In the city and county borough of Coventry—

(Diversion of
Stoney Road
at Coventry)

Work No. 13 A diversion of Stoney Road between the points marked "C" and "D" on the deposited plans:

In the county of Warwick—

(Railways at
Rugby)

Work No. 14 A railway (eight hundred and eighty-five yards in length) wholly in the borough of Rugby commencing by a junction with the railway between Nuneaton and Rugby at a point three hundred and thirteen yards south-east of the bridge carrying Parkfield Road over the said railway and terminating by a junction with the said railway at a point thirteen yards west of the bridge carrying the said railway over Newbold Road;

Work No. 15 A railway (one mile one hundred and eight yards in length) wholly in the borough of Rugby commencing by a junction with the railway between Rugby and Coventry at a point eight hundred and twenty yards west of the bridge carrying Parkfield Road over the said railway and terminating by a junction with the railway between Nuneaton and Rugby at a point fifty-three yards west of the termination of Work No. 14:

In the county borough of Stockport—

(Alterations
of railway
new roads and
bridges at
Stockport)

Work No. 16 An alteration of the railway between Crewe and Stockport being a conversion of the Stockport tunnels into an open cutting;

Work No. 17 A bridge under the road known as Booth Street to carry the said road over the railway between Crewe and Stockport;

Work No. 18 A traffic roundabout at the junctions of Greek Street with Walter Street and Philip Street and Greek Street with Shaw Heath;

Work No. 19 A new road commencing at its junction with Work No. 18 and terminating at the junction of Chapel Street and Shaw Heath;

Work No. 20 A footbridge over the railway between Crewe and Stockport to connect Thomson Street with Work No. 19:

PART II

—cont.

(Road
diversion at
Boughton)

In the county of Nottingham—

Work No. 21 A diversion in the parish of Boughton in the rural district of Southwell of the road known as Brake Lane between the points marked “A” and “C” on the deposited plans:

(Bridge
widening at
Amersham)

In the county of Buckingham—

Work No. 22 A widening on the south side thereof of the bridge in the parish of Amersham in the rural district of Amersham carrying the railway between Aylesbury and London over Rectory Road;

(New bridge
at Amersham)

Work No. 23 A bridge over Station Road in the said parish of Amersham on the south side of the existing bridge carrying the railway between Aylesbury and London over the said road.

As to limits
of vertical
deviation in
respect of
certain works.

6. Notwithstanding anything in section 6 (Power to deviate) of the Act of 1949 as incorporated with this Act the Commission shall not in the construction of Works Nos. 1 and 2 under the lands referred to in the First Schedule to this Act deviate vertically from the levels thereof shown on the deposited sections to a greater extent upwards than ten feet but they may deviate downwards from such levels to such extent as may be found necessary or convenient.

As to new
bridge at
Kingsferry.

7.—(1) In this and the next three succeeding sections of this Act—

“the new bridge” means the bridge comprised in Work No. 7;

“the old bridge” means the existing Kingsferry Bridge authorised by the Sittingbourne and Sheerness Railway Act 1856.

(2) The new bridge shall be constructed with a lifting span and six fixed spans of not less than the following dimensions:—

(a) the lifting span shall have a clear width between abutments of not less than ninety feet and a clear headway above the level of high water at ordinary spring tides of not less than ninety-five feet when raised and eleven feet when lowered;

(b) the fixed spans shall have each a clear width of not less than seventy-five feet between abutments and a clear headway above the level of high water at ordinary spring tides not less than the headway shown in respect of each such span on the deposited sections.

(3) The Commission may in connection with the construction of the new bridge or the maintenance or renewal thereof or the removal of the old bridge from time to time construct place and

maintain in the Swale and the banks bed and foreshore thereof all such cables piles fenders booms dolphins pontoons caissons stagings cofferdams temporary jetties and other works and conveniences as they may deem expedient or necessary.

PART II
—cont.

(4) Upon the completion and opening for public use of the new bridge the Commission may stop up and discontinue the portion of Ferry Road between the points marked "A" and "B" on the deposited plans and thereupon all rights of way over or along the portion of road so stopped up and discontinued shall be extinguished and section 6 (For protection of Railway No. 2) of the South Eastern and London Chatham and Dover Railways Act 1902 shall cease to have effect.

(5) Notwithstanding anything in any enactment no person shall enter upon break up or interfere with the new bridge or the carriageways and footways of the same for the purpose of laying down any main pipe or wire or executing any work thereon or thereunder except with the consent of the Commission and in accordance with such terms and conditions as the Commission may determine.

8.—(1) As soon as reasonably practicable after the completion of Work No. 7 the Commission shall take down and remove to the satisfaction of the Minister the old bridge including such of the foundations abutments and timber protective works in the Swale as he may direct and shall ensure so far as practicable that such taking down and removal shall not unnecessarily obstruct the navigable waterway of the Swale or otherwise interfere with or impede navigation. As to removal of existing bridge.

(2) The provisions of section 40 (Lights on works during construction) of this Act shall apply to the taking down and removal of the old bridge as if the old bridge were part of the works and as if such taking down and removal were referred to in the said section 40 in addition to the construction alteration or extension of the works.

9.—(1) It shall not be lawful for any vessel exceeding fifty-five feet in extreme breadth to pass through or under the new bridge. As to dimensions of vessels passing through Kingsferry Bridge.

(2) The owner or master of any vessel which passes through or under the new bridge in contravention of the provisions of this section shall be liable for every such offence on the first occasion to a penalty not exceeding fifty pounds and on any subsequent occasion to a penalty not exceeding one hundred pounds.

(3) An application may be made to the Minister at any time by any person or any body representative of persons appearing to the Minister to have a substantial interest for an alteration of the dimension referred to in subsection (1) of this section and if on such application the Minister is satisfied that under the

PART II
—cont.

circumstances then existing it is proper so to do he may subject to the provisions of this section make an order altering the said dimension in such manner as he may think fit with effect from such date as may be specified in the order.

(4) Before deciding whether or not to make an order under the last foregoing subsection the Minister may require the fulfilment by the applicant in such manner as may be specified in the requirement of such conditions with respect to the publication of notices and the giving of notices to such persons as may be so specified and the Minister shall afford to any person appearing to him to be likely to be affected by the making of the order an opportunity of making representations to him and may if he thinks fit cause a local inquiry to be held.

(5) As soon as may be after making an order under this section the Minister shall cause to be published in such manner as appears to him to be best adapted for informing persons affected a notice stating that the order has been made and specifying a place where copies thereof may be obtained.

(6) Any order under subsection (3) of this section may vary or revoke any previous order made under that subsection.

10.—(1) In this section—

“the council” means the county council of the administrative county of Kent;

“lands” includes easements or rights in under or over land.

(2) The Commission and the council may enter into and carry into effect agreements with respect to—

(a) the construction maintenance and renewal of Works Nos. 7 and 8;

(b) the acquisition of lands for the purposes of the said works;

(c) the operation of the lifting span of the new bridge;

(d) the removal of the old bridge and its foundations;

(e) the determination of the agreement relating to the old bridge which was confirmed by section 56 (Confirmation of agreement with Kent County Council etc.) of the Southern Railway Act 1930;

and any other matters incidental thereto or consequential thereon including agreements for the defraying or making of contributions towards the cost of the matters aforesaid or any of them.

(3) Any such agreement may provide (inter alia) for the exercise by the council or the Commission and the council jointly of all or any of the powers of the Commission in respect of Works Nos. 7 and 8 and the acquisition of lands for the said works and for the transfer to and vesting in the council or the Commission and the council jointly of the said works and lands or any part thereof together with the rights and obligations of the Commission in relation thereto.

(4) The exercise by the council or by the Commission and the council jointly of any of the powers of this Act shall be subject to the like provisions in relation thereto as would apply if those powers were exercised by the Commission and accordingly those provisions with any necessary modifications shall apply to the exercise of such powers by the council or by the Commission and the council jointly.

PART II
—cont.

(5) Any expenses incurred by the council for the purposes of this section shall be deemed to be expenses incurred by them in the exercise of their powers as a highway authority.

11. Notwithstanding anything in the Act of 1845 as incorporated with this Act the Commission may—

As to
dimensions of
bridges etc.

- (a) construct the bridge for carrying Work No. 6 over the road known as Bears Lane in the parish of Bethersden with the same span and height as the span and height of the existing bridge carrying the railway between Headcorn and Ashford over the said road;
- (b) construct the bridge for carrying Work No. 6 over Gas Works Lane in the urban district of Ashford with a height of ten feet;
- (c) construct the bridges for carrying the roads referred to in the Second Schedule to this Act over Work No. 6 with the same width between parapets as the width between parapets of the existing bridges carrying the said respective roads over the said railway;
- (d) construct the approaches to the bridges referred to in the said schedule with the gradients shown on the deposited sections in respect of each of the said approaches respectively;
- (e) construct the bridge for carrying Works Nos. 14 and 15 over the road on the land numbered on the deposited plans 1 in the borough of Rugby with a span and height not less than the span and height of the existing bridge carrying the railway between Nuneaton and Rugby over the said road;
- (f) construct Work No. 22 with the same span and height as the span and height of the existing bridge carrying the railway between Aylesbury and London over Rectory Road:

Provided that nothing in this section shall release the Commission from any liability under the South Eastern Railway Act 1836 to increase the span and height of the existing bridge referred to in paragraph (a) of this section and such liability shall apply to the said bridge as wholly or partly renewed or reconstructed and to the new or extended bridge referred to in the said paragraph to the same extent as it applies to the existing bridge.

PART II

—cont.

Period for
completion of
certain
railways.

12. If Works Nos. 9 10 14 and 15 are not completed within the period expiring on the thirty-first day of December nineteen hundred and sixty-three then on the expiration of that period the powers by this Act granted to the Commission for making and completing the same respectively or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Abandonment
of portions of
Works Nos. 12
and 13
authorised by
Act of 1955.

13. The Commission shall abandon the construction of the following portions of Work No. 12 and Work No. 13 authorised by the Act of 1955:—

- (a) so much of the said Work No. 12 as lies between the commencement and termination of Work No. 1; and
- (b) so much of the said Work No. 13 as lies between its commencement and the termination of Work No. 2.

Further works
and powers.

14.—(1) Subject to the provisions of this Act (and in so far as the same are shown on the deposited plans and sections in the lines or situations and according to the levels as shown) the Commission may make and maintain the works described in this section with all necessary works and conveniences connected therewith and may exercise the powers hereinafter mentioned:—

- (a) In the city and county borough of Sheffield—
they may stop up and discontinue so much of Duchess Road as is situate within the line marked “Limit of roadway to be stopped up and appropriated” on the deposited plans;
- (b) In the county borough of Stockport—
 - (i) they may stop up and discontinue so much of Sparthfield Road as is situate within the line marked “Limit of roadway to be stopped up and appropriated” on the deposited plans;
 - (ii) they may for the purposes of or in connection with Works Nos. 16 17 18 19 and 20 stop up such portion or portions within the limits of deviation of the said works of the roads known as Greek Street Philip Street Thomson Street Shaw Heath James Street and Walter Street as they may think fit;
- (c) In the county of Buckingham—
In the parish of Amersham in the rural district of Amersham—
they may stop up and discontinue so much of the footpath numbered 5 on the deposited plans as lies between the points marked “A” and “B” thereon and may substitute therefor a new footpath between the points marked “A” and “C” thereon;
- (d) In the county of Carmarthen—
In the borough of Llanelly—
 - (i) they may stop up and discontinue between the points marked “A” and “B” on the deposited

plans the footpath over the road thereon numbered 11 and the footpath on the lands thereon numbered 12;

- (ii) they may make and maintain one additional line of railway across and on the level of Old Castle Road at the place where the said road is crossed on the level by the Llanelly and Mynydd Mawr railway and in connection therewith they may alter the level of the said road;

(e) In the county of Kent—

In the parish of Cobham in the rural district of Strood— they may stop up and discontinue so much of the footpath on the lands numbered 1 and 2 on the deposited plans as lies between the points marked “E” and “F” on the deposited plans and may substitute therefor between those points a new footpath to be carried over the railway by means of a footbridge;

(f) In the county of London—

In the metropolitan borough of Lewisham—

they may stop up and discontinue so much of the footpath from Reigate Road to Baring Road and crossing the railway between Hither Green and Grove Park by means of a footbridge as lies between the points marked “D” “E” and “F” on the deposited plans and may substitute therefor a new footpath and footbridge between the said points marked “D” and “F”;

(g) In the county of Monmouth—

In the parish of Undy in the rural district of Chepstow—

they may stop up and discontinue so much of the road from Caldicot Moor to Caldicot and crossing on the level the railway between Newport and Swindon as lies between the points marked “A” and “B” on the deposited plans;

(h) In the county of Nottingham—

In the parish of Boughton in the rural district of Southwell—

they may stop up and discontinue so much of the road known as Brake Lane as lies between the points marked “A” and “B” on the deposited plans;

(i) In the county of Stafford—

In the parish of Colwich in the rural district of Stafford—

they may stop up and discontinue within the boundaries of their property so much of the road known as Meadow Lane as crosses the railway on the level between Stone and Colwich stations.

PART II
—cont.

(j) In the county of Surrey—

(i) In the parish of Worplesdon in the rural district of Guildford—

they may stop up and discontinue so much of the footpath crossing the railway between Worplesdon and Guildford by means of the level crossing known as Stringer's Common Crossing as lies between the points marked "G" and "H" on the deposited plans and may substitute therefor a new footpath between the points marked "J" and "K" on the deposited plans;

(ii) In the borough of Reigate—

they may stop up and discontinue so much of the footpath shown on the deposited plans as lies between the points marked "A" "B" and "C" on the deposited plans and may substitute therefor a new footpath and footbridge between the said points marked "A" and "C";

(k) In the county of Worcester—

In the parish of Church Honeybourne in the rural district of Evesham—

(i) they may stop up and discontinue so much of the footpath shown on the deposited plans as lies between the points marked "A" "B" and "C" on the deposited plans and may substitute therefor a new footpath and footbridge between the points marked "A" "F" and "D" on the deposited plans;

(ii) they may stop up and discontinue so much of the footpath shown on the deposited plans as lies between the points marked "D" "C" and "E" on the deposited plans and may substitute therefor a new footpath between the points marked "E" and "F" on the deposited plans so as to form a junction with the said new footpath to be provided between the points marked "A" "F" and "D" thereon.

(2) No consent shall be required under section 12 (Stopping up roads and footpaths without providing substitute) of the Act of 1950 as incorporated with this Act in respect of the stopping up of any portion of Walter Street Shaw Heath or James Street in the county borough of Stockport authorised by this section.

As to certain
level
crossings.

15.—(1) As from the passing of this Act all rights of way over the level crossings referred to in Parts I and II of the Third Schedule to this Act other than a right of way for all persons

to use those level crossings as a bridleway or on foot shall be extinguished and the Commission shall provide and maintain on both sides of the railway at each of the said level crossings gates for the convenience of persons on horseback or leading horses and persons on foot.

PART II
—cont.

(2) As from the passing of this Act all rights of way over the level crossings referred to in Parts III IV and V of the said schedule other than a right of way for all persons to use those level crossings on foot shall be extinguished and the Commission shall provide and maintain on both sides of the railway at each of the said level crossings wicket gates or stiles for the convenience of persons on foot.

(3) The provisions of the Highway (Railway Crossings) Act 1839 of section 9 of the Railway Regulation Act 1842 of section 47 of the Act of 1845 and of sections 5 6 and 7 of the Act of 1863 and any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any of the level crossings referred to in Parts I II III and IV of the said schedule shall cease to apply to those level crossings.

(4) The level crossings referred to in Parts II and IV of the said schedule (including the gates thereof other than the gates provided in pursuance of subsections (1) and (2) of this section) shall be deemed for all purposes to be works provided by the Commission at the passing of this Act pursuant to section 68 of the Act of 1845 for the accommodation of the owners and occupiers of the lands adjoining the railway at each of the said level crossings respectively (that is to say) for the purpose of making good any interruption caused by such railway to the use of the lands through which the same has been made as if the making of such railway had been authorised by this Act.

(5) Notwithstanding the provisions of section 6 of the Act of 1863 or any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any of the level crossings referred to in Part VI of the said schedule the Commission shall not be required to maintain a station or lodge at any of those level crossings.

(6) Notwithstanding anything in section 47 of the Act of 1845 the Commission may at the level crossings referred to in Part VII of the said schedule in lieu of constructing and maintaining gates closing across the railway so as to fence in the whole of the railway on both sides of the road construct and maintain a cattle grid or cattle grids as defined in the Highways (Provision of Cattle Grids) Act 1950 extending across any part of the railway which is not fenced in by gates when the said level crossings are open to road traffic.

PART II
—cont.Substitution
of level
crossing for
bridge at
Busby.

16.—(1) In this section—

“ the council ” means the county council of the administrative county of the North Riding of York;

“ the railway ” means the railway between Picton and Battersby;

“ the bridge ” means the bridge in the parish of Great Busby in the rural district of Stokesley in the county of the North Riding of York whereby the road from Northallerton to Stokesley is carried over the railway;

“ the diverted road ” means any public road constructed by the council in substitution for the road on the bridge and the approaches thereto so as to cross the railway.

(2) The Commission and the council may enter into and carry into effect agreements for the construction of a level crossing for carrying the railway across the diverted road on the level.

(3) The railway may be carried with not more than two lines of rails across and on the level of the diverted road and the provisions of the Act of 1845 and of Part I (relating to construction of a railway) of the Act of 1863 with reference to the crossing of roads on the level shall apply with respect to any level crossing constructed in pursuance of an agreement made under this section:

Provided that the Commission shall not be required to erect or maintain a lodge at the said level crossing.

(4) Upon the completion and opening for use of the level crossing for carrying the railway across the diverted road on the level the Commission may stop up and discontinue the road on the bridge and the approaches thereto and thereupon all rights of way over the bridge and approaches shall be extinguished.

(5) The Commission and the council may enter into and carry into effect agreements with reference to the defraying or making contributions towards the cost of constructing maintaining and renewing any level crossing to be constructed in pursuance of an agreement made under this section and removing the bridge and with regard to any other matters relating thereto.

(6) Any expenses incurred by the council for the purposes of this section shall be deemed to be expenses incurred by them in the exercise of their powers as a highway authority.

Use of sewers
etc. for
removing
water.

17.—(1) The Commission may use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse or any sewer or drain of any local authority in or through whose area the works may be constructed or pass and for that purpose may lay down take up and alter conduits pipes and other works and make any convenient connections with any such stream watercourse sewer or drain within the limits of deviation:

Provided that—

PART II
—cont.

(a) the Commission shall not discharge any water into any sewer or drain vested in or under the control of a local authority except with the consent of the local authority and subject to such terms and conditions (including the taking of steps to remove so far as may be reasonably practicable from water so discharged any gravel soil or other solid substance or matter in suspension) as the local authority may reasonably impose; and

(b) the Commission shall not make any opening into any such sewer or drain save in accordance with plans reasonably approved by and under the superintendence (if given) of the local authority in whom the sewer or drain shall be vested.

(2) (a) Notwithstanding anything in subsection (7) of section 11 of the Rivers (Prevention of Pollution) Act 1951 the discharge of any water under the powers of this section into any stream as defined in subsection (1) of the said section 11 shall be subject to the provisions of section 2 of that Act and of any byelaws made under paragraph (a) of subsection (1) of section 5 thereof.

(b) The Commission shall take all such steps as may reasonably be required to secure that any water discharged by them under the powers of this section shall be as free as may be reasonably practicable from any gravel soil or other solid substance or matter in suspension.

