



CHAPTER lxxxix.

An Act to vest Kingston-upon-Thames Bridge together with the Bridge Estate Charity in the county councils of the administrative counties of Middlesex and Surrey to empower those Councils to widen the bridge and to widen and improve the approaches thereto at each end thereof and to execute other works in connection therewith and for other purposes. A.D. 1911.

[18th August 1911.]

WHEREAS the existing bridge across the River Thames (hereinafter referred to as "the river") from the shore thereof in the parish of Hampton Wick in the county of Middlesex to the opposite shore in the parish of Kingston-upon-Thames in the county of Surrey (commonly known as Kingston Bridge and hereinafter referred to as "the bridge") together with the approaches thereto is vested in the trustees of the Kingston-upon-Thames Municipal Charities (hereinafter referred to as "the trustees"):

And whereas certain trust estates and funds called the Bridge Estate Charity are by a scheme of the Charity Commissioners dated the eleventh day of April one thousand eight hundred and ninety-three administered and maintained by the trustees:

And whereas any freehold or leasehold land and hereditaments comprised in the scheme and belonging to or held in trust for the Bridge Estate Charity are vested in the Official Trustee of Charity Lands:

And whereas all sums of cash belonging to or held in trust for the Bridge Estate Charity and not required for current

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. expenditure are invested in the name of the Official Trustees of Charitable Funds in trust for the Bridge Estate Charity :

And whereas by section 13 of the Kew and other Bridges Act 1869 it was provided that in case the net income to arise from the Bridge Estates and other property applicable by the trustees to the maintaining repairing supporting paving watching and lighting of the bridge and the approaches thereto should be at any time insufficient for those purposes then and as often as any such deficiency should occur and as long as the same should continue the bridge and the approaches thereto should be deemed a county bridge and should be maintained repaired supported paved watched and lighted accordingly and that any expenditure for the rebuilding of the bridge or other extraordinary expenditure connected therewith should be defrayed as if the same were to all intents a county bridge :

And whereas the county council of the administrative county of Middlesex (hereinafter referred to as "the Middlesex Council") and the county council of the administrative county of Surrey (hereinafter referred to as "the Surrey Council") are with the approval of the trustees prepared to undertake the widening of the bridge to a width of fifty-five feet on the condition that the bridge and the approaches thereto and the Bridge Estate Charity are vested in manner hereinafter appearing in the Middlesex Council and the Surrey Council (hereinafter jointly referred to as "the Councils") :

And whereas the Middlesex Council are prepared to take over as a county bridge one moiety of the bridge with the approach thereto on the Middlesex side of the river and the Surrey Council are prepared to take over as a county bridge the other moiety thereof with the approaches thereto on the Surrey side of the river and it is expedient that the bridge and the approaches should be so vested accordingly :

And whereas it is expedient that the Bridge Estate Charity should be vested in the Councils in manner hereinafter appearing :

And whereas it is expedient to confer upon the Councils and upon the Middlesex Council and the Surrey Council respectively powers to widen the bridge and to widen and improve the approach thereto on the Middlesex side and also on the Surrey side from the west side of Thames Street to the abutment

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

of the bridge on the Surrey side and to carry out the works in connection therewith hereinafter described and for other purposes : A.D. 1911.

And whereas by section 34 of the London United Tramways Act 1901 it was provided that in the event of the bridge being at any time reconstructed or widened by the bridge authority (meaning thereby the trustees and the Councils) the London United Tramways Limited should if the cost thereof did not exceed ten thousand pounds pay the whole of such cost and that if the cost exceeded ten thousand pounds the London United Tramways Limited should contribute thereto as and when required by the bridge authority sums not exceeding in the whole ten thousand pounds before the bridge authority should