(c) In the exercise of their powers under this section the Commission shall not damage or interfere with the bed of any watercourse forming part of the main river of a river board or the banks thereof within the meaning of section 81 of the Land Drainage Act 1930.

(3) Any difference arising between the Commission and a local authority or a river board (as the case may be) under this section shall be settled by arbitration.

(4) In this section the expression "local authority" has the meaning assigned to it by section 144 of the Local Government Act 1948 and the expression "river board" means any board established by an order made under section 1 of the River Boards Act 1948 and shall include the conservators of the river Thames and the Lee Conservancy Catchment Board.

18. The following provisions of the undermentioned Acts are incorporated with and form part of this Part of this Act:—

The Act of 1949—

Section 6 (Power to deviate);

Section 7 (Repair of roads where level not permanently altered);

Incorporation
of provisions
of Acts of
1949 1950 and
1955 relating
to works.

PART II
—cont.

Section 16 (Power to make agreements with road authorities);

Section 17 (Underpinning of houses near works);

Section 18 (Power to make trial borings);

The Act of 1950—

Section 12 (Stopping up roads and footpaths without providing substitute);

Section 13 (Stopping up roads and footpaths in case of diversion);

Section 14 (Provision as to repair of roads and footpaths);

The Act of 1955—

Section 9 (General provisions as to mode of construction of underground railways);

Section 10 (Plans etc. to be approved by Minister before underground railways commenced);

Section 11 (Provisions as to use of electrical power);

Section 12 (Compensation for damage by working);

Section 13 (As to interpretation of certain enactments in relation to Works Nos. 1 to 13):

Provided that for the purposes of this Act the references in the said incorporated provisions of the Act of 1955 to Works Nos. 1, 12 and 13 and to Works Nos. 1 to 13 authorised by that Act shall be construed as references to Works Nos. 1 and 2 and the reference to Works Nos. 2 to 11 in section 9 of the said Act shall be omitted.

PART III

DOCKS AND INLAND WATERWAYS

Closing to
navigation of
certain
waterways.

19.—(1) In this Part of this Act the expression “ the waterways ” means those portions of the several waterways named in the first column of the Fourth Schedule to this Act which are described in the second column of the said schedule which waterways were authorised by the enactments specified in the third column of the said schedule.

(2) As from the passing of this Act—

(a) all rights of navigation along on or over the waterways and all rights of user by barges or other boats of the waterways shall cease and be extinguished; and

(b) the Commission shall cease to be under any obligation (whether statutory or otherwise) to keep the waterways open for navigation or to maintain the same in a navigable condition or to preserve the supplies of water thereto for the purposes of navigation or to supply the waterways with water for those purposes;

but save as aforesaid nothing in this Act shall be deemed to prejudice or affect any existing rights powers or obligations in respect of the waterways.

(3) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

(4) (a) The Commission on the one hand and any local authority highway authority statutory water undertaker or river board on the other hand may enter into and carry into effect agreements with respect to the maintenance of the waterways or any part thereof or any works connected therewith and belonging to or maintainable by the Commission or for the transfer to and vesting in any such contracting party of any of the waterways or any part thereof or of any such works as aforesaid and any such agreement may provide for the transfer to any such contracting party of all or any of the powers and obligations of the Commission in respect of the waterways or works transferred and vested as aforesaid.

(b) A statutory water undertaker shall not exercise any of the powers of this subsection for the purposes of its water undertaking except with the consent of the Minister of Housing and Local Government.

(c) A transfer to or vesting in a river board in pursuance of an agreement made under this section of any part of any of the waterways or of any of the powers and obligations of the Commission in respect thereof shall not take effect until the Minister of Agriculture Fisheries and Food has in accordance with the provisions of section 6 of the River Boards Act 1948 varied the map as approved by him under that section so as to constitute such part of the waterways a part of the main river referred to in that section.

(d) In this subsection—

“statutory water undertaker” means any company local authority board committee or other persons supplying water under an enactment;

“local authority” means the council of the county county borough or county district in which any part of the waterways is situate.

PART III
—cont.Prevention
of nuisance.

20. The waterways shall be deemed to be a watercourse for the purposes of section 259 of the Public Health Act 1936 and the county council of the administrative county within which any part of the waterways is situate may in addition to a local authority as defined in section 1 of that Act enforce the provisions of Part III of that Act where they apply by virtue of this section.

Application of
section 33 of
Town and
Country
Planning
Act 1947.

21.—(1) For the purposes of section 33 of the Town and Country Planning Act 1947 the waterways shall be deemed to be a vacant site provided that this section shall cease to apply to any part of the waterways the use of which is changed after the passing of this Act pursuant to planning permission in that behalf granted under Part III of the said Act.

(2) For the purposes of the said section 33 as extended to the waterways by this section the council of a county district in whose district any part of the waterways is situate shall in addition to the local planning authority be entitled to enforce the provisions of the said section 33 as so extended.

As to harbour
charges.

22.—(1) The provisions of sections 27 to 46 and section 48 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with or applied by any enactment relating to any harbour vested in or under the control and management of the Commission and the provisions of any such enactment the effect whereof is similar to that of the said sections shall apply to the charges made under any charges scheme in respect of port facilities under Part V of the Act of 1947 as if those charges were rates or charges payable under such enactment.

(2) In this section the expression “harbour” has the meaning assigned to it by section 125 of the Act of 1947.

As to
Portishead
Pier.

23.—(1) In this section—

“the corporation” means the lord mayor aldermen and burgesses of the city and county of Bristol;

“the date of transfer” means the date on which Portishead Pier is transferred to and vested in the corporation under the powers of subsection (2) of this section;

“the dock undertaking” means the dock undertaking of the corporation as for the time being authorised;

“Portishead Pier” means the pier authorised by the Bristol and Portishead Pier and Railway Act 1866 and all lands foreshore and bed of the river Severn and all works and conveniences belonging to or held or used by the Commission in connection therewith immediately before the date of transfer which said pier lands foreshore and bed of the river Severn are particularly delineated on the signed plan and thereon coloured blue;

“ the signed plan ” means the plan signed in quadruplicate by Edward Alexander Henry Legge-Bourke the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited in the office of the Clerk of the Parliaments in the House of Lords one copy in the Private Bill Office of the House of Commons one copy at the principal office of the Commission and one copy at the council house of the corporation.

(2) The Commission and the corporation may enter into and carry into effect agreements providing for the transfer to and vesting in the corporation of Portishead Pier and (except as may be provided by any such agreement) on and after the date of transfer the corporation shall subject to the provisions of this section be entitled in lieu of the Commission to the benefit of and to exercise all rights powers and privileges and be subject to all obligations of the Commission in relation to Portishead Pier (other than any obligation relating to the railways forming part of the pier and railway undertaking transferred to the former Great Western Railway Company by virtue of the Great Western and Portishead Railway Companies' Act 1884) subsisting immediately before that date.

(3) On and from the date of transfer Portishead Pier shall for all purposes be deemed part of the dock undertaking and the Bristol Dock Acts 1848 to 1956 shall accordingly extend and apply to Portishead Pier as from that date.

(4) On the date of transfer the provisions of the Acts specified in the first column of the Fifth Schedule to this Act shall be repealed to the extent specified in the second column of the said schedule.

(5) The Bristol Dock Acts 1848 to 1956 and so much of this Act as relates to the transfer of Portishead Pier may be cited together as the Bristol Dock Acts 1848 to 1957.

24. For all purposes of or in connection with the jurisdiction of the justices of the East Riding of Yorkshire petty sessional division of Middle Holderness the jetty at Salt End authorised by the London and North Eastern Railway Act 1923 shall be deemed to be wholly within the parish of Preston in the rural district of Holderness. As to jetty at Salt End.

PART IV LANDS

25.—(1) Subject to the provisions of this Act the Commission may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to their undertaking. Power to acquire lands.

PART IV
—cont.

(2) Without prejudice to the generality of the powers conferred upon the Commission by subsection (1) of this section the Commission may subject to the provisions of this Act enter upon take and use for the purposes specified in the third column of the Sixth Schedule to this Act all or any of the lands referred to in the first and second columns of the said schedule.

(3) Subject to the provisions of this Act the Commission may enter upon use and appropriate so much of the subsoil and under-surface of any public street road footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes of the works without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

Acquisition of
part only of
certain
properties.

26.—(1) Whereas in the construction of the works or otherwise in the exercise by the Commission of the powers of this Act it may happen that portions only of the properties whereof the whole or part is described in the Seventh Schedule to this Act will be sufficient for the purposes of the Commission and that such portions or some other portions less than the whole can be severed from the remainder of the said properties respectively without material detriment thereto Therefore the following provisions shall have effect:—

- (a) The owner of and persons interested in any of the said properties whereof a portion only is required for the purposes of the Commission or each or any of them are or is hereinafter in this section included in the term “the owner”;
- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the said properties the owner fails to notify the Commission in writing that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Commission such portion only without the Commission being obliged or compellable to purchase the whole the Commission paying for the portion so taken and making compensation for any loss sustained by the owner by severance or otherwise;
- (c) If within such twenty-one days the owner alleges by notice in writing to the Commission that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion that may be acquired compulsorily under this Act) can be so severed;

- (d) If the tribunal determines that the portion of the property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Commission the portion which the tribunal shall have determined to be so severable without the Commission being obliged or compellable to purchase the whole the Commission paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;
- (e) If the tribunal determines that the portion of the property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section or such part (if any) of the said costs charges and expenses as it thinks fit shall be borne and paid by the owner;
- (f) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it determines that any other portion can be so severed) the Commission may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice;
- (g) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Commission in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal thinks fit having regard to the circumstances of the case and its final determination.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that the said properties or any of them or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

PART IV
—cont.

(3) The provisions of this section shall be stated in or endorsed on every notice to treat served under this Act in respect of any portion of the said properties.

Disregard of recent improvements and interests.

27. In determining any question of disputed compensation or purchase money in respect of land acquired under this Act the tribunal shall not take into account—

(a) any improvement or alteration made or building erected after the fifth day of December nineteen hundred and fifty-six; or

(b) any interest in the land created after the said date; which in the opinion of the tribunal was not reasonably necessary and was made erected or created with a view to obtaining or increasing the compensation or purchase money.

Extinction of private rights of way.

28.—(1) All private rights of way over any land that may be acquired compulsorily under this Act shall as from the acquisition of the land whether compulsorily or by agreement be extinguished.

(2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

Extinction of rights of way along Llanelly and Mynydd Mawr Railway.

29.—(1) All such rights of way (if any) as may exist along the Llanelly and Mynydd Mawr railway of the Commission between the level crossing in the borough of Llanelly known as Old Castle Road Crossing and the accommodation level crossing in the parish of Llanelly Rural in the rural district of Llanelly known as Glyn Crossing and situated one thousand two hundred and eighty-eight yards north of the bridge carrying the road from Pen-y-moor to Cynheidre-fawr over the said railway shall be extinguished as follows:—

(a) along the portions of the said railway between the points respectively marked “ A ” and “ B ” “ C ” and “ D ” and “ E ” and “ F ” on the signed plan as from the completion by the Commission to the reasonable satisfaction of the local authority concerned and the opening for public use of the respective footpaths between the said points which are shown and coloured red on the signed plan (including in the case of the footpath between the said points marked “ A ” and “ B ” the footbridge over the said railway at the point marked “ A ”);

(b) along the remainder of the said railway between the level crossings aforesaid as from the passing of this Act.

(2) As from the completion and opening for public use thereof—

(a) the footbridge referred to in subsection (1) of this section and so much of the footpath between the points marked “ E ” and “ F ” on the signed plan as is situated on land of the Commission shall be maintained by and at the

expense of the Commission to the reasonable satisfaction of the local authority concerned;

- (b) the remainder of the footpaths shown on the signed plan shall be maintained by and at the expense of the local authority concerned:

Provided that upon the completion of the said footbridge to the reasonable satisfaction of the local authority concerned that authority shall pay to the Commission the sum of one thousand one hundred and forty pounds representing the capitalised cost of the future maintenance and renewal of the said footbridge.

- (3) In this section—

“ the corporation ” means the mayor aldermen and burgesses of the borough of Llanelly;

“ the county council ” means the county council of the administrative county of Carmarthen;

“ the rural council ” means the Llanelly Rural District Council;

“ the signed plan ” means the plan signed in quadruplicate by Marcus George Russell Smith on behalf of the Commission by Selwyn Samuel on behalf of the corporation by Wynne Simpson Thomas on behalf of the county council and by Clifford Bowen Hughes on behalf of the rural council or any modification thereof which may hereafter be agreed between the Commission and the local authority concerned;

“ the local authority concerned ” means in relation to the footbridge shown on the signed plan and the footpaths between the points thereon marked “ A ” and “ B ” and “ C ” and “ D ” the corporation and in relation to the footpath between the points thereon marked “ E ” and “ F ” the county council and the rural council ;

“ footpath ” includes any steps bridges gates stiles and fences forming part thereof or provided in connection therewith.

(4) Any difference arising between the Commission and the local authority concerned under this section shall be settled by arbitration.

(5) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

30.—(1) In this section “ the scheduled lands ” means the lands referred to in the First Schedule to this Act.

(2) The Commission shall not acquire compulsorily under the powers of this Act any part of the scheduled lands but they may acquire within the limits of lateral and vertical deviation prescribed by this Act in respect of the underground railways such easements

Easements only to be acquired under certain lands.

PART IV
—cont.

or rights under the scheduled lands as they may require for the purpose of constructing maintaining renewing and using the underground railways and any necessary works and conveniences connected therewith without being obliged or compellable to acquire any greater interest in under or over the scheduled lands and may give notice to treat in respect of such easements or rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the acquisition of such easements or rights as if they were lands within the meaning of those Acts.

Power to
acquire
easements
only in
certain cases.

31.—(1) Notwithstanding anything in this Act the Commission may acquire such easements or rights as they may require for the purpose of constructing maintaining renewing and using the works in under or over—

- (a) any railway tramway tramroad river canal navigation watercourse aqueduct drain dyke or sewer; or
- (b) any of the lands described in the Eighth Schedule to this Act;

without being obliged or compellable to acquire any greater interest in under or over the same respectively and may give notice to treat in respect of such easements or rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the acquisition of such easements or rights as if they were lands within the meaning of those Acts.

(2) (a) If in any case where the Commission require an easement or right of using the subsoil of any of the lands described in the said schedule they also require to take use and pull down or open any cellar vault arch or other construction forming part of any such lands they may enter upon take and use such cellar vault arch or other construction for the purposes of the works and (subject to the provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the purchase thereof as if such cellar vault arch or other construction were lands within the meaning of those Acts.

(b) Section 26 (Acquisition of part only of certain properties) of this Act shall apply in respect of the acquisition by the Commission under this subsection of any cellar vault arch or other construction as if the property of which it forms part were described in the Seventh Schedule to this Act.

Periods for
compulsory
purchase of
lands and
easements.

32.—(1) The powers of the Commission for the compulsory purchase of the lands and easements which they are authorised by this Act to acquire for the purposes of Works Nos. 1 and 2 shall cease on the thirty-first day of December nineteen hundred and sixty-one.

(2) The powers of the Commission for the compulsory purchase of the other lands and easements which they are authorised by this Act to acquire shall cease on the thirty-first day of December nineteen hundred and sixty.

PART IV
—cont.

33.—(1) In this section—

“ the company ” means the Lincolnshire Road Car Company Limited;

As to portion of churchyard of Saint Mark Lincoln.

“ the specified land ” means that piece of land in the city of Lincoln now forming part of the churchyard of the church of Saint Mark Lincoln and being twenty-six feet in length and six feet in width which is situate to the west of an imaginary straight line continuing the west side of the west wall of the said churchyard from a point seventy-nine feet three inches from Saint Mark’s Street measured along that wall and meeting the wall on the south side of the said churchyard.

(2) As from the passing of this Act the specified land shall be freed and discharged from all trusts uses obligations disabilities and restrictions whatsoever which immediately before the passing of this Act attached thereto under ecclesiastical law or otherwise and from all other trusts uses obligations disabilities and restrictions whatsoever which attached thereto immediately before the passing of this Act by reason of the specified land forming part of a disused burial ground or the churchyard or enclosure of a church or otherwise.

(3) The Reverend Prebendary Arthur Oswald Jones or other the incumbent for the time being of the benefice of Saint Mark Lincoln may sell and the company may purchase the specified land for such consideration as may be agreed upon between them.

34. The following provisions of the Act of 1949 are incorporated with and form part of this Part of this Act:—

Incorporation of provisions of Act of 1949 relating to lands.

Section 23 (Correction of errors in deposited plans and book of reference);

Section 25 (Power to expedite entry);

Section 26 (Power to enter for survey or valuation);

Section 30 (Grant of easements by persons under disability);

Section 33 (As to cellars under streets not referenced).

PART V

PROTECTIVE PROVISIONS

35. The following provisions of the under-mentioned Acts are incorporated with and form part of this Act:—

Incorporation of protective provisions of Acts of 1949

The Act of 1949—

Section 43 (As to works within Metropolitan Police District);

1952 and 1955.

PART V
—cont.

The Act of 1952—

Section 39 (For protection of gas water and electricity undertakers);

The Act of 1955—

Section 36 (For protection of Postmaster-General);

Section 46 (For protection of certain authorities);

Section 54 (Objects of interest in Walthamstow):

Provided that for the purposes of this Act the references in the said section 36 to Works Nos. 1 to 13 authorised by the Act of 1955 shall be construed as references to Works Nos. 1 and 2.

Crown rights.

36. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing in this Act authorises the Commission to take use or in any manner interfere with any portion of the shore or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners or vested in or in the occupation of the Secretary of State for War without the consent in writing of the said Commissioners or the said Secretary of State (as the case may require) first had and obtained for that purpose.

For protection
of Postmaster-
General.

37.—(1) Any electrical works or apparatus constructed erected laid or maintained in pursuance of section 16 of the Act of 1845 (as incorporated with this Act) or in pursuance of subsection (2) of section 25 (Power to acquire lands) or subsection (2) of section 67 (Power to supply heat to Royal Naval College Greenwich) of this Act shall be so constructed erected or laid and so maintained worked and used as to prevent interference with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

(2) Where any highway or length or portion of a highway is stopped up in pursuance of the power to make Work No. 13 conferred by section 5 (Power to make works) or the powers conferred by section 7 (As to new bridge at Kingsferry) section 14 (Further works and powers) or section 16 (Substitution of level crossing for bridge at Busby) of this Act the following provisions shall unless otherwise agreed in writing between the Commission and the Postmaster-General have effect in relation to any telegraphic line belonging to or used by the Postmaster-General which is under in upon over along or across such highway or length or portion of a highway at the time of such stopping up:—

(a) The power of the Postmaster-General to remove the line shall be exercisable notwithstanding the stopping up

of the highway or length or portion of the highway so however that the said power shall not be exercisable as respects the whole or any part of the line after the expiration of a period of three months from the date mentioned in subsection (3) of this section unless before the expiration of that period the Postmaster-General has given notice to the Commission of his intention to remove the line or that part thereof as the case may be;

- (b) The Postmaster-General may by notice to the Commission in that behalf abandon the said line or any part thereof and shall be deemed as respects the line or any part thereof to have abandoned it at the expiration of the said period of three months unless before the expiration of that period he has removed it or given notice of his intention to remove it;
- (c) The Postmaster-General shall be entitled to recover from the Commission the expense of providing in substitution for the line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the line a telegraphic line in such other place as the Postmaster-General may reasonably require;
- (d) Where under paragraph (b) of this subsection the Postmaster-General abandons the whole or any part of a telegraphic line it shall vest in the Commission and the provisions of the Telegraph Acts 1863 to 1954 shall not apply in relation to the line or part in question as respects anything done or omitted after the abandonment thereof.

(3) As soon as the whole or any length or portion of any highway has been stopped up the Commission shall send by post to the Postmaster-General a notice informing him of such stopping up and the period of three months mentioned in subsection (2) of this section shall commence to run from the date on which such notice is sent.

(4) In this section the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878.

38.—(1) Subject to the provisions of this Act the works shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Minister and subject to such restrictions and regulations as the Minister may prescribe before any such work is begun.

Works below high-water mark to be subject to approval of Minister.

(2) Any alteration or extension of any such work shall be subject to the like approval.

PART V
—cont.

(3) If any such work be commenced or completed contrary to the provisions of this section the Minister may abate and remove the same and restore the site thereof to its former condition at the cost of the Commission and the amount of such cost shall be a debt due from the Commission to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the Minister summarily as a civil debt.

Survey of
works by
Minister.

39. If at any time the Minister deems it expedient for the purposes of this Act to order a survey and examination of any of the works which shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides or of the site upon which it is proposed to construct any such work the Commission shall defray the expenses of the survey and examination and the amount thereof shall be a debt due from the Commission to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the Minister summarily as a civil debt.

Lights on
works during
construction.

40.—(1) The Commission shall at or near such part of the works as shall be below high-water mark of ordinary spring tides during the whole time of the construction alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Minister shall from time to time require or approve.

(2) If the Commission fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Permanent
lights on
works.

41.—(1) After completion of Work No. 7 the Commission shall exhibit and keep burning thereon every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House of Deptford Strond shall from time to time direct.

(2) If the Commission fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Abatement of
works
abandoned
or decayed.

42.—(1) Where any part of the works situate wholly or partially on under or over the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Minister may by

notice in writing either require the Commission at their own expense to repair and restore such part of the works as is situate below high-water mark of ordinary spring tides or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the Minister may think proper.

(2) Where any part of the works which has been abandoned or suffered to fall into decay is situate above high-water mark of ordinary spring tides and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Minister may include any such part of the works or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Commission they have failed to comply with such notice the Minister may execute the works required to be done by the notice at the expense of the Commission and the amount of such expense shall be a debt due from the Commission to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the Minister summarily as a civil debt.

43.—(1) In case of injury to or destruction or decay of the works or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Commission shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House of Deptford Strond and shall apply to the said corporation for directions as to the means to be taken.

Provision
against
danger to
navigation.

(2) If the Commission fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

44. For the protection of the county council of the administrative county of Buckingham (hereinafter referred to as "the council") the following provisions shall notwithstanding anything in this Act or shown on the deposited plans and unless otherwise agreed in writing between the Commission and the council apply and have effect :—

For protection
of
Buckingham
County
Council.

(1) In this section—

"the existing bridge" means the bridge in the parish of Amersham in the rural district of Amersham

PART V
—cont.

carrying the railway between Aylesbury and London over Rectory Road;

“ the new works ” means Works Nos. 22 and 23 and the reconstruction of the existing bridge:

- (2) Before commencing the construction of Work No. 22 or the reconstruction of the existing bridge the Commission shall give notice in writing to the council of their intention to do so and within three months after receiving such notice the council may give a counter-notice in writing to the Commission of their desire that the existing bridge should be reconstructed so as to have a span throughout of not less than thirty-six feet between the abutment walls thereof measured at right angles to the direction of the line of highway and so that the foundations of the abutments are at a depth to permit the lowering of the highway to such a level as will make the minimum headroom of the reconstructed bridge over the upper surface of the highway not less than sixteen feet six inches:
- (3) Upon the council giving a counter-notice under paragraph (2) of this section the Commission shall comply with such counter-notice and shall construct Work No. 22 at their own expense with a span and headroom of the same dimensions as required by the counter-notice for the reconstruction of the existing bridge and the council may lower the highway to provide the headroom specified in the counter-notice under the reconstructed bridge and Work No. 22 and the Commission shall repay to the council an amount equal to the cost of lowering the highway to provide the headroom under Work No. 22:
- (4) Upon the completion of the reconstruction of the existing bridge in compliance with a counter-notice under paragraph (2) of this section the council shall pay to the Commission—
 - (a) the amount by which the actual cost incurred by the Commission in reconstructing the bridge with the dimensions specified in the counter-notice exceeds the cost which would have been incurred in reconstructing the bridge with the same dimensions as the dimensions of the existing bridge;
 - (b) the amount by which the capitalised annual cost of maintaining the bridge when constructed with the dimensions specified in the counter-notice exceeds what would have been the capitalised annual cost of maintaining the bridge if it had been constructed with

the same dimensions as the dimensions of the existing bridge:

PART V
—cont.

- (5) The Commission in constructing Work No. 22 shall maintain the headroom shown on the deposited sections and shall not deviate vertically downwards from the levels shown on those sections:
- (6) The Commission shall at their own expense construct Work No. 23 so as to have a span throughout of not less than forty-five feet between the abutment walls thereof measured at right-angles to the direction of the highway:
- (7) Before commencing the construction of the new works the Commission shall submit to the council for their reasonable approval in respect of any matters with which the council are properly concerned plans sections and particulars relating thereto and the new works shall not be constructed otherwise than in accordance with such plans sections and particulars as may be approved by the council as aforesaid or if such approval be refused as may be settled by arbitration:

Provided that if within twenty-eight days after the submission to them of plans sections and particulars under this paragraph the council do not signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof:

- (8) The new works shall be constructed in such a manner as to prevent so far as may be reasonably practicable the dripping of water:
- (9) (a) Before commencing to construct any part of the new works which will involve interference with a highway repairable by the council the Commission shall consult the council as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and to ensure the safety of the public and such part shall not be constructed and the surface of the highway shall not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the council or in default of agreement settled by arbitration;

PART V
—cont.

- (b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the council and to their reasonable satisfaction:
- (10) Any difference arising between the Commission and the council under this section shall be settled by arbitration.

For protection
of Kent
County
Council.

45. For the protection of the county council of the administrative county of Kent (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

(1) In this section—

"highway" means any highway vested in or repairable or maintained by the council;

"new bridge" means a bridge or the extension of an existing bridge carrying any part of the widening over any highway or a bridge or the extension of an existing bridge for carrying any highway over any part of the widening;

"the widening" means Work No. 6:

- (2) Before commencing the construction of any new bridge or the carrying out of any work in connection therewith which involves interference with a highway the Commission shall submit to the council for their reasonable approval in respect of any matters with which the council are properly concerned plans sections and particulars relating thereto and such new bridge shall not be constructed and such work shall not be carried out otherwise than in accordance with such plans sections and particulars as may be approved by the council as aforesaid or if such approval be refused as may be settled by arbitration and any part of the construction of a new bridge or any part of any work as aforesaid which may involve interference with a highway shall be carried out under the supervision (if given) and to the reasonable satisfaction of the council:

Provided that if within twenty-eight days after the submission to them of plans sections and particulars under this paragraph the council do not signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof:

- (3) Each bridge which carries any part of the widening over any highway shall be constructed in such a manner as to prevent so far as may be reasonably practicable the dripping of water:

- (4) (a) Before commencing to construct any part of the widening which will involve interference with a highway the Commission shall consult the council as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and to ensure the safety of the public and such part shall not be constructed and the surface of the highway shall not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the council or in default of agreement settled by arbitration;
- (b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the council and to their reasonable satisfaction:
- (5) The Commission shall make compensation to the council for any subsidence of or damage to any highway or any property of the council or under their control or repairable by them which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the widening or at any time thereafter:
- (6) If in consequence of the exercise of the powers of this Act it is reasonably necessary to alter the position of or to lengthen or to strengthen any sewer or drain (which expression shall in this section include all gulleys and manholes in connection therewith) vested in or repairable by the council or to provide works for the protection thereof such alteration lengthening or strengthening shall be carried out or such protective works shall be provided by the Commission in a manner reasonably approved by the council or if the council prefer shall be carried out or provided by them and the Commission shall repay to the council any expense reasonably incurred by the council in carrying out or providing the same and any additional expense which the council may thereafter reasonably incur in maintaining such sewer or drain:
- (7) The Commission shall make compensation to the council for any damage to any such sewer or drain or interference with the free flow of the contents thereof which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents in

PART V
—cont.

connection with the works and whether such damage shall happen during the execution of the works referred to in this section or at any time thereafter:

- (8) It shall not be lawful for the Commission in the exercise of the powers of section 18 (Power to make trial borings) of the Act of 1949 as applied by Part II (Works) of this Act to make any trial boring so as to interfere with any sewer of the council:
- (9) The Commission in constructing any new bridge or in the carrying out of any work in connection with any new bridge which involves interference with any highway shall—
- (a) at all times keep open some part of the highway affected so as not unreasonably to interrupt the traffic passing along the said highway; and
- (b) make good all damage or injury whatsoever which shall happen or be caused to the said highway by reason or in consequence of the construction of the new bridge or the carrying out of such work:
- (10) The Commission shall during the construction of any new bridge and any work in connection therewith and until the completion thereof make and carry into effect such arrangements for lighting and watching the same (including the provision and working of traffic signs or light signals or flag signals) as may in the opinion of the council be reasonably necessary to prevent danger or accident to persons and vehicles using the highway:
- (11) Any difference arising between the Commission and the council under this section shall be settled by arbitration.

For protection
of sewers of
London
County
Council.

46. For the protection of the sewers of the London County Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

- (1) The Commission shall not commence any part of Work No. 4 or of any works in the exercise of their powers under section 67 (Power to supply heat to Royal Naval College Greenwich) of this Act which will or may pass over under or by the side of or so as to interfere with any sewer of the council (in this section referred to as "the said works") until they shall have given to the council twenty-eight days' previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the council with plans as described in paragraph (8) of this section (in this section referred to as "the said plans") and until the council

shall have signified their approval of the same (unless the council do not signify their approval disapproval or other directions within twenty-eight days after service of the said plans):

- (2) The Commission shall comply with and conform to all reasonable orders directions and regulations of the council in the execution of the said works and shall provide new altered or substituted works in such manner as the council shall reasonably require for the proper protection of and for preventing injury or impediment to such sewer by reason of the said works and shall save harmless the council against all expenses to be occasioned thereby:
- (3) All such new altered or substituted works shall where so required by the council be done by or under the direction superintendence and control of the engineer or other officer of the council at the costs charges and expenses in all respects of the Commission and all costs charges and expenses to which the council may be put by reason of such works whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the council by the Commission on demand:
- (4) When any such new altered or substituted works or any works of defence connected therewith shall be completed by or at the costs charges and expenses of the Commission under the provisions of this section the same shall thereafter be as fully and completely under the direction jurisdiction and control of the council as any sewers or works now or hereafter may be:
- (5) Nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the council in relation to sewers but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed:
- (6) The council may require the Commission in constructing the said works to make any reasonable deviation within the limits of deviation of such works from the line or levels shown upon the said plans for the purpose of avoiding injury or risk of injury to the sewers of the council and the Commission shall in constructing such works deviate accordingly:
- (7) It shall not be lawful for the Commission in the construction of Work No. 4 or in the exercise of the powers of the said section 67 to make any trial boring so as to interfere with any sewer of the council:

PART V
—cont.

- (8) The plans to be submitted to the council for the purposes of this section shall be detailed plans drawings sections and specifications which shall describe the exact position and manner in which and the level at which the said works are proposed to be constructed and shall accurately describe the position of all sewers of the council within the limits of deviation of the said works (for which purpose the council shall allow the Commission access to plans in their possession and to any of their sewers in order to enable the Commission to obtain reliable information) and shall comprise detailed drawings of every alteration which the Commission may propose to make in any such sewer:
- (9) The council may require such modifications to be made in the said plans as may be reasonably necessary to secure the London main drainage system against interference or risk of damage and to provide and secure a proper and convenient means of access to the said sewers:
- (10) The Commission shall be liable to make good all injury or damage caused by or resulting from the construction of the said works to any sewers drains or works vested in the council and the council shall from time to time have power to recover the amount thereof from the Commission in any court of competent jurisdiction:
- (11) The approval by the council of any plans or the superintendence by them of any work under the provisions of this section shall not exonerate the Commission from any liability or affect any claim for damages under this section or otherwise:
- (12) In this section references to the limits of deviation in relation to any works carried out under the powers of the said section 67 shall be construed as references to the boundaries of the two streets referred to in paragraph (a) of subsection (3) of the said section 67.

For further
protection of
East
Greenwich
sewer of
London
County
Council.

47. For the further protection of the East Greenwich sewer of the London County Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

If the Commission in the carrying out of any works pursuant to their powers under section 67 (Power to supply heat to Royal Naval College Greenwich) of this Act alter damage or in any way interfere with the existing sewer of the council known as the East Greenwich sewer the Commission shall—

(a) from time to time pay to the council any additional cost to which the council may be put if

the maintenance management or renewal of any new altered or substituted sewer which may be necessary in consequence of the construction of the said works; and

PART V
—cont.

(b) give to the council full free and uninterrupted access at all times to any such new altered or substituted sewer and every reasonable facility for the inspection maintenance alteration and repair thereof.

48. For the protection of the county council of the administrative county of Middlesex (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

For protection
of Middlesex
County
Council.

(1) In this section—

"the railway" means Works Nos. 1 and 2 and includes any work or convenience connected therewith;

"the sewer" means Work No. 4 authorised by the Middlesex County Council Act 1944 or any sewer constructed in substitution therefor and the works and conveniences connected therewith:

(2) If in the construction of the sewer where it will be crossed by the railway it becomes necessary or expedient to construct it wholly or partly in land adjoining the highway and not entirely in the highway itself it shall nevertheless be regarded as an apparatus in a street for the purposes of the Street Works Act:

(3) The Commission shall not without the consent of the council construct under any county road in the administrative county of Middlesex any part of the works (other than tunnels between stations tunnels to contain platforms cross-over and junction tunnels) which will be within twenty-five feet of the surface of such road except in accordance with plans and sections submitted to and approved by the council but such approval shall not be unreasonably withheld:

(4) In the event of the council omitting to express their disapproval of any plans or sections within twenty-eight days after the same shall have been submitted to them in pursuance of paragraph (3) of this section they shall be deemed to have approved the same:

(5) No part of the construction of so much of Works Nos. 1 and 2 where the same passes under the sewer or the intended site thereof shall be at a higher level than two feet six inches below that of Newlyn ordnance datum:

PART V
—cont.

(6) Any difference arising between the Commission and the council under this section shall be settled by arbitration.

For protection
of Nottingham-
shire County
Council.

49. Section 56 (For protection of Nottinghamshire County Council) of the Act of 1955 shall be construed as if the references therein to Brake Lane were references to Brake Lane as diverted under the powers of this Act and the provisions of the said section 56 shall apply and extend accordingly.

For protection
of West
Riding
County
Council.

50. For the protection of the county council of the administrative county of the West Riding of Yorkshire (in this section referred to as "the council" and "the county" respectively) the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

(1) In this section—

"the lane" means so much of the occupation road known as Ings Lane as comprises the lands numbered on the deposited plans 2 in the parish of Nether Poppleton in the rural district of Nidderdale in the county;

"the protected lands" means the enclosures numbered 60a 66 67 79 92 on the 1/2500 Ordnance map Yorkshire (West Riding) (edition of 1938) sheets Nos. CLXXIV.1 and CLVII.13;

"the signed plan" means the plan signed in quadruplicate by the Right Honourable the Lord Latham the chairman of the committee of the House of Lords to whom the Bill for this Act was referred of which plan one copy has been deposited in the office of the Clerk of the Parliaments House of Lords one copy in the Private Bill Office of the House of Commons one copy at the principal office of the Commission and one copy at the offices of the clerk of the council:

(2) Notwithstanding anything in this Act but subject to the provisions of paragraph (3) of this section the Commission shall as from the date of the acquisition thereof under the powers of this Act permit the lane to be used as an occupation road for the purpose of obtaining access from Millfield Lane in the said parish of Nether Poppleton to the protected lands:

(3) If at any time after the date of such acquisition the Commission desire that the use of the lane or any part thereof as an occupation road shall be discontinued they may provide alternative access to the protected lands in the manner hereinafter prescribed and as from the date on which such alternative access is completed to the satisfaction of the council or in the case of difference

between the Commission and the council as from the date on which the arbitrator shall have certified that such alternative access has been completed to his satisfaction the provisions of the last foregoing paragraph of this section shall cease to have effect in respect of the lane or such part thereof as the case may be:

- (4) Any alternative access from Millfield Lane aforesaid to the protected lands shall be provided by the Commission in the position shown coloured red on the signed plan and shall consist of an ash-surfaced roadway not more than ten feet wide midway between fences not more than thirty feet apart:
- (5) Subject to the provisions of the last foregoing paragraph as from the date of completion to the satisfaction of the council or as from the date of the said certificate as the case may be the alternative access so provided shall be subject to the same rights (but exercisable in common with the Commission and persons authorised by them to use the alternative access) as were exercisable by the owners and occupiers of the protected lands in respect of the lane before the date of the acquisition thereof:
- (6) Any difference arising between the Commission and the council under this section (other than a difference as to the meaning thereof which does not arise in the course of the arbitration) shall be settled by arbitration.

51. For the protection of the lord mayor aldermen and citizens of the city of Coventry (in this section referred to as “the corporation”) the following provisions shall unless otherwise agreed in writing between the Commission and the corporation apply and have effect:—

For protection
of Coventry
Corporation.

- (1) In this section—

“the existing bridge” means the bridge in the city of Coventry carrying Stoney Road over the railway of the Commission;

“the new bridge” means the new bridge in the said city comprised in Work No. 13 to carry the diversion of Stoney Road over the railway of the Commission and includes the approaches thereto between the points marked “C” and “D” on the deposited plans and the embankments thereof and the footways and carriageway thereon:

Provided that if the corporation shall give a counter-notice under the next succeeding paragraph the expression “the new bridge” shall mean the new bridge having the width specified in sub-paragraph (b) of that paragraph

PART V
—cont.

and the expression “ the said Work No. 13 ” shall mean Work No. 13 including the new bridge having that width:

- (2) (a) Before commencing the construction of Work No. 13 the Commission shall give notice in writing to the corporation of their intention so to do;
- (b) If within six weeks after the receipt of the notice referred to in sub-paragraph (a) of this paragraph the corporation give a counter-notice in writing to the Commission of their desire that the new bridge shall be made with a width between the parapets of forty feet and carrying a road having a carriageway twenty-four feet wide and two footways each eight feet wide the Commission shall comply with the counter-notice and on the completion of the construction of the new bridge to the reasonable satisfaction of the corporation and the removal of the existing bridge the corporation shall pay to the Commission the sum of ten thousand pounds;
- (c) The said sum of ten thousand pounds shall be accepted subject to the provisions of paragraph (3) of this section by the Commission in full discharge of all liability of the corporation in respect of the construction and maintenance of the new bridge:
- (3) The new bridge shall be maintained by the Commission:
Provided that the carriageway and footways carried by the new bridge shall vest in the corporation as a highway repairable by the inhabitants at large:
- (4) After the receipt of a counter-notice under sub-paragraph (b) of paragraph (2) of this section or (if no counter-notice is given) after the expiration of the period of six weeks after the receipt by the corporation of a notice under sub-paragraph (a) of that paragraph and before commencing the execution of the said Work No. 13 the Commission shall deposit with the corporation detailed plans sections and particulars relating thereto for their reasonable approval:
Provided that if within twenty-eight days after the deposit of such detailed plans sections and particulars the corporation do not signify to the Commission in writing their approval or disapproval thereof and their requirements in relation thereto they shall be deemed to have approved thereof:
- (5) The Commission shall not execute the said Work No. 13 otherwise than in accordance with such plans sections and particulars as may be reasonably approved by the

corporation or if such approval be refused as may be settled by arbitration and all such works shall be constructed to the reasonable satisfaction of the corporation:

PART V
—cont.

- (6) (a) Before commencing to construct any part of the said Work No. 13 which will involve interference with a highway repairable by the corporation the Commission shall consult the corporation as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and to ensure the safety of the public and such part shall not be constructed and the surface of the highway shall not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the corporation or in default of agreement settled by arbitration and the Commission shall make good all damage or injury whatsoever which shall happen or arise to any such highway by reason or in consequence of the construction of the said Work No. 13 and shall effectively indemnify and hold harmless the corporation from and against all claims or demands arising out of or in connection with the said Work No. 13 or any act or omission of the Commission or of any persons in their employ or of their contractors or others whilst engaged upon the construction of the said Work No. 13;
- (b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the corporation and to their reasonable satisfaction or if the corporation prefer shall be reinstated by them and the Commission shall repay to the corporation any expense reasonably incurred in reinstating the same:
- (7) The Commission shall at all reasonable times during the construction of the said Work No. 13 afford to the surveyor of the city of Coventry and his duly authorised representatives access to the said work for the purposes of inspection and shall supply to the corporation all such information as they may reasonably require with regard to the said work and the method of construction thereof:
- (8) The Commission shall during the execution and until the completion of the said Work No. 13 make and carry into effect such arrangements for lighting and watching the same and any portion of any road interfered with or

PART V
—cont.

affected thereby as may be reasonably necessary to prevent danger or accident to persons and vehicles using the said roads:

- (9) In constructing the new bridge the Commission shall at their own expense provide under the footway thereof accommodation not less than two feet six inches deep or of such other dimensions affording a cross-sectional area of not less than six and a quarter square feet as may be agreed between the Commission and the corporation and shall permit the corporation without charge to lay down therein and maintain repair and renew a water main:
- (10) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

For protection
of Llanelly
Corporation.

52. For the protection of the mayor aldermen and burgesses of the borough of Llanelly (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Commission and the corporation apply and have effect :—

- (1) In this section—

"the existing railway" means the Llanelly and Mynydd Mawr railway of the Commission as it exists at the passing of this Act;

"the reservoir" means the Cwm-Ileidi Reservoir of the Corporation:

- (2) Before commencing the construction of Work No. 10 the Commission shall give to the corporation not less than three months' notice in writing of their intention to commence the same:
- (3) (a) All foul water which may arise from or in consequence of the construction maintenance or use of Work No. 10 shall be effectually collected and disposed of in accordance with the provisions of this paragraph so as to ensure that such water does not enter any river stream spring or conduit which flows into the reservoir or enter the reservoir unless it has been so treated as not to affect prejudicially the purity and quality of the water therein;
- (b) Before commencing the construction of any part of Work No. 10 the Commission shall take such steps and execute such protective works (in this section referred to as "the protective works") as the corporation may reasonably require for effectually collecting and disposing of such foul water;

- (c) If at any time the corporation shall be of opinion that the construction maintenance or use of Work No. 10 or the operations of the Commission connected therewith make it necessary to execute further protective works (in this section referred to as "further protective works") for effectually collecting and disposing of the foul water arising from or in consequence of the construction maintenance or use of the works the Commission shall execute such further protective works as may be reasonably required by the corporation;
- (d) The protective works and further protective works shall be executed by the Commission in accordance with such plans sections and particulars as may be reasonably approved by the corporation;
- (e) The protective works and further protective works shall be executed to the reasonable satisfaction of the corporation and under the supervision of their waterworks engineer (if after reasonable notice he or his representative shall choose to attend) and shall at all times be maintained to the reasonable satisfaction of the corporation;
- (f) The corporation shall grant to the Commission without payment all such easements and similar facilities as may be required for the purposes of executing or maintaining any of the protective works or further protective works or any part of such works which it may be necessary for them to execute or maintain on land of the corporation;
- (g) The Commission and the corporation may enter into and carry into effect agreements with reference to the execution or maintenance of the protective works or further protective works or any part of such works by the corporation on behalf and at the expense of the Commission:
- (4) No surplus spoil or material excavated in the construction or maintenance of Work No. 10 and the protective works or further protective works shall be deposited on any land in the parish of Llanelly Rural in the rural district of Llanelly to the east of the existing railway except on the land in that parish numbered 11 on the deposited plans:
- (5) Notwithstanding anything in this Act the Commission shall not acquire compulsorily under the powers of this Act any part of the lands numbered on the deposited plans 12 in the parish of Llanelly Rural in the rural district of Llanelly and no part of Work No. 10 shall be constructed to the east of the existing railway:

PART V
—cont.

- (6) Subject to the provisions of sub-paragraph (a) of paragraph (3) of this section the Commission shall take all practicable measures and precautions in the construction and maintenance of Work No. 10 so as not to intercept take appropriate or diminish the flow of any rivers streams springs or waters which may flow upon through or into any land vested in the corporation and in the event of it being necessary to interfere with the natural channel thereof the Commission shall in making any diversion thereof restore the level and direction of such diverted river stream spring or water as nearly as may be reasonably practicable to accord with the level and direction thereof prior to such interference:
- (7) The Commission shall not in connection with Work No. 10 knowingly cause or permit any additional water to be discharged into any stream or watercourse flowing into the reservoir except with the consent of the corporation and upon such terms and conditions as the corporation may impose:
- (8) The medical officer of health of the borough of Llanelly shall have the right to examine and the Commission shall on request from him take all necessary steps in their power to enable him to examine any person employed or to be employed in the construction of Work No. 10 or the alteration or improvement of the existing railway above the most northerly intake to the reservoir and if at any time the medical officer has reasonable grounds for believing that the employment or continued employment of any person involves or is likely to involve a risk of contamination of the water in or flowing into the reservoir he may serve upon the Commission a notice in writing to that effect and thereupon the Commission or their contractors shall not employ or shall forthwith cease to employ that person (as the case may be) in the construction of Work No. 10 or the alteration or improvement of the existing railway above the most northerly intake to the reservoir:
- (9) Before commencing the construction of Work No. 11 the Commission shall submit to the corporation for their reasonable approval in respect of any matters with which the corporation are properly concerned the plans sections and particulars relating thereto and Work No. 11 shall not be constructed otherwise than in accordance with such plans sections and particulars as may be approved by the corporation as aforesaid or if such approval be refused as may be settled by arbitration and so much of Work No. 11 as will involve interference with a highway

vested in or repairable by the corporation shall be constructed under the supervision (if given) and to the reasonable satisfaction of the corporation:

PART V
—cont.

Provided that if within twenty-eight days after the submission to them of plans sections and particulars under this paragraph the corporation do not signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof:

- (10) If in consequence of the exercise of the powers of this Act it is reasonably necessary to culvert any watercourse or to alter the position of or to lengthen or to strengthen any sewer or drain (which expression shall in this section include all gulleys and manholes in connection therewith) vested in or repairable by the corporation or to provide works for the protection thereof such culverting alteration lengthening strengthening or protection shall be carried out by the Commission in a manner reasonably approved by the corporation or if the corporation prefer shall be carried out by them and the Commission shall repay to the corporation any expense reasonably incurred by the corporation in carrying out the same and any additional expense which the corporation may thereafter reasonably incur in maintaining such watercourse sewer or drain:
- (11) The Commission shall make compensation to the corporation for any damage to any such watercourse sewer or drain or interference with the free flow of the contents thereof which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents and whether such damage shall happen during the execution of the works referred to in this section or at any time thereafter:
- (12) (a) Before commencing to construct any part of Work No. 11 which will involve interference with a highway the Commission shall consult the corporation as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and to ensure the safety of the public and such part shall not be constructed and the surface of the highway shall not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the corporation or in default of agreement settled by arbitration;

PART V
--cont.

- (b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the corporation and to their reasonable satisfaction or if the corporation prefer shall be reinstated by them and the Commission shall repay any expense reasonably incurred in reinstating the same:
- (13) The Commission shall during the construction of Work No. 11 and any works in connection therewith and until the completion thereof make and carry into effect such arrangements for lighting and watching the same (including the provision and working of traffic signs or light signals or flag signals) as may in the opinion of the corporation be reasonably necessary to prevent danger or accident to persons and vehicles using Trostre Road:
- (14) The Commission in constructing and maintaining Work No. 11 shall at all times provide reasonable access to the land of the corporation on the west side of Work No. 11 and abutting on Trostre Road:
- (15) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

For protection
of Rugby
Corporation.

53. For the protection of the mayor aldermen and burgesses of the borough of Rugby (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Commission and the corporation apply and have effect:—

- (1) In this section unless the context or subject otherwise requires—

"the bridges" means the bridge to be constructed in accordance with sub-paragraph (ii) of paragraph (2) of this section and the bridges referred to in paragraph (3) of this section;

"the diversion of Parkfield Road" means the road to be constructed by the Commission in substitution of so much of Parkfield Road as is situate within the limits of deviation shown on the deposited plans for Work No. 15;

"the roads" means the road to be constructed in accordance with sub-paragraphs (ii) and (iii) of paragraph (2) of this section and the diversion of Parkfield Road:

- (2) Notwithstanding anything in this Act or shown on the deposited plans and sections in constructing Works Nos. 14 and 15 the Commission shall—
- (i) not acquire any part of the enclosures delineated on the deposited plans and described in the deposited

book of reference and thereon numbered 2 3 and 4 in the borough of Rugby;

(ii) carry the said works over the roadway delineated on the deposited plans and described in the deposited book of reference and thereon numbered 5 in the borough of Rugby by means of a bridge with a span square across the road of not less than the span of the existing bridge immediately adjacent to the site of the proposed bridge and a clear headway throughout of sixteen feet six inches and the road at the northern end of the said bridge shall be constructed on a radius of not less than twenty feet;

(iii) construct a road westwards from the roadway mentioned in the last foregoing sub-paragraph to the corporation's sewage works with a width of not less than the width of the existing road and with a foundation and surface not less suitable for heavy road traffic than the existing road:

(3) Notwithstanding anything in this Act or shown on the deposited plans and sections in constructing the crossing of Work No. 15 over the diversion of Parkfield Road (which is to be lowered)—

(i) the bridge carrying the said work and the bridge to be constructed for carrying the Rugby to Coventry railway over the diversion of Parkfield Road shall each be constructed with a span square to the road of not less than twenty-five feet and a clear headway throughout of not less than sixteen feet six inches above the surface of the road;

(ii) the diversion of Parkfield Road shall be of a width of not less than twenty-five feet and the approaches of that road to the said bridges shall not be of a gradient steeper than one foot vertical to every twenty feet horizontal;

(iii) after the opening for public traffic of the diversion of Parkfield Road the banks on which the existing road is constructed shall be removed and steps shall be constructed and maintained by the Commission so as to give direct access from the point marked " C " on sheet No. 33 of the deposited plans and sections on the west to the eastern termination of the existing steps on the eastern side of the said Parkfield Road:

(4) Before commencing the construction of any of the bridges and the roads the Commission shall give notice in writing to the corporation of their intention so to do and if within two months after receiving such notice the

PART V
—cont.

corporation give a counter-notice in writing to the Commission of their desire that any of the bridges including the approaches thereto or either of the roads to which the counter-notice relates shall be constructed with a specified width greater than the width prescribed in paragraph (2) or (3) (as the case may be) of this section the Commission shall comply with the counter-notice:

- (5) Upon the completion of any of the bridges or the roads in compliance with a counter-notice under paragraph (4) of this section the corporation shall pay to the Commission—

(a) the amount by which the actual cost incurred by the Commission in constructing the bridge including the approaches thereto or the road with the width specified in the counter-notice exceeds the cost which would have been incurred in constructing the bridge and approaches or the road of the width prescribed in paragraph (2) or (3) (as the case may be) of this section;

(b) the amount by which the capitalised annual cost of maintaining the bridge when constructed with the width specified in the counter-notice exceeds what would have been the capitalised annual cost of maintaining the bridge if it had been constructed with the width prescribed in paragraph (2) or (3) (as the case may be) of this section:

- (6) The diversion of Parkfield Road shall be constructed at the expense of the Commission and upon completion the surface of the diverted portion of the said road shall vest in the corporation as a highway repairable by the inhabitants at large:
- (7) Not less than twenty-eight days before commencing to construct any of the bridges or roads the Commission shall submit to the corporation for their reasonable approval in respect of any matters with which the corporation are properly concerned plans sections and specifications of the bridges and roads and if the corporation fail to signify their approval or their disapproval within twenty-eight days after the submission to them of the said plans sections and specifications the corporation shall be deemed to have approved the same. If the corporation shall signify their disapproval of the said plans sections or specifications within the said period of twenty-eight days and the Commission and the corporation fail to agree with regard thereto the difference shall be referred to arbitration and the Commission shall not commence to execute the construction of any such bridge or road works until the plans sections and

specifications thereof have been approved by the corporation or any such difference has been settled by arbitration:

- (8) The bridges and roads shall be respectively constructed in accordance with the plans sections and specifications thereof so approved by the corporation or in case of difference settled by arbitration and to the reasonable satisfaction of the corporation:
- (9) In constructing the bridges and the roads the Commission shall not—
 - (a) interfere more than may be reasonably necessary with the existing bridge carrying Parkfield Road over the said Rugby to Coventry railway and its approaches until the new road and bridges referred to in paragraph (3) of this section shall have been constructed and opened for road traffic; and
 - (b) unreasonably interrupt the traffic passing along any road and the Commission shall make good all damage or injury whatsoever which shall happen or arise to any road by reason or in consequence of the construction of any of the bridges or roads:
- (10) The Commission shall at all reasonable times during the construction of the bridges and the roads afford to the surveyor of the corporation and his duly authorised representatives access to the works for the purposes of inspection and shall supply the corporation with all such information as they may reasonably require with regard to such works and the method of construction thereof:
- (11) The Commission shall during the execution and until the completion of any such works as aforesaid including the road mentioned in sub-paragraph (iii) of paragraph (2) of this section make and carry into effect such arrangements for lighting and watching the same and any portion of any road interfered with or affected thereby as may be reasonably necessary to prevent danger or accident to persons and vehicles using the said roads:
- (12) Each of the bridges shall be constructed and maintained so as to prevent as far as reasonably practicable the dripping of water therefrom:
- (13) The roadway referred to in sub-paragraph (iii) of paragraph (2) of this section shall not be diverted or interfered with until the corporation shall have constructed along the line of the diverted road referred to in the said sub-paragraph a new sewer and a new water main in substitution of the existing sewer and water main situate under the said road or track and the corporation

PART V
—cont.

shall proceed with all reasonable dispatch to construct the new sewer and new water main as soon as the plans sections and specifications of the road diversion have been agreed or settled in accordance with paragraph (7) of this section. The Commission shall give all necessary facilities to the corporation for the purpose of constructing maintaining and using the said new sewer and water main:

- (14) Within three months of the completion of the sewer and water main mentioned in the last foregoing paragraph the Commission shall repay to the corporation the reasonable costs and expenses incurred by the corporation in providing and laying the said sewer and water main and connecting the same to the existing sewer and water main less such sum as may be agreed between the Commission and the corporation or in default of agreement as may be determined by arbitration to represent the amount of betterment arising through the replacement of parts of the existing sewer and water main with a new sewer and water main:
- (15) The Commission shall comply with and conform to all reasonable requirements of the corporation in constructing Works Nos. 14 and 15 over the main soil sewer and the storm-water sewer of the corporation and shall provide proper protection of and for the prevention of injury or impediment to the said two sewers by reason of the said works as the corporation shall require and the Commission shall save harmless the corporation against all expenses occasioned thereby and against all claims demands damages and proceedings in respect thereof:
- (16) The Commission shall make compensation to the corporation for any damage to any water main sewer drain ditch or watercourse or interference with the free flow of the contents thereof which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents in connection with the construction of Works Nos. 14 and 15 and whether such damage shall happen during the execution of the said works or at any time thereafter:
- (17) Any difference which may arise between the corporation and the Commission under this section shall be referred to arbitration.

For protection
of Stockport
Corporation.

54. For the protection of the mayor aldermen and burgesses of the county borough of Stockport (in this section referred to as "the corporation") the following provisions shall unless other-

wise agreed in writing between the Commission and the corporation apply and have effect:—

PART V
—cont.

(1) In this section—

“borough” means the county borough of Stockport;

“protective works” means and includes all or any of the following works namely the alteration stopping up diversion or reconstruction of any highway or part thereof the alteration of traffic lights the alteration of police fire and ambulance alarm installations the provision of lighting the alteration of existing lighting the alteration of the position or lengthening of any water main pipe or apparatus sewer or drain (not being a water main pipe or apparatus sewer or drain in respect of which the relations between the Commission and the corporation are regulated by the provisions of Part II of the Street Works Act) vested in or repairable by the corporation (including any gulley or manhole connected with any such main pipe sewer or drain) and the provision of works for the protection of any such main pipe sewer or drain;

“the works” means works Nos. 16 17 18 19 and 20 and the further works described in sub-paragraph (i) of paragraph (b) of subsection (1) of section 14 (Further works and powers) of this Act:

- (2) (i) Not less than two months before commencing to construct any part of the works the Commission shall submit to the corporation for their reasonable approval in respect of any matters with which the corporation are properly concerned plans sections and particulars of the works and if the corporation fail to signify their approval or disapproval within two months after the submission to them of such plans sections and particulars the corporation shall be deemed to have approved the same;
- (ii) At any time within the said period of two months after the submission to them of any such plans sections and particulars the corporation may by notice in writing to the Commission signify their disapproval of such plans sections and particulars and require the construction or provision of such protective works (whether new or additional works or works different from those proposed by the said plans sections and particulars) as the corporation may consider necessary:

PART V
—cont.

Provided that the corporation shall not require the Commission to alter divert or reconstruct any highway or part thereof other than the highways or such parts thereof as comprise Works Nos. 17 18 19 and 20 and the further works described in the said sub-paragraph (i) of paragraph (b) of subsection (1) of section 14;

- (iii) If the corporation shall within the said period of two months signify their disapproval of the said plans sections and particulars or require the construction or provision of any protective works and the Commission and the corporation fail to agree with regard thereto such difference shall be referred to arbitration and the Commission shall not commence to execute the construction of any part of the works until the plans sections and particulars thereof and the protective works proposed to be constructed have been approved by the corporation or any such difference has been settled by arbitration:
- (3) Any such protective works shall be carried out or provided by and at the expense of the Commission in a manner reasonably approved by the corporation or if the corporation prefer shall be carried out or provided by them and in such case the corporation shall carry out or provide the protective works without unreasonable delay and the Commission shall repay to the corporation all expenses reasonably incurred by the corporation in carrying out or providing the protective works:
- (4) The works shall be constructed in accordance with the plans sections and particulars thereof approved by the corporation or in the case of difference as settled by arbitration and to the reasonable satisfaction of the corporation and the Commission shall not interrupt unreasonably the traffic passing along any public road affected by the works and shall secure that at no time during such construction there shall be available for traffic less than one traffic lane and the Commission shall make good all damage or injury whatsoever which shall happen or arise to any such road by reason or in consequence of the construction of the works:
- (5) The Commission shall at all times afford reasonable facilities to the corporation for access to the works during the construction of the works and shall supply the corporation with all such information as they may reasonably require with regard to the works or the method of construction thereof:

- (6) The Commission shall make compensation to the corporation for any damage to any traffic light police fire or ambulance alarm installation water main pipe or apparatus sewer drain or other property of the corporation which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents in connection with the works and whether such damage shall happen during the construction of the works or at any time thereafter:
- (7) The Commission shall repay to the corporation all costs charges and expenses reasonably incurred by the corporation in connection with the works in respect of—
- (a) the employment of any engineers inspectors watchmen and other persons whom it may be reasonably necessary to appoint for supervising inspecting and watching any property of the corporation affected or likely to be affected by the works for controlling and directing road traffic or for preventing obstruction danger or accident arising from the works;
 - (b) lighting the works or any part of any road affected thereby; and
 - (c) the preparation of plans sections and particulars:
- (8) On the expiration of a period of six calendar months from the completion of the works the surface of any highways forming part of the works shall vest in the corporation as highways repairable by the inhabitants at large provided that the borough surveyor of the borough shall have previously certified in writing that the Commission constructed and during such period as aforesaid maintained the surface of such highways to his entire satisfaction:
- (9) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

55. For the protection of the mayor aldermen and burgesses of the borough of Tottenham (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Commission and the corporation apply and have effect:—

For
protection of
Tottenham
Corporation.

(1) In this section—

“the borough” means the borough of Tottenham;

“the common” means the land in the borough known as Page Green Common:

(2) (a) The Commission shall not under the powers of this Act enter upon take or use any part of the common

PART V
—cont.

except so much thereof as the Commission may require for the purpose of providing a ventilating shaft or access to any station in the borough or for use as a temporary working site for the purpose of constructing Works Nos. 1 and 2 and the works connected therewith;

- (b) The provision of a ventilating shaft and access in the common and the use of the common as a temporary working site shall be subject to such terms and conditions including conditions as to the reinstatement of the land as the corporation may reasonably impose:
- (3) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

For further protection of Middlesex County Council and Tottenham Corporation.

56. For the further protection of the county council of the administrative county of Middlesex (in this section referred to as "the council") and of the mayor aldermen and burgesses of the borough of Tottenham (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Commission the council and the corporation apply and have effect:—

- (1) (a) Before commencing the construction of Work No. 3 the Commission shall submit to the council and the corporation plans sections and particulars relating thereto for their reasonable approval;
- (b) If within twenty-eight days after the receipt of such plans sections and particulars the council or the corporation do not signify to the Commission in writing their approval or disapproval thereof and their requirements in relation thereto they shall be deemed to have approved thereof:
- (2) The Commission shall not construct Work No. 3 otherwise than in accordance with such plans sections and particulars as may be reasonably approved by the council and the corporation or if such approval be refused as may be settled by arbitration and Work No. 3 shall be constructed to the reasonable satisfaction of the council and the corporation:
- (3) The construction of Work No. 3 shall after the commencement thereof be carried on with all reasonable dispatch:
- (4) If any extra expense be incurred by the corporation for the repair of any highway by reason of the diversion thereto of traffic from a road of a higher classification in consequence of the construction of Work No. 3 the Commission shall repay the amount of such expense to the corporation:

- (5) In constructing Work No. 3 the Commission shall not occupy the surface of any highway except at such time and to such extent and in accordance with such conditions as may be agreed between the Commission and the council and the corporation or in default of agreement settled by arbitration:
- (6) The Commission shall at all reasonable times during the construction of Work No. 3 afford to the surveyor of the council and the surveyor of the corporation and their duly authorised representatives access thereto for the purpose of inspection:
- (7) The Commission shall make compensation to the council or the corporation for any subsidence of or damage to Ferry Lane or any property of the council or the corporation (as the case may be) or under their control or repairable by them which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents and whether such damage or subsidence shall happen during the construction of Work No. 3 or at any time thereafter:
- (8) Any difference arising under this section between the Commission on the one hand and the council or the corporation on the other hand shall be settled by arbitration.

57. For the protection of the Kent River Board the following provisions shall unless otherwise agreed in writing between the Commission and the river board apply and have effect:—

For protection
of Kent River
Board.

(1) In this section—

“ authorised work ” means so much of—

(a) Work No. 7 or Work No. 8 or any work (whether temporary or permanent) forming part of or constructed in connection with either of the said works under the powers of this Act; or

(b) the work of removing the old bridge and any work carried out in connection therewith under the powers of this Act;

as will or may interfere with or affect (either directly or indirectly) a sea defence work and includes the maintenance or renewal of any authorised work;

“ construction ” includes execution placing and altering and in relation to temporary works and the removal of the old bridge also includes removal and “ construct ” and “ constructed ” have corresponding meanings;

PART V
—cont.

“ the new bridge ” means Work No. 7 and the works and conveniences connected therewith;

“ the old bridge ” has the same meaning as in section 7 (As to new bridge at Kingsferry) of this Act;

“ plans ” includes sections particulars and descriptions (including descriptions of the method of construction);

“ the river board ” means the Kent River Board;

“ sea defence work ” means so much of the sea defence wall on either bank of the Swale as is for the time being under the jurisdiction of the river board and the area on either such bank lying between low-water mark of ordinary tides and a line drawn parallel to and at a distance of fifty feet from the landward toe of the sea wall (measured from the landward side):

- (2) (a) Any part of the new bridge constructed on or in a sea defence work shall be so constructed and maintained by the Commission that the sea defence work after such construction is not less effective as a sea defence work than it was before the said part was constructed;
- (b) The embankments of the approaches to the old bridge (if not removed by the Commission) shall as soon as is reasonably practicable after the Commission have complied with the provisions of section 8 (As to removal of existing bridge) of this Act be made good by the Commission to the reasonable satisfaction of the river board and so as to conform both as to height and cross-section with the adjoining sea defence works;
- (c) For the purpose of inspection the river board shall have the like powers of access to the part of the new bridge referred to in sub-paragraph (a) of this paragraph and to the embankments of the approaches to the old bridge (if not removed by the Commission) as are conferred on them by sub-paragraph (b) of paragraph (5) of this section:
- (3) The Commission shall not construct any bridge opening under the western approach to the new bridge nor shall they construct or on land belonging to them permit the construction of any access road leading to the premises of Bowaters United Kingdom Pulp and Paper Mills Limited at Ridham Dock in such a manner that any part of such opening or access road (as the case may be) is within twenty-five feet of the landward toe of any part of the wall comprised in the sea defence work on the south-western bank of the Swale For the purpose of

calculating the said distance of twenty-five feet in relation to the said opening the measurement shall be taken from the inside face of the abutment wall on the north-eastern side of the said opening:

- (4) (a) Not less than twenty-eight days before commencing an authorised work the Commission shall subject as hereinafter in this paragraph provided submit plans of such work to the river board for their reasonable approval:

Provided that if the river board do not within twenty-eight days after the receipt of any such plans signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof;

- (b) In any case where an authorised work consists of a work of maintenance or renewal the obligation of the Commission to submit plans of such work shall be satisfied by the submission of a notice of intention to construct the work and a description of the work:

- (5) (a) An authorised work shall not be constructed except in accordance with such plans as may be approved or be deemed to be approved by the river board as aforesaid or settled by arbitration subject however to any modification of those plans from time to time agreed upon between the engineer of the Commission and the engineer of the river board or (as the case may be) in accordance with such description as aforesaid and shall be constructed to the reasonable satisfaction of the engineer of the river board who shall be given reasonable notice of the date and time on and at which the authorised work is to be commenced;

- (b) The Commission shall at all reasonable times afford to the engineer of the river board and his duly authorised representatives access to such authorised work for the purpose of inspection and shall comply with any reasonable directions given by such engineer;

- (c) As soon as is reasonably practicable after the completion of the construction of the new bridge or the removal of the old bridge (as the case may be) the Commission shall remove so much of any authorised work as consists only of temporary works carried out for purposes of such construction or removal under the powers in that behalf conferred by subsection (3) of section 7 (As to new bridge at Kingsferry) of this Act:

- (6) If there shall be any inconsistency between any plans approved or deemed to be approved by the river board or settled by arbitration under the provisions of this section and the plans approved by the Minister under

PART V
—cont.

section 38 (Works below high-water mark to be subject to approval of Minister) of this Act the authorised works shall be constructed in accordance with the plans approved by the Minister:

- (7) If by reason of the removal of either or both the embankments of the approaches to the old bridge or of the construction maintenance or renewal of any authorised work or if by reason of the failure of that work or of the Commission to maintain it a sea defence work shall be breached or (as the case may be) shall at any time be injured or damaged or its efficiency as a sea defence work is otherwise impaired the river board may fill in the breach or (as the case may be) make good such injury or damage and in either such a case restore it to a proper standard of efficiency as a sea defence work and recover the reasonable cost thereof (including a proper proportion of the overhead charges of the river board) from the Commission:
- (8) Where either of the embankments of the approaches to the old bridge or any lands acquired by the Commission under this Act abut upon a sea defence work the river board and their officers servants workmen contractors and agents together with any vehicles plant or machinery shall be entitled at all times—
- (a) to enter upon either of the said embankments for the purpose of carrying out works thereon in connection with the sea defence work;
 - (b) to enter upon either of the said embankments or the said land for the purpose of obtaining access to the sea defence work; and
 - (c) to pass and repass for the purposes of sub-paragraphs (a) or (b) of this paragraph along either of the said embankments or the said land:
- Provided that the river board shall not enter upon or pass or repass along either of the said embankments under the powers of this paragraph until after the Commission have complied with the provisions of sub-paragraph (b) of paragraph (2) of this section:
- (9) If at any time after the construction of the new bridge the river board raise the height of or otherwise strengthen or improve the sea defence works adjoining any such part of the new bridge as is referred to in sub-paragraph (a) of paragraph (2) of this section the Commission shall to the reasonable satisfaction of the river board carry out such works in relation to the said part of the new bridge as are agreed with the river board or in default of agreement settled by arbitration to be reasonably

necessary to make it conform with the adjacent parts of the sea defence work as so raised in height strengthened or improved:

PART V
—cont.

Provided that the cost reasonably incurred by the Commission in carrying out such works (including a proper proportion of the overhead charges of the Commission) shall be repaid by the river board to the Commission on demand:

- (10) (a) In connection with the construction maintenance repair alteration or renewal of Work No. 7 or Work No. 8 the Commission shall not exercise the powers conferred by section 18 (Power to make trial borings) of the Act of 1949 (as incorporated with this Act) on or in a sea defence work without first obtaining the consent (which shall not be unreasonably withheld) of the river board who may attach thereto such reasonable terms and conditions as they think fit;
- (b) Any question arising as to the reasonableness of withholding consent or of the terms and conditions attached to the granting of consent shall be referred to and determined by arbitration:
- (11) The Commission shall indemnify and hold harmless the river board from all claims demands costs expenses damages or loss which may be made on or against them or which they may incur or have to pay or which they may sustain in consequence of the construction maintenance or renewal of an authorised work or of the failure or want of repair thereof or any subsidence caused by the construction thereof or in consequence of any act or omission of the Commission their contractors agents workmen or servants whilst engaged upon the authorised works:

Provided that the river board shall give to the Commission reasonable notice of any such claim or demand as aforesaid and no settlement or compromise thereof shall be made without the agreement of the Commission:

- (12) The fact that any work or thing has been executed or done in accordance with a plan approved or not objected to by the river board or to their satisfaction or in accordance with any directions or award of an arbitrator shall not relieve the Commission from any liability under the provisions of this section:
- (13) Any difference arising between the Commission and the river board under this section (other than a difference as to the construction of this section) shall be settled by arbitration.

PART V
—cont.
For protection
of Lee
Conservancy
Catchment
Board.

58. For the protection of the Lee Conservancy Catchment Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Commission and the board apply and have effect:—

(1) In this section—

"the authorised works" means Work No. 1 and any works and conveniences connected therewith;

"banks" and "watercourse" have the meanings respectively assigned to those expressions by the Land Drainage Act 1930;

"engineer" means the engineer to the board;

"the Lee catchment area" means the Lee catchment area as determined in pursuance of the Land Drainage Act 1930;

"the prescribed distance" means—

(a) in relation to Pymmes Brook the river Lee Navigation and the river Lee (New Cut) the distance measured in a horizontal plane between an imaginary line (terminating at each end at the limits of deviation of Work No. 1) on the western side of Pymmes Brook and ten yards from the western bank thereof and an imaginary line (terminating at each end at the said limits) on the south-eastern side of and ten yards from the eastern bank of the river Lee (New Cut);

(b) in relation to the river Lee (Old Course) the distance measured in a horizontal plane between an imaginary line (terminating at each end at the limits of deviation of Work No. 1) on the north-western side of and ten yards from the western bank thereof and an imaginary line (terminating as aforesaid) on the south-eastern side of and ten yards from the eastern bank thereof;

"the protected watercourses" means so much of the watercourses known as Pymmes Brook the river Lee Navigation the river Lee (New Cut) and the river Lee (Old Course) as lies within the limits of deviation of Work No. 1:

(2) (a) Not less than twenty-eight days before commencing to construct or repair any part of the authorised works and any temporary works within the prescribed distance the Commission shall submit to the board particulars plans sections and working drawings thereof for their reasonable approval;

(b) If the board shall not within twenty-eight days after the receipt by them of any such particulars plans sections and

working drawings signify to the Commission in writing their approval or disapproval thereof they shall be deemed to have approved thereof;

(c) Such part of the authorised works and any temporary works shall not be constructed or repaired otherwise than in accordance with—

(i) such particulars plans sections and working drawings as shall be approved by the board or if such approval be withheld as shall be settled by arbitration; and

(ii) a method of working approved by the engineer; and shall be constructed and repaired to the reasonable satisfaction of the board;

(d) The Commission shall at all reasonable times afford to the engineer or his duly authorised representative access to such part of the authorised works for the purpose of inspection and shall comply with any reasonable directions given by such engineer or representative in reference to any works executed within the confines of any of the protected watercourses:

(3) (a) Except in cases of emergency the Commission shall give seven days' notice in writing to the board before commencing to construct or to repair or renew any part of the authorised works within the prescribed distance except parts lying within a permanent tunnel;

(b) The construction or repair of the authorised works so far as they affect the protected watercourses shall when commenced proceed with all reasonable dispatch:

(4) In the construction repair maintenance and user of the authorised works the Commission shall—

(a) take all reasonable precautions to prevent interference with the flow of water in into through or out of any works of the board or with the efficiency of any such works and to prevent the deposit from any work of the Commission of any solid matter in any of the protected watercourses; and

(b) take all necessary steps to secure that any water discharged by them into any of the protected watercourses under the provisions of section 17 (Use of sewers etc. for removing water) of this Act shall be as free as may be reasonably practicable from mud and silt from solid polluting offensive or injurious matters and from any matter prejudicial to fish or spawn or to spawning beds or food of fish:

PART V
—cont.

- (5) If by reason of the construction repair or maintenance of any of the authorised works or of the failure thereof or of the failure to maintain the same the channel or banks of any watercourse within the Lee catchment area shall at any time be injured or damaged such injury or damage shall forthwith be made good by the Commission to the reasonable satisfaction of the engineer and if the Commission fail so to do the board may make good the same and recover the reasonable cost thereof from the Commission:
- (6) (a) Where any lands acquired by the Commission under this Act abut upon or are intersected by any watercourse within the Lee catchment area the board and their officers servants workmen contractors and agents shall be entitled at all times to have access with or without vehicles mechanical plant or equipment to the watercourse and to pass and repass along the banks thereof and use such banks for that purpose and for the exercise and discharge of their functions;
- (b) The Commission shall from time to time give to the board and their officers servants workmen contractors and agents such facilities as may be reasonably necessary for the purposes of this paragraph:
- (7) The Commission shall indemnify and hold harmless the board from all claims demands costs expenses damages or loss which may be made on or against them or which they may incur or have to pay or which they may sustain in consequence of the construction use maintenance renewal or alteration of the authorised works or of the failure or want of repair thereof or any subsidence caused by the construction thereof or in consequence of any act or omission of the Commission their contractors agents workmen or servants:
- (8) (a) If in the exercise of powers of the Lee Conservancy Catchment Board Act 1938 the board carry out any work within the prescribed distance any additional expense which the board may reasonably incur by reason of the construction or proposed construction of the authorised works shall be paid by the Commission to the board;
- (b) Before incurring any such additional expense the board shall submit to the Commission for their reasonable approval details of the work proposed to be carried out:
- (9) Any difference arising between the Commission and the board under this section shall be settled by arbitration.

59. For the further protection of the Lee Conservancy Catchment Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Commission and the board apply and have effect:—

PART V
—cont.
For further
protection of
Lee
Conservancy
Catchment
Board.

(1) In this section—

"the authorised works" means Works Nos. 3 and 4 and any works and conveniences whether temporary or permanent connected therewith;

"the engineer" means the engineer to the board;

"the protected watercourses" means so much of the watercourses known as Pymmes Brook the river Lee Navigation the river Lee (New Cut) and Bow Creek as may be affected by the authorised works:

- (2) The Commission shall not except with the consent of the board which consent shall not be unreasonably withheld construct or maintain any part of the authorised works otherwise than in such manner as not to obstruct or interfere with the flow of water in into or out of the protected watercourses:
- (3) The Commission shall not deposit or leave any material or thing on any bank of any of the protected watercourses in such a position as to be likely to fall into any of the protected watercourses or otherwise gain access thereto:
- (4) The Commission shall not remove or interfere in any way with the tidal defence wall shown on the plan signed in duplicate by Victor Henry Tripp on behalf of the Commission and Norman Medrington on behalf of the board:
- (5) If the Commission shall contravene any of the provisions of paragraphs (2) (3) or (4) of this section the board without prejudice to any other remedy available to them may require the Commission by notice in writing signed by the clerk of the board—
- (i) to remove alter or reconstruct to the satisfaction of the engineer within such reasonable time as may be specified in the said notice any part of the authorised works which is causing an obstruction to or interference with the flow of water in into or out of the protected watercourses;
- (ii) to remove to the satisfaction of the engineer within such reasonable time as may be specified in the said notice any material or thing deposited or left on any bank of the protected watercourses in such

PART V
—cont.

a position as to be likely to fall into any of the protected watercourses or otherwise gain access thereto;

(iii) to reinstate to the satisfaction of the engineer within such reasonable time as may be specified in the said notice the wall referred to in paragraph (4) of this section or any part thereof;

as the case may be:

Provided that—

(a) the Commission shall be liable to repay to the board any costs and expenses to which the board may be put as a result of the said contravention or in connection therewith as well as full compensation for any damage loss or other injury suffered thereby; and

(b) if the Commission fail to remove any material or thing in accordance with the provisions of sub-paragraph (ii) of this paragraph or fail to reinstate the said wall in accordance with the provisions of sub-paragraph (iii) of this paragraph the board may themselves at the expense of the Commission effect the removal of any such material or thing or reinstate the said wall:

(6) Any difference arising between the Commission and the board under this section shall be settled by arbitration.

For protection
of Metro-
politan Water
Board.

60. For the protection of the board the following provisions shall unless otherwise agreed in writing between the Commission and the board apply and have effect:—

(1) (a) In this section unless the subject or context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them:—

“the board” means the Metropolitan Water Board;

“the board’s works” means the following works of the board:—

In the borough of Tottenham—

Pymmes Brook;
the river Lee (New Cut);

In the borough of Walthamstow—

the Coppermill Stream;
the Low Maynard Reservoir;
the High Maynard Reservoir;
the Walthamstow Reservoir No. 4;
the filter beds and pumping station south of Forest Road commonly known as “the Ferry Lane Works”;

- (b) Any distance referred to in this section shall be measured laterally on the horizontal plane:
- (2) (a) The Commission shall not commence to construct any part of so much of Work No. 1 in the borough of Walthamstow as is situate between the south-eastern side of the river Lee (Old Course) and the termination of Work No. 1 or any part of so much of the railway Work No. 12 authorised by the Act of 1955 as is situate between the termination of Work No. 1 and the eastern side of the Dagenham Brook until the reconstruction and the construction of the culverts respectively referred to in sub-paragraph (b) of this paragraph and in sub-paragraph (b) of paragraph (4) of section 57 (For protection of Metropolitan Water Board) of the Act of 1955 have been completed;
- (b) If the Commission request the board in writing to carry out the work referred to in this sub-paragraph the board shall proceed with all reasonable dispatch to carry out and complete that work and thereupon the Commission shall pay to the board the expenses reasonably incurred by the board in reconstructing so much of the existing culvert of the board between the Low Maynard Reservoir of the board and the Walthamstow Reservoir No. 2 of the board as is situate between the said Low Maynard Reservoir and a point measured in a southerly direction along the line of the said conduit a distance of seventy-five feet from the southerly limit of deviation of Work No. 1 shown on the deposited plans so as to comprise a culvert having an internal diameter of not less than seventy-two inches and comprising a steel pipe encased externally and lined internally with concrete together with all necessary ancillary or subsidiary works in connection therewith:
- (3) The Commission shall line with iron the tunnels of so much of Work No. 1 as is situate between a point one hundred feet westward of Pymmes Brook and the termination of that work:
- (4) The Commission shall not in constructing so much of Work No. 1 as will be situate under or within a distance of one hundred feet from any of the board's works deviate upwards from the levels shown on the deposited sections of that work by more than two feet six inches:
- (5) The provisions of paragraphs (7) to (14) of the said section 57 of the Act of 1955 shall extend and apply for the protection of the board in relation to Work No. 1

PART V
—cont.

as if those provisions were with any necessary modifications re-enacted in this section and as if—

(a) for the reference therein to the railway Work No. 12 authorised by the Act of 1955 there were substituted a reference to Work No. 1;

(b) for the references therein to the Act of 1955 there were substituted references to this Act;

(c) for the references therein to the board's works as defined by the said section 57 there were substituted references to the board's works as defined by this section; and

(d) for the reference therein to section 9 (General provisions as to mode of construction of underground railways) of the Act of 1955 there were substituted a reference to that section as incorporated by section 18 (Incorporation of provisions of Acts of 1949 1950 and 1955 relating to works) of this Act:

(6) Paragraph (4) of the said section 57 shall be amended as follows:—

(a) Sub-paragraph (a) thereof shall have effect as if the references to the setting back of the Low Maynard Reservoir of the board and the extension and reconstruction of the existing culvert referred to in sub-paragraph (b) thereof were omitted from the said sub-paragraph (a); and

(b) Sub-paragraphs (i) and (ii) of sub-paragraph (b) thereof shall cease to have effect.

For further
protection of
Metropolitan
Water Board.

61. Except with the consent of the Metropolitan Water Board it shall not be lawful for any work provided or used by the Commission for providing storing or transmitting heat in pursuance of an agreement under section 67 (Power to supply heat to Royal Naval College Greenwich) of this Act to be connected with any apparatus provided or used for the storage transmission distribution or use of water supplied by the said board in such a manner as to permit the flow of water through such connection.

Any person committing a breach of this provision shall be liable on summary conviction to a penalty not exceeding five pounds.

For protection
of North
Western
Electricity
Board and
North
Western Gas
Board.

62. For the protection of the North Western Electricity Board and the North Western Gas Board (each of whom are in this section referred to as "the undertakers") the following provisions shall unless otherwise agreed in writing between the Commission and the undertakers apply and have effect:—

(1) In this section unless the subject or context otherwise requires—

"adequate alternative apparatus" means alternative apparatus adequate to enable the undertakers to

fulfil their statutory functions in a manner not less efficiently than previously;

PART V
—cont.

“ apparatus ” means—

(a) in relation to the North Western Electricity Board electric lines and works (as respectively defined in the Electric Lighting Act 1882) belonging to or maintained by that board;

(b) in relation to the North Western Gas Board mains pipes or other apparatus belonging to or maintained by that board;

and includes any works constructed for the lodging therein of apparatus;

“ closing ” in relation to a highway includes stopping up diverting or denying public access to the highway;

“ diverted highway ” means any highway in the county borough of Stockport which under the powers of section 14 (Further works and powers) of this Act may be stopped up;

“ in ” in a context referring to apparatus includes under over across along or upon;

“ position ” includes depth:

(2) The Commission shall give three months' notice to the undertakers of their intention under the powers of this Act to close any diverted highway in which any apparatus of the undertakers is situate:

(3) In the case of a diverted highway to which the last preceding paragraph applies the undertakers shall notwithstanding such closing continue to have the same powers and rights in and in respect of any apparatus remaining in the land comprised in the part of the said highway so closed as they had immediately before such closing or may (if they reasonably require to remove any apparatus and give notice to the Commission within the said period of three months) and if reasonably so required by the Commission shall with all reasonable dispatch—

(a) remove the apparatus and relay or replace the same in such other position as may be reasonable; or

(b) provide and lay or place other apparatus in such other position as aforesaid in lieu of such existing apparatus:

Provided that the undertakers' rights in connection with the maintenance repair renewal and inspection of the existing apparatus shall continue until adequate alternative apparatus has been provided:

PART V
—cont.

(4) The Commission shall repay to the undertakers—

(a) the reasonable expenses incurred by the undertakers of or in connection with any removal and relaying or replacing of apparatus and any provision and laying or placing of new apparatus which may be rendered reasonably necessary in consequence of a requirement of the Commission under the provisions of paragraph (3) of this section or of any operations of the Commission in or near a diverted highway; and

(b) the reasonable costs of and incidental to—

(i) the cutting off of any apparatus from any other apparatus; and

(ii) any other work or thing;

rendered reasonably necessary in consequence of any such removal relaying replacing laying or placing as is referred to in this paragraph:

Provided that subsections (3) and (4) of section 23 of the Street Works Act shall so far as applicable extend and apply to any payment to be made by the Commission under this paragraph as if the Commission were the promoting authority as if the works of removing relaying replacing laying or placing apparatus hereinbefore in this paragraph mentioned were such undertakers' works as are referred to in the said subsection (3) and as if in that subsection for the words "specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act or agreed so to be by the promoting authority" there were substituted the words "agreed or settled by arbitration under section 62 (For protection of North Western Electricity Board and North Western Gas Board) of the British Transport Commission Act 1957":

(5) Notwithstanding anything in this Act section 39 (For protection of gas water and electricity undertakers) of the Act of 1952 except the words "(not being in either case apparatus in respect of which the relations between the Commission and the undertakers are regulated by the provisions of Part II of the Public Utilities Street Works Act 1950)" of paragraph (1) of that section as extended by this section shall extend and apply to any apparatus of the undertakers which may be affected by the exercise of the powers of—

(a) section 5 (Power to make works) of this Act in relation to Works Nos. 16 17 18 19 and 20; and

(b) section 14 (Further works and powers) of this Act in relation to the county borough of Stockport.

63. For the protection of the South Eastern Gas Board and the Sheppey Water Board (in this section together referred to as "the undertakers") the following provisions shall unless otherwise agreed in writing between the Commission and the undertakers apply and have effect:—

PART V
—cont.
For protection
of South
Eastern Gas
Board and
Sheppey
Water Board.

(1) In this section—

"the new bridge" means the bridge comprised in Work No. 7 and the works and conveniences connected therewith including any underwater cable duct between the main piers for accommodating the bridge control cables or cables for railway purposes;

"specified main" means in relation to the South Eastern Gas Board one gas main having a diameter of twelve inches and in relation to the Sheppey Water Board one water main having a diameter of eighteen inches and includes any fittings required in connection therewith and "specified mains" means in the event of the notice referred to in paragraph (2) of this section being served by the undertakers both such mains and in the event of such notice being served by only one of the undertakers the main to be laid by that undertaker;

"specified cables" means the bridge control cables or cables for railway purposes particulars of which have been submitted to the undertakers under subparagraph (a) of paragraph (3) of this section;

"approach" means either of the approaches to the new bridge and includes the embankment on which it is constructed;

"accommodation" includes means of access and support:

(2) (a) The undertakers or either of them may at any time within one month after the passing of this Act give notice to the Commission that they desire accommodation for their specified main to be provided in the new bridge and (in any case where any part of the roadway of an approach is of insufficient depth or otherwise unsuitable for the laying therein of the specified mains) in some other part of the approach and the new bridge and where required the said approach shall in that event be so constructed as to provide accommodation for the specified mains;

(b) If under the foregoing provisions of this paragraph the undertakers have desired accommodation to be provided in an approach and it is reasonably necessary that some part of such accommodation should be provided in any

PART V
—cont.

land adjacent thereto being land within the limits of land to be acquired in connection with Work No. 7 the Commission shall afford to the undertakers the necessary rights and facilities for the laying of the specified mains in such land and thereafter for the use maintenance repair inspection alteration removal and renewal of the specified mains:

- (3) (a) The Commission shall within one month after the receipt of any such notice as aforesaid submit to the undertakers concerned for their reasonable approval plans and sections of the accommodation which it is proposed to provide in the new bridge and if required in the approaches and any land of the Commission adjacent thereto for the specified mains and such other particulars (including particulars of any cables to be laid by the Commission in the new bridge) as may be reasonably necessary to enable the undertakers to design the layout of the specified mains;
- (b) If the undertakers concerned do not within twenty-one days after receipt of such plans sections and particulars give notice in writing to the Commission signifying their disapproval thereof they shall be deemed to have approved thereof;
- (c) If the undertakers concerned disapprove such plans sections and particulars the matter shall forthwith be referred to arbitration and the parties to such arbitration shall use their best endeavours to secure an award with the least possible delay;
- (d) Any accommodation to be provided by the Commission under the provisions of this section shall be constructed in accordance with such plans sections and particulars as may be approved (or are deemed to be approved) or if the undertakers concerned have signified their disapproval thereof as may be settled by arbitration subject however to any such modification of those plans sections and particulars as may from time to time be agreed upon between the engineer of the Commission and the engineer of the undertakers concerned:
- (4) After completion of the accommodation for the specified mains the undertakers may (subject to the provisions of this section and notwithstanding the provisions of subsection (5) of section 7 (As to new bridge at Kingsferry) of this Act) enter upon the new bridge and where required an approach and lay or attach the specified mains therein or thereto:
- (5) The undertakers shall conform with the reasonable requirements of the Commission as to the time or times

at which and the manner in which the undertakers are to lay or attach the specified mains under this section and the Commission shall be entitled to superintend such work. The costs reasonably incurred by the Commission in such superintendence shall be repaid to them by the undertakers:

- (6) Upon the completion of the new bridge with accommodation for the specified mains each of the undertakers shall pay to the Commission—

(a) in respect of so much of the said accommodation as consists of the provision in the piers of the lifting span of the new bridge of means of access to the specified mains and to the specified cables one-third of the total cost of such provision;

(b) in respect of so much of the said accommodation as consists of the provision in on or under the fixed spans of the new bridge of means of access to the specified mains one-half of the total cost of such provision;

(c) in respect of the provision of any under-water duct provided for the specified cables as well as for the specified mains such proportion of the total cost of the under-water duct as the total cross-sectional area of the specified main of that undertaker (excluding any fittings required in connection therewith) bears to the total cross-sectional area of both the specified mains together with the specified cables; and

(d) in respect of any accommodation for the specified mains (other than that referred to in subparagraphs (a) (b) and (c) of this paragraph) such proportion of the total cost of providing such accommodation as the weight of the specified main of that undertaker (when fully charged with water or gas (as the case may be)) bears to the weight of the specified mains (when fully charged as aforesaid) together with such (if any) of the specified cables as are placed in such accommodation:

- (7) The accommodation provided by the Commission for the specified mains under the provisions of this section shall be maintained by the Commission in good repair and to the reasonable satisfaction of the undertakers concerned and each of the undertakers shall pay to the Commission half-yearly in respect of the cost of such maintenance such amount as may be agreed with the

PART V
—cont.

Commission or in default of agreement settled by arbitration to be—

(a) one-third of the cost of maintaining the means of access referred to in sub-paragraph (a) of the last preceding paragraph;

(b) one-half of the cost of maintaining the means of access referred to in sub-paragraph (b) of the said paragraph;

(c) such proportion of the cost of maintaining the under-water duct referred to in sub-paragraph (c) of the said paragraph as the total cross-sectional area of the specified main of that undertaker bears to the total cross-sectional area of the specified mains together with the specified cables; and

(d) such proportion of the cost of maintaining any accommodation (other than that referred to in sub-paragraphs (a) (b) and (c) of the said paragraph) provided by the Commission under this section as the weight of the specified main of that undertaker (when fully charged with water or gas (as the case may be)) bears to the weight of the specified mains together with such (if any) of the specified cables as are placed in such accommodation:

- (8) In the event of one only of the undertakers giving notice under paragraph (2) of this section that undertaker shall be liable for such proportion of the total cost of providing the accommodation provided by the Commission for the specified mains and the specified cables under the foregoing provisions of this section as may be agreed or in default of agreement be settled by arbitration so as to limit the liability of the Commission to that which they would have had to bear had each of the undertakers given the said notice:
- (9) The undertakers shall be entitled at all times to use free of charge the accommodation provided pursuant to the foregoing provisions of this section for the purpose of using inspecting repairing maintaining altering (otherwise than by increasing the diameter or weight) removing or renewing the specified mains:

Provided that except in case of emergency the undertakers shall give to the Commission not less than ten days' notice in writing of their intention to execute works on the new bridge and except as aforesaid shall conform with the reasonable requirements of the Commission as to the time or times at which the undertakers may exercise the right of entering upon and

executing works on the new bridge and as to the manner in which such works are executed and the Commission shall be entitled to superintend the execution of such works. The costs reasonably incurred by the Commission in such superintendence shall be repaid to them by the undertakers:

- (10) (a) The undertakers shall maintain in good repair and to the reasonable satisfaction of the Commission the specified mains and shall from time to time carry out and maintain such works on the specified mains as the Commission may reasonably require to be done or provided for ensuring the safety and stability of the new bridge and the safety and convenience of those using the new bridge being works reasonably required to be done in consequence of the exercise by the undertakers of the rights conferred upon them by this section and in default the Commission may at the expense of the undertakers carry out and maintain such works and the undertakers shall repay to the Commission any expenses reasonably incurred by the Commission in carrying out any such works;
- (b) The undertakers shall repay to the Commission any loss damage or expenses suffered or incurred by the Commission by reason of the failure of the undertakers to comply with the provisions of this section or by reason of any fault in or accident occurring in relation to the specified mains or either of them (unless such fault or accident was occasioned by any act or default of the Commission their servants or agents) and shall indemnify the Commission against any actions proceedings costs claims or demands arising out of or in any way attributable to the exercise by the undertakers of the rights conferred upon them by this section unless such actions proceedings costs claims or demands shall arise by reason of the neglect or default of the Commission their servants or agents:

Provided that the Commission shall give to the undertakers reasonable notice of any such claim or demand as aforesaid and no settlement or compromise thereof shall be made without the agreement of the undertakers:

- (11) (a) No accommodation provided by the Commission under this section shall be used by the Commission for the installation of any cables (other than the specified cables) or shall be made available by the Commission for the use of any other person without the consent

PART V
—cont.

of the undertakers which shall not be unreasonably withheld and may be given subject to such terms and conditions as may be agreed or settled by arbitration (including terms and conditions as to the repayment by the Commission or such person to the undertakers of a proportion of the whole or some part of the payment made by them to the Commission under paragraph (6) of this section);

(b) In the event of any such accommodation as aforesaid being used by the Commission for the installation of any cables (other than the specified cables) or made available to any such other person the payments to be made by the undertakers under paragraph (7) of this section shall be reduced by such amounts as may be agreed or in default of agreement as may be settled by arbitration to be appropriate having regard to the increased user of the accommodation by the Commission or to any payments which such other person is liable to make to meet the cost of maintaining the said accommodation (as the case may be):

(12) Any difference arising between the Commission and the undertakers or either of them under this section (other than a difference as to the construction thereof) shall be settled by arbitration.

For protection
of Trent
River Board.

64. For the protection of the river board the following provisions shall unless otherwise agreed in writing between the Commission and the river board apply and have effect:—

(1) In this section—

“the closed canal” means the portion of the Ashby Canal in respect of which all rights of navigation are extinguished under section 19 (Closing to navigation of certain waterways) of this Act;

“the river board” means the Trent River Board;

“the adjacent watercourses” means the watercourses constructed by the Commission or their predecessors adjacent to the closed canal and maintainable by the Commission:

(2) (a) The Commission shall to the reasonable satisfaction of the river board so maintain the closed canal and the adjacent watercourses that the use thereof as an efficient part of the land drainage system of the Trent River Board area as for the time being constituted to the

extent to which the closed canal and the adjacent watercourses were immediately before the passing of this Act so used shall not be impaired;

- (b) The Commission may with the consent of the river board which consent shall not be unreasonably withheld substitute for the closed canal or the adjacent watercourses or any part thereof reasonably suitable alternative provision for the purposes of land drainage:
- (3) In the event of the closed canal or any part thereof being transferred to any other authority body or person the provisions of this section shall extend and apply to the closed canal or the part thereof so transferred as if such authority body or person were referred to therein in lieu of the Commission:
- (4) Any difference arising between the Commission and the river board under this section (other than a difference as to the meaning thereof which does not arise in the course of the arbitration) shall be settled by arbitration.

65. For the protection of Harris Lebus Limited (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the Commission and the company apply and have effect:—

For protection
of Harris
Lebus
Limited.

- (1) In this section—

"the company's works" means the works comprised in the pumping station of the company constructed on that part of the land in the borough of Tottenham numbered 317 on the deposited plans which is vested in the company and the soil sewer constructed and laid down by the company in pursuance of an agreement dated the twenty-first day of June nineteen hundred and thirty-seven and made between the predecessors of the Commission of the one part and the predecessors of the company of the other part:

- (2) The Commission shall not for the purposes of the underground railways alter disturb or in any way interfere with any of the company's works (not being works for which substituted works have been completed under the next succeeding paragraph of this section) without the consent in writing of the company which consent may be given subject to such reasonable terms and conditions as the company may require but shall not be unreasonably withheld:
- (3) (a) If for the purpose of constructing the underground railways it is reasonably necessary to remove the whole

PART V
—cont.

or any part of the company's works the Commission shall before removing the same construct lay or place at the expense of the Commission other works in substitution therefor of such type dimensions and capacity equivalent to those of the works to be removed as may be approved by the company or determined by arbitration and in such position as the company may reasonably determine;

- (b) So soon as such substituted works shall have been completed the same shall be taken over by and for all purposes be the property of the company:
- (4) Any difference arising between the Commission and the company under this section shall be settled by arbitration.

PART VI

MISCELLANEOUS

Power for
Minister to
authorise
special safety
arrangements
at public
level crossings.

66.—(1) The Minister may on the application of the Commission by order provide that so long as the order continues in force the provisions of the Highway (Railway Crossings) Act 1839 of section 47 of the Act of 1845 and of section 6 of the Act of 1863 and any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any level crossing at which a public carriage road is crossed on the level by any railway of the Commission or such of those provisions as may be specified in the order shall cease to apply to that level crossing or shall apply thereto with such modifications as may be specified in the order.

(2) An order made under this section may require the Commission to provide at or near to any level crossing to which the order relates and to maintain and operate so long as the order continues in force such barriers lights traffic signs and automatic or other devices and appliances and may lay down such other conditions and requirements to be observed by the Commission in relation to such level crossing and the use and operation thereof as shall in the opinion of the Minister be necessary or desirable for the protection safety and convenience of the public.

(3) Any traffic sign provided in pursuance of an order made under this section shall be deemed to be a traffic sign lawfully placed on or near a road in accordance with the provisions of section 48 of the Road Traffic Act 1930 and the order may provide that the provisions of section 49 of the said Act of 1930 shall apply to that traffic sign:

Provided that nothing in this subsection shall impose on a highway authority any liability in respect of a traffic sign provided in pursuance of an order made under this section and in relation to any such traffic sign the said section 48 shall have effect as if for the reference in subsection (5) thereof to a highway authority and for the reference in subsection (6) thereof to a bridge authority there were substituted a reference to the Commission.

PART VI
—cont.

(4) (a) Any barriers lights traffic signs and automatic or other devices and appliances to be provided under an order made under this section (hereinafter in this subsection referred to as “the specified apparatus”) shall—

(i) in any case where the specified apparatus is to be constructed or placed in on or under any street or controlled land be deemed to be transport works for the purposes of Part II of the Street Works Act and the Fourth Schedule thereto and accordingly the code in the said Part II shall have effect as if the construction or placing of any of the specified apparatus as aforesaid were specifically mentioned in paragraph (c) of subsection (1) of section 21 of that Act; and

(ii) in any other case be deemed to be works constructed under this Act and accordingly section 39 (For protection of gas water and electricity undertakers) of the Act of 1952 (as incorporated with this Act) shall extend and apply to the construction and placing of any of the specified apparatus.

(b) In this subsection “street” and “controlled land” have the same respective meanings as in the Street Works Act.

(5) An application by the Commission to the Minister for an order under this section shall be accompanied by a draft of the order which they desire him to make.

(6) Before applying to the Minister for an order under this section the Commission shall give notice in writing to the highway authority and if the local authority within whose county or area the level crossing is situated is not the highway authority to the local authority of their intention to do so and such notice shall be accompanied by a copy of the draft order which the Commission intend to submit to the Minister and the said highway authority and local authority shall be entitled to make representations to the Minister in respect of the said application within such period not being less than two months as may be specified in the notice.

(7) An order under this section may be made in accordance with the draft submitted to the Minister by the Commission or with such alterations as the Minister may think fit and the Minister may by order amend or revoke any order so made.

PART VI
—cont.

(8) In this section “local authority” has the meaning assigned to it by section 144 of the Local Government Act 1948 and “traffic sign” has the meaning assigned to it by section 35 of the Road Traffic Act 1956.

(9) In the application of this section to Scotland—

(a) for the reference to section 47 of the Act of 1845 there shall be substituted a reference to section 40 of the Railways Clauses Consolidation (Scotland) Act 1845;

(b) “local authority” has the meaning assigned to it by section 379 of the Local Government (Scotland) Act 1947.

Power to
supply heat
to Royal
Naval College
Greenwich.

67.—(1) Notwithstanding anything in the provisos to subsections (2) and (3) of section 2 of the Act of 1947 the Commission may enter into and carry into effect agreements with the Minister of Works for the supply of heat by means of hot water or steam from their Greenwich generating station to the Royal Naval College at Greenwich on such terms and conditions as may be agreed between the Commission and the said Minister.

(2) The Commission may on in or under any lands for the time being belonging to or leased by them in the metropolitan borough of Greenwich and (subject to the terms of any such agreement as aforesaid) on in or under any lands within the curtilage of the said Royal Naval College provide maintain work and use such boilers containers pumping stations mains pipes and other works machinery or apparatus as they may require for providing storing and transmitting heat in pursuance of any such agreement.

(3) For the purpose of affording a supply of heat under the provisions of this section the Commission may—

(a) lay mains in the streets in the metropolitan borough of Greenwich known as Old Woolwich Road and Park Row and may from time to time inspect repair alter or renew or may at any time remove any main so laid down by them;

(b) erect and maintain in the said streets notices indicating the position of underground water fittings used by them for controlling the passage of water or steam through the said mains and may affix such a notice to any house or other building wall or fence; and

(c) for the purpose of laying constructing inspecting repairing altering renewing or removing any such mains break open alter or interfere with the roadway and footpaths of the said streets and any sewer drain or

tunnel pipes tubes cables wires and apparatus in or under any such roadway or footpath and may remove and use the soil in or under any such roadway or footpath:

Provided that nothing in this paragraph shall authorise the Commission to break open alter or interfere with any apparatus of protected undertakers.

(4) In exercising the powers conferred by the last foregoing subsection the Commission shall do as little damage as may be and shall make compensation for any damage done in the exercise of those powers.

(5) Nothing in this section shall exonerate the Commission from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them.

(6) For the avoidance of doubt it is hereby declared that any works executed by the Commission in any street under the powers of this section shall be deemed for the purposes of the Street Works Act to be undertakers' works other than works for purposes of a railway undertaking or a tramway undertaking.

(7) In any case in which—

(a) the Commission are the operating undertakers within the meaning of section 26 of the Street Works Act in respect of undertakers' works authorised by this section or are the owning undertakers within the meaning of the said section 26 in respect of apparatus laid down under the powers of this section; and

(b) the protected undertakers are the owning undertakers or (as the case may be) the operating undertakers;

the said section 26 shall be modified as follows:—

(a) The notice to be given under subsection (2) of the said section by the operating undertakers to the owning undertakers shall be accompanied by plans sections and particulars of the works;

(b) On each occasion on which the Commission execute undertakers' works under this section the said notice shall be given not less than twenty-eight days before the works are commenced and shall be accompanied by information as to—

(i) the maximum temperatures and pressures at which hot water or steam is proposed to be transmitted by the Commission by means of such works; and

PART VI
—cont.

(ii) the measures (if any) proposed to be taken by the Commission with respect to the securing of the safety of any apparatus of the protected undertakers from damage or injury arising directly or indirectly from such works and with respect to the insulation of such works so as to prevent the escape of heat therefrom;

(c) Any question which may arise under the said section 26 as modified by this section between the operating undertakers and the owning undertakers shall be determined by arbitration in accordance with section 31 of the Street Works Act but the proviso to subsection (2) of that section shall not apply.

(8) In this section—

(a) the expression “main” includes any valves stopcocks manholes and other apparatus required in connection therewith;

(b) “the protected undertakers” means the Central Electricity Authority the London Electricity Board the Metropolitan Water Board and the South Eastern Gas Board; and

(c) any words and expressions to which meanings are assigned by the Street Works Act have the same respective meanings.

As to charges
on Southampton
Harbour
Board
tramways.

68.—(1) In this section—

“the board” means the Southampton Harbour Board;

“charges” includes rates fares tolls and dues of every description;

“the tramways” means any of the tramways of the board which the Commission are for the time being working in pursuance of a working agreement;

“the tribunal” means the Transport Tribunal;

“working agreement” means any agreement entered into between the Commission and the board under the powers of section 80 (Agreements for working tramways of Harbour Board) of the Southern Railway Act 1923.

(2) Notwithstanding anything in the said section 80 the provisions of Part III of the Act of 1863 shall not apply with respect to any working agreement.

(3) During the continuance and subject to the provisions of any working agreement which provides for the fixing and collection

by the Commission of the charges in respect of the tramways and the traffic thereon the Commission may make such reasonable charges for or in connection with the use of the tramways and the conveyance thereon of passengers and their luggage goods minerals livestock and animals of all descriptions as they may think fit not exceeding the charges provided for in the agreement.

(4) Any person using or desirous of using a service or facility in respect of which a charge is made or sought to be made by the Commission under the powers of this section may if he is of opinion that such charge is unreasonable complain to the tribunal and on any such complaint the tribunal shall hear the complainant and the Commission and the board if they desire to be heard and shall determine whether or not the charge complained of is unreasonable.

(5) The Tenth Schedule to the Act of 1947 shall have effect as if the reference in paragraph 5 thereof to the jurisdiction conferred on the tribunal by that Act included a reference to the jurisdiction conferred on the tribunal by this Act.

69. Notwithstanding anything in section 54 (As to crossing the Eau Brink Cut) of the Lynn and Sutton Bridge Railway Act 1861 the Commission may in reconstructing the bridge over the Eau Brink Cut provide in lieu of the five openings required by that section not less than three openings the centre opening being of a clear width between abutments of not less than one hundred and sixty feet and the two outside openings being each of a clear width between abutments of not less than one hundred and thirty feet and as from the passing of this Act the provisions of the said section relating to the dimensions and design of dolphins and cutwaters shall cease to have effect. As to bridge over Eau Brink Cut.

70. The Commission may substitute for the swing footbridge over the entrance to the dock basin at Diglis authorised by the Severn Navigation Act 1890 a fixed footbridge with a headroom of not less than twenty-six feet six inches above the low summer level of the water in the river Severn. As to swing bridge at Diglis.

71. Notwithstanding anything in section XLIV (As to construction of Clyst Viaduct) of the Exeter and Exmouth Railway Act 1858 the Commission shall not be required to maintain a clear headway of thirteen feet between high-water mark of ordinary spring tides and the soffit of the viaduct over the river Clyst except under the centre span of the said viaduct. As to Clyst Viaduct.

PART VI

—cont.

Dissolution of
Dundalk
Newry and
Greenore
Railway
Company.

Repeals.

72. On the passing of this Act the Dundalk Newry and Greenore Railway Company shall by virtue of this Act be dissolved and their property and assets transferred to and vested in the Commission.

73. The following provisions are hereby repealed:—

(a) Section XLV (Saving the Rights of Miss Mary Matilda Crawley under an agreement of 27th February 1851) and section XLVI (Company to construct a Station on the Lands of M. M. Crawley) of the Bangor and Caernarvon Railway Act 1851;

(b) Section 35 (Continuing certain provisions of Agreement of 1877) of the London Brighton and South Coast Railway (Croydon Oxted and East Grinstead Railways) Act 1878.

Extensions of
time.

74.—(1) The period now limited by the British Transport Commission Act 1954 for the compulsory purchase of the lands referred to in Part I of the Ninth Schedule to this Act is hereby extended until the thirty-first day of December nineteen hundred and sixty.

(2) The period now limited by the London and North Eastern Railway Act 1947 for the completion of the work referred to in Part II of the said schedule is hereby extended until the thirty-first day of December nineteen hundred and sixty-three.

(3) The powers for the compulsory purchase of the said lands and for the completion of the said work shall cease on the said respective dates except in so far as any such powers shall by then have been exercised.

(4) In this section and in the said schedule the word “lands” includes any easements or rights in under or over land authorised to be acquired by the enactments referred to in the said schedule.

Powers to
owners and
lessees to give
notice as to
purchase of
land.

75.—(1) In this section—

“the enabling Act” means the British Transport Commission Act 1954;

“the land” means any land which is for the time being authorised to be acquired compulsorily by the enabling Act not being land referred to in subsection (4) of this section;

“lessee” means a lessee under a lease having a period of not less than twenty-one years to run at the date of his notice under subsection (2) of this section.

(2) If any person being the owner or lessee of any of the land shall give notice in writing to the Commission of his desire that his interest in any part of the land specified in the notice shall be acquired as soon as may be the Commission shall within a period of three months after the receipt of such notice—

- (a) enter into a contract with such person for the acquisition of his interest in the land or such part thereof as may be specified in the contract; or
- (b) serve a notice to treat for the compulsory acquisition of the interest of such person in the land specified in his notice or in such part thereof as may be required by the Commission; or
- (c) serve on such person notice in writing of their intention not to proceed with the purchase of the interest of such person in the land specified in his notice.

(3) Where notice is given under the last foregoing subsection by an owner or lessee of land specified in the notice then—

(a) if the Commission—

- (i) fail to comply with that subsection; or
- (ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with paragraph (b) of that subsection; or
- (iii) serve notice on him in compliance with paragraph (c) of that subsection;

the powers conferred by the enabling Act for the compulsory purchase of his interest in the land so specified shall cease;

(b) if his interest in part only of the land so specified is acquired in pursuance of such a notice to treat the powers conferred by the enabling Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

(4) This section shall not apply to land which the Commission are by the enabling Act authorised to acquire for the purposes of a work which is shown on the sections deposited in respect of the Bill for the enabling Act as intended to be constructed under the surface of such lands.

76. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act. Saving for town and country planning.

PART VI
—cont.
Arbitration.

77. Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts apply) is to be referred to or settled by arbitration then unless otherwise provided such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or failing agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers.

Costs of Act.

78. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commission and may in whole or in part be defrayed out of revenue.

SCHEDULES

Sections 6
and 30.

FIRST SCHEDULE

LANDS REFERRED TO IN SECTION 6 (AS TO LIMITS OF VERTICAL DEVIATION IN RESPECT OF CERTAIN WORKS) AND SECTION 30 (EASEMENTS ONLY TO BE ACQUIRED UNDER CERTAIN LANDS) OF THIS ACT

Area (1)	No. on deposited plans (2)
WORK NO. 1	
Borough of Tottenham ...	186 to 189 238 to 241 243 245 to 258
Borough of Walthamstow ...	2 to 7
WORKS NOS. 1 AND 2	
Borough of Tottenham ...	2 to 185 190 to 221 224 to 228 234 236 237 317
WORK NO. 2	
Borough of Tottenham ...	222 223 229 to 233 235 261 to 284 313 314 316

SECOND SCHEDULE

Section 11.

THE ROADS REFERRED TO IN SECTION 11 (AS TO DIMENSIONS OF BRIDGES ETC.) OF THIS ACT

Road (1)	Area (2)	No. on deposited plans (3)
Bethersden Road ...	Parish of Pluckley ...	8
Pluckley to Dynes Farm ...	Parish of Bethersden ...	4
Rippers Cross to Dynes Farm	Parish of Bethersden ...	8
Bethersden to Hothfield ...	Parish of Great Chart ...	6
Bethersden to Great Chart ...	Parish of Great Chart ...	13
Ashford to Great Chart ...	Urban District of Ashford	3

Section 15.

THIRD SCHEDULE

THE LEVEL CROSSINGS REFERRED TO IN SECTION 15 (AS TO CERTAIN
LEVEL CROSSINGS) OF THIS ACT

PART I

In the county of Southampton—

In the parish of Goodworth Clatford in the rural district of
Andover—

The level crossing known as Clatford Station Crossing whereby
the road from Goodworth Clatford to the river Anton is
crossed by the Andover and Redbridge Railway at Clatford
Station.

PART II

In the county of Caernarvon—

In the parish of Aber in the rural district of Ogwen—

The level crossing known as Pentre-du Crossing whereby the
road leading from the road from Bangor to Conway to
the seashore by way of Boundary Covert is crossed by
the Chester and Holyhead Railway 660 yards north-east
of Aber Station.

In the county of Northampton—

In the parish of Moreton Pinkney in the rural district of
Brackley—

The level crossing known as Moreton Pinkney Gatehouse
Crossing whereby Oxford Lane is crossed by the East
and West Junction Railway between Blakesley and Byfield
Stations.

In the county of Surrey—

In the urban district of Dorking—

The level crossing known as Coombe Crossing whereby the
road from Coombe Chalk Pit to Hole Hill is crossed by
the Reading Guildford and Reigate Railway between
Dorking Town and Gomshall and Shere Stations.

The level crossing known as Milton Court Crossing whereby
the road from Miltoncourt Chalk Pit to Miltoncourt Lane
is crossed by the Reading Guildford and Reigate Railway
between Dorking Town and Gomshall and Shere Stations.

In the parish of Abinger in the rural district of Dorking and
Horley—

The level crossing known as Hackhurst Lane Crossing whereby
Hackhurst Lane is crossed by the Reading Guildford and
Reigate Railway between Dorking Town and Gomshall
and Shere Stations.

PART III

3RD SCH.
—cont.

In the county of West Sussex—

In the parish of Bramber in the rural district of Chanctonbury—

The level crossing known as Castle Lane Crossing whereby Castle Lane is crossed by the London Brighton and South Coast Railway between Bramber and Steyning Stations.

PART IV

In the county of Durham—

In the parish of Marwood in the rural district of Barnard Castle—

The level crossing known as Black Beck Crossing whereby Town Pasture Lane is crossed by the Darlington and Barnard Castle Railway between Barnard Castle and Broomielaw Stations.

In the county of Lancaster—

In the parish of Lower Holker in the rural district of Ulverston—

The level crossing known as Crook Wheel Crossing whereby the road from Cark to Cartmel Sands is crossed by the Ulverston and Lancaster Railway between Cark and Cartmel and Ulverston Stations.

In the county of Salop—

In the urban district of Church Stretton—

The level crossing known as All Stretton Crossing whereby the road from Watling Street to All Stretton is crossed by the Shrewsbury and Hereford Railway between Church Stretton and Leebotwood Stations.

In the parish of Stokesay in the rural district of Ludlow—

The level crossing known as Stokesay Crossing whereby the road from Stokesay to Holly Park is crossed by the Shrewsbury and Hereford Railway between Craven Arms and Stokesay and Onibury Stations.

In the county of West Suffolk—

In the parish of Ingham in the rural district of Thingoe—

The level crossing known as Chalk Lane Crossing whereby Chalk Lane is crossed by the Bury St. Edmunds and Thetford Railway between Ingham and Barnham Stations.

PART V

In the county of Worcester—

In the borough of Droitwich—

The level crossing known as Packington Crossing whereby the Old Coach Road from Chawson Lane to Worcester

3RD SCH.
—cont.

Road is crossed by the Oxford Worcester and Wolverhampton Railway between Droitwich Spa and Fernhill Heath Stations.

PART VI

In the county of Hereford—

In the borough of Leominster—

The level crossing known as Marsh Crossing whereby North Road is crossed by the Leominster and Kington Railway between Leominster and Kingsland Stations.

In the parish of Kingsland in the rural district of Leominster and Wigmore—

The level crossing known as Waterloo Crossing whereby the road from Cobnash to Holgate is crossed by the Leominster and Kington Railway between Leominster and Kingsland Stations.

The level crossing known as Kingsland Crossing whereby the road from Shirl Heath to West Town is crossed by the Leominster and Kington Railway at Kingsland Station.

The level crossing known as Brook Bridge Crossing whereby the road from Street Court to West Town is crossed by the Leominster and Kington Railway between Kingsland and Pembridge Stations.

In the rural district of Kington—

In the parish of Pembridge—

The level crossing known as Pembridge Crossing whereby the road from Pembridge to Milton Cross is crossed by the Leominster and Kington Railway at Pembridge Station.

The level crossing known as Marston Crossing whereby the road from Noke Bridge to the road from Leominster to Kington is crossed by the Leominster and Kington Railway between Pembridge and Titley Stations.

In the parish of Lyonshall—

The level crossing known as Bullock's Mill Crossing whereby the road from Lyonshall Park Wood to a junction with the road from Kington to Titley is crossed by the Leominster and Kington Railway between Titley and Kington Stations.

In the county of Lincoln (Parts of Lindsey)—

In the parish of Thornton in the rural district of Horncastle—

The level crossing known as Thornton Lodge Farm Crossing whereby the road from Thornton to Scrivelsby is crossed by the Horncastle Railway between Woodhall Spa and Horncastle Stations.

In the urban district of Woodhall Spa—

3RD SCH.
—cont.

The level crossing known as Kirkstead Old Hall Crossing whereby the road from Witham Road to Kirkstead Old Hall is crossed by the Horncastle Railway between Woodhall Junction and Woodhall Spa Stations.

The level crossing known as Tattershall Road Crossing whereby the road from Woodhall Spa to Tattershall Thorpe is crossed by the Horncastle Railway between Woodhall Junction and Woodhall Spa Stations.

The level crossing known as Woodhall Spa Station Crossing whereby the road from Woodhall Spa to Horncastle is crossed by the Horncastle Railway at Woodhall Spa Station.

The level crossing known as Tower Farm Crossing whereby the road from Horsington to Roughton is crossed by the Horncastle Railway between Woodhall Spa and Horncastle Stations.

In the county of Norfolk—

In the parish of Twyford in the rural district of Mitford and Launditch—

The level crossing known as Twyford Crossing whereby the road from Fakenham to Norwich is crossed by the Wroxham and County School branch railway between Foulsham and County School Stations.

PART VII

In the county of Essex—

In the urban district of Hornchurch—

The level crossing known as Manor Way Crossing whereby Manor Way is crossed by the London Tilbury and Southend Railway between Dagenham Dock and Rainham Stations.

In the county of Westmorland—

In the parish of Strickland Ketel in the rural district of South Westmorland—

The level crossing known as Burneside Higher Crossing whereby Hollins Lane is crossed by the Kendal and Windermere Railway between Burneside and Kendal Stations.

The level crossing known as Burneside Lower Crossing whereby the road from Bonning Gate to a junction with the road from Bowston to Burneside is crossed by the Kendal and Windermere Railway between Staveley and Burneside Stations.

Section 19.

FOURTH SCHEDULE

THE WATERWAYS REFERRED TO IN SECTION 19 (CLOSING TO
NAVIGATION OF CERTAIN WATERWAYS) OF THIS ACT

Name of canal (1)	Portion to be closed to navigation (2)	Authorising Act (3)
Ashby Canal ...	From its present northern termination in the parish of Oakthorpe and Donisthorpe to a point in the parish of Measham 608 yards east of Measham Lodge Bridge carrying the road from Snarestone to Measham over the canal (being a distance of 4 miles 1,496 yards) all in the rural district of Ashby de la Zouch in the county of Leicester	34 Geo. 3 c. 93.
Birmingham Canal (Wolverhampton Level)	Part of the loop known as the Oldbury Old Canal from its junction with the main line of the canal 280 yards north-west of High Bridge to a point 7 yards west of Cocks Croft Bridge (being a distance of 457 yards) all in the borough of Oldbury in the county of Worcester	8 Geo. 3 c. 38.
Leeds and Liverpool Canal	From its termination near Leeds Street to a point 60 yards north of the bridge carrying Chisenhale Street over the canal (being a distance of 510 yards) all in the city and county borough of Liverpool	10 Geo. 3 c. 114.
Swansea Canal ...	From a point 14 yards north-east of Clase Road Bridge carrying the road from Llansamlet to Morrision and Llangyfelach over the canal to the northern end of the portion of the canal described in section 39 (Closing for navigation of portions of certain waterways) of the Act of 1949 (being a distance of 1 mile 634 yards) all in the county borough of Swansea	34 Geo. 3 c. 109.
Walsall Canal ...	So much of the Monway Branch as lies between the termination of that branch at or near Lea Brook Road and a point on the canal 154 yards north-west of that termination (being a distance of 154 yards) all in the borough of Wednesbury in the county of Stafford	23 Geo. 3 c. 92.

FIFTH SCHEDULE

Section 23.

PROVISIONS REFERRED TO IN SUBSECTION (4) OF SECTION 23 (AS TO
PORTISHEAD PIER) OF THIS ACT

Act (1)	Extent of repeal (2)
The Bristol and Portishead Pier and Railway Act 1863	Section 43 (Rates on Passengers on Pier as in Schedule (A)). Section 46 (Cranes Weighing Machines &c.). Schedule (A).
The Bristol and Portishead Pier and Railway Act 1866	Section 9 (Mode of Construction of Pier). Section 16 (Dues for Pier as in Schedule (A)). Section 17 (Repeal of dues in 26 & 27 Vict. c. cvii and Substitution of new Dues on Goods shipped and unshipped at the Pier as in Schedule (B)). Section 18 (Dues on Vessels as in Schedule (C)). Section 19 (Dues in Third Schedule conditional on Floating Pier). Section 21 (Exemption from Dues of Vessels passing up or down the Channel). Section 22 (Exemption of Pilots Seamen &c.). So much of section 23 (Dues for other Works) as relates to Portishead Pier. Section 24 (Dues leviable by Corporation at Bristol). Section 25 (Goods not to be deemed carried Coastwise in certain Cases). Section 26 (Payments by Company to Corporation on Vessels). Section 27 (The like on Goods). Section 28 (Vessels under Third Schedule). Section 30 (Corporation not to levy Dues on Vessels using Pier &c. except as in this Act expressed). First Schedule. Second Schedule. Third Schedule.

5TH SCH.
—cont.

Act (1)	Extent of repeal (2)
The Portishead Docks Act 1871	Section 36 (Limitation of pier dues in respect of certain articles). So much of section 83 (Act not to lessen powers of Company under former Acts) as relates to Portishead Pier.
The Bristol Dock Act 1884	Section 40 (Grain &c. not to be loaded &c. at pier without consent of Corporation).
The Great Western and Portishead Railway Companies' Act 1884	Section 23 (As to use of pier).

Section 25.

SIXTH SCHEDULE

LANDS REFERRED TO IN SUBSECTION (2) OF SECTION 25 (POWER TO ACQUIRE LANDS) OF THIS ACT

Area (1)	No. on deposited plans (2)	Purposes for which the lands may be used (3)
In the county of Buckingham— Parish of Amersham in the rural district of Amersham	1 5 to 7 9 to 26	To carry out alterations and improvements of the railway between Aylesbury and London.
In the county of Carmarthen— Borough of Llanelly	4	To carry out alterations and improvements of the Llanelly and Mynydd Mawr Railway.
Borough of Llanelly	5 10 to 19	To carry out alterations and improvements of the railway between Llanelly and Swansea.
Parish of Llanelly Rural in the rural district of Llanelly	1 to 10 21 to 59	To carry out alterations and improvements of the Llanelly and Mynydd Mawr Railway.
In the county of Dorset— Parish of Gillingham in the rural district of Shaftesbury	1 2	To extend the embankment of the railway between Templecombe and Gillingham.

Area (1)	No. on deposited plans (2)	Purposes for which the lands may be used (3)
In the county of Glamorgan— Borough of Port Talbot	13 to 16	To carry out alterations and improvements at Port Talbot Station.
Borough of Port Talbot	17	To carry out alterations and improvements of the railway between Neath and Cardiff.
In the county of Kent— Borough of Faversham	1	To provide a sub-station for the supply of electricity to the Commission's railways.
Borough of Margate	1	To provide a sub-station for the supply of electricity to the Commission's railways.
Urban district of Ashford	8 to 14 23	To provide a railway depot and to provide the same with a means of access to and from Beaver Lane.
Urban district of Herne Bay	1	To provide a sub-station for the supply of electricity to the Commission's railways.
Urban district of Sittingbourne and Milton	1 to 4	To carry out alterations and improvements of the railway between Sittingbourne Middle Junction and Kemsley Halt.
Parish of Cobham in the rural district of Strood	1	To carry out alterations and improvements of the railway between Meopham and Sole Street.
Parish of Newington in the rural district of Swale	1	To provide a sub-station for the supply of electricity to the Commission's railways.
Parish of Teynham in the rural district of Swale	1	To provide a sub-station for the supply of electricity to the Commission's railways.
In the county of London— Metropolitan borough of Islington	1	To provide a staff canteen.

6TH SCH.
—cont.

Area (1)	No. on deposited plans (2)	Purposes for which the lands may be used (3)
In the county of Middlesex— Borough of Tottenham	318	To carry out alterations and improvements of the River Lee Navigation and to provide the land numbered 318 on the deposited plans with a means of access to and from Ferry Lane.
In the county of Monmouth— Parish of Caldicot in the rural district of Chepstow	1	To carry out alterations and improvements of the railway between Newport and Gloucester.
Parish of Llanfihangel Rogiet in the rural district of Chepstow	1 to 4	To carry out alterations and improvements of the railway between Newport and Swindon.
Parish of Rogiet in the rural district of Chepstow	1 to 8	To carry out alterations and improvements of the railway between Newport and Swindon.
Parish of Rogiet in the rural district of Chepstow	9 to 12	To carry out alterations and improvements of the railway between Newport and Gloucester.
Parish of Undy in the rural district of Chepstow	1 9 to 14	To carry out alterations and improvements of the railway between Newport and Swindon.
In the county of Nottingham— Urban district of Kirkby-in-Ashfield	1 to 5	To extend the embankments of the railway between Sheffield and Nottingham.
In the county of Surrey— Borough of Reigate	1 4 to 19	To carry out alterations and improvements of the railway between Redhill and Merstham.

Area (1)	No. on deposited plans (2)	Purposes for which the lands may be used (3)
In the West Riding of the county of York— Parish of Nether Poppleton in the rural district of Nidderdale	1 to 6	To provide railway signal and telegraph workshops and to provide the same with a means of access to and from Millfield Lane.
In the county of Worcester— Parish of Church Honeybourne in the rural district of Evesham	1 to 14	To provide railway sidings and works and to carry out alterations and improvements of the railway between Cheltenham and Stratford-upon-Avon.
In the county borough of West Ham	3 to 5	To widen and improve the channel of the River Lee Navigation.

SEVENTH SCHEDULE

Section 26

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY BE TAKEN COMPULSORILY

Area (1)	No. on deposited plans (2)
WORK No. 1	
Borough of Tottenham ...	242 259 260
Borough of Walthamstow ...	1
WORK No. 2	
Borough of Tottenham ...	294
WORK No. 3	
Borough of Tottenham ...	318
WORK No. 4	
County borough of West Ham	3 4 5

7TH SCH.
—cont.

Area (1)	No. on deposited plans (2)
WORK NO. 6	
Parish of Pluckley	16
Parish of Great Chart	32
WORKS NOS. 7 AND 8	
Parish of Iwade	6 7 10
WORK NO. 9	
Borough of Port Talbot	3 to 9
WORK NO. 12	
Parish of Undy	6 to 8
WORK NO. 13	
City and county borough of Coventry	3
WORK NO. 14	
Borough of Rugby	2 3 4
WORK NO. 15	
Borough of Rugby	2 4 9 to 13 15 to 17
WORKS NOS. 16 17 18 19 AND 20	
County borough of Stockport	7 13 16 17 21 to 27 33 34 38 40
WORK NO. 21	
Parish of Boughton	2
ADDITIONAL LANDS AT TOTTENHAM	
Borough of Tottenham	318
ADDITIONAL LANDS IN THE PARISH OF LLANELLY RURAL	
Parish of Llanelly Rural	2 to 5 53
ADDITIONAL LANDS AT PORT TALBOT	
Borough of Port Talbot	14 16 17
ADDITIONAL LANDS AT REDHILL	
Borough of Reigate	4 to 19

Area (1)	No. on deposited plans (2)
ADDITIONAL LANDS AT AMERSHAM	
Parish of Amersham	7 10 to 25
ADDITIONAL LANDS AT HONEYBOURNE	
Parish of Church Honeybourne	7 8 10
ADDITIONAL LANDS AT BROMLEY-BY-BOW	
County borough of West Ham	3 4 5

7TH SCH.
—cont.

EIGHTH SCHEDULE

Section 31.

DESCRIBING PROPERTIES IN RESPECT OF WHICH EASEMENTS MAY BE TAKEN AS PROVIDED BY SECTION 31 (POWER TO ACQUIRE EASEMENTS ONLY IN CERTAIN CASES) OF THIS ACT

Area (1)	No. on deposited plans (2)
WORK NO. 1	
Borough of Tottenham	242 244 259 260
Borough of Walthamstow	1
WORKS NOS. 1 AND 2	
Borough of Tottenham	1
WORK NO. 2	
Borough of Tottenham	285 to 312 315
WORKS NOS. 7 AND 8	
Borough of Queenborough	1
Parish of Iwade	12
Parish of Minster in Sheppey	3
WORK NO. 10	
Parish of Llanelly Rural	17 18

Section 74.

NINTH SCHEDULE

PART I

LANDS THE PERIOD FOR THE COMPULSORY PURCHASE OF WHICH IS
EXTENDED BY THIS ACT TO 31ST DECEMBER 1960

(1) The lands authorised to be acquired by section 18 (Power to acquire lands) of the Act of 1951 in the places hereinafter mentioned:—

In the county of Essex—

In the urban district of Brentwood;

In the urban district of Billericay;

In the county borough of East Ham.

(2) The lands authorised to be acquired by section 17 (Power to acquire lands) of the British Transport Commission Act 1954 in the places hereinafter mentioned:—

In the county of Lancaster—

In the parish of Rixton-with-Glazebrook in the rural district of Warrington;

In the urban district of Irlam (except the lands numbered 5 to 12 on the plans deposited in respect of the Bill for the said Act).

PART II

WORK THE PERIOD FOR THE COMPLETION OF WHICH IS EXTENDED BY
THIS ACT TO 31ST DECEMBER 1963

Work No. 1 authorised by section 23 (Power to Company to make dock works at Hull) of the London and North Eastern Railway Act 1947.

— — — — —
Table of Statutes referred to in this Act

Title or short title	Session and chapter
An Act for making and maintaining a navigable Cut or Canal from Birmingham to Bilstone, and from thence to Autherley, there to communicate with the Canal now making between the Rivers Severn and Trent; and for making Collateral Cuts up to several Coal Mines	8 Geo. 3 c. 38.
An Act for making and maintaining a navigable Cut or Canal from Leeds Bridge in the County of York to the North Lady's Walk in Liverpoole in the County Palatine of Lancaster, and from thence to the River Mersey	10 Geo. 3 c. 114.

Title or short title	Session and chapter
An Act for making and maintaining a Navigable Canal from a Place near Rider's Green, in the County of Stafford, to Broadwater Fire Engine, and Six Collateral Cuts from the same, to several Coal Mines; and also a Navigable Canal from or near the Town of Birmingham, to join the Coventry Canal at or near Fazeley, in the Parish of Tamworth, in the said County of Stafford, with a Collateral Cut to the lower Part of the said Town of Birmingham	23 Geo. 3 c. 92.
An Act for making and maintaining a navigable canal from the Coventry Canal at or near Marston Bridge in the parish of Bedworth in the county of Warwick to a certain close in the parish of Ashby de la Zouch in the county of Leicester and for continuing the same from thence in one line to the Limeworks at Ticknall in the county of Derby and in another line to the limeworks at Cloudhill in the said county of Leicester with certain cuts or branches from the said canal	34 Geo. 3 c. 93.
An Act for making and maintaining a Navigable Canal from the Town of Swansea, in the County of Glamorgan, into the Parish of Ystradgunlais, in the County of Brecon	34 Geo. 3 c. 109.
South Eastern Railway Act 1836	6 & 7 Will. 4 c. lxxv.
Highway (Railway Crossings) Act 1839	2 & 3 Vict. c. 45.
Railway Regulation Act 1842	5 & 6 Vict. c. 55.
Lands Clauses Consolidation Act 1845	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845	8 & 9 Vict. c. 20.
Railways Clauses Consolidation (Scotland) Act 1845	8 & 9 Vict. c. 33.
Harbours Docks and Piers Clauses Act 1847	10 & 11 Vict. c. 27.
Bangor and Caernarvon Railway Act 1851	14 & 15 Vict. c. xxi.
Burial Act 1853	16 & 17 Vict. c. 134.
Sittingbourne and Sheerness Railway Act 1856	19 & 20 Vict. c. lxxv.
Exeter and Exmouth Railway Act 1858	21 & 22 Vict. c. lvi.
Lynn and Sutton Bridge Railway Act 1861	24 & 25 Vict. c. ccxlv.
Railways Clauses Act 1863	26 & 27 Vict. c. 92.
Bristol and Portishead Pier and Railway Act 1863	26 & 27 Vict. c. cvii.
Dundalk and Greenore Railway Act 1863	26 & 27 Vict. c. ccxxxiii.
Bristol and Portishead Pier and Railway Act 1866	29 & 30 Vict. c. lxxxviii.
Portishead Docks Act 1871	34 & 35 Vict. c. cxlii.
Dundalk Newry and Greenore Railway Act 1873	36 & 37 Vict. c. clxxix.
Telegraph Act 1878	41 & 42 Vict. c. 76.
London Brighton & South Coast Railway (Croydon Oxted and East Grinstead Railways) Act 1878	41 & 42 Vict. c. lxxii.
Electric Lighting Act 1882	45 & 46 Vict. c. 56.
Bristol Dock Act 1884	47 & 48 Vict. c. cclv.

Title or short title	Session and chapter
Great Western and Portishead Railway Companies' Act 1884	47 & 48 Vict. c. cclvi.
Severn Navigation Act 1890	53 & 54 Vict. c. clv.
South Eastern and London Chatham and Dover Railways Act 1902	2 Edw. 7 c. ccliv.
Acquisition of Land (Assessment of Compensation) Act 1919	9 & 10 Geo. 5 c. 57.
London and North Eastern Railway Act 1923	13 & 14 Geo. 5 c. xxviii.
Southern Railway Act 1923	13 & 14 Geo. 5 c. lxxxiii.
Road Traffic Act 1930	20 & 21 Geo. 5 c. 43.
Land Drainage Act 1930	20 & 21 Geo. 5 c. 44.
Southern Railway Act 1930	20 & 21 Geo. 5 c. clxviii.
Public Health Act 1936	26 Geo. 5 & 1 Edw. 8 c. 49.
Lee Conservancy Catchment Board Act 1938	1 & 2 Geo. 6 c. xci.
Middlesex County Council Act 1944 ...	7 & 8 Geo. 6 c. xxi.
London and North Eastern Railway Act 1947	10 & 11 Geo. 6 c. xlii.
Local Government (Scotland) Act 1947 ...	10 & 11 Geo. 6 c. 43.
Transport Act 1947	10 & 11 Geo. 6 c. 49.
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6 c. 51.
Local Government Act 1948	11 & 12 Geo. 6 c. 26.
River Boards Act 1948	11 & 12 Geo. 6 c. 32.
Lands Tribunal Act 1949	12 13 & 14 Geo. 6 c. 42.
British Transport Commission Act 1949 ...	12 & 13 Geo. 6 c. xxix.
Highways (Provision of Cattle Grids) Act 1950	14 Geo. 6 c. 24.
Public Utilities Street Works Act 1950 ...	14 Geo. 6 c. 39.
British Transport Commission Act 1950 ...	14 Geo. 6 c. liii.
British Transport Commission Act 1951 ...	14 & 15 Geo. 6 c. xxxix.
Rivers (Prevention of Pollution) Act 1951 ...	14 & 15 Geo. 6 c. 64.
British Transport Commission Act 1952 ...	15 & 16 Geo. 6 & 1 Eliz. 2 c. xxxiv.
Transport Act 1953	1 & 2 Eliz. 2 c. 13.
British Transport Commission Act 1954 ...	2 & 3 Eliz. 2 c. lv.
Town and Country Planning Act 1954 ...	2 & 3 Eliz. 2 c. 72.
British Transport Commission Act 1955 ...	4 Eliz. 2 c. xxx.
Road Traffic Act 1956	4 & 5 Eliz. 2 c. 67.

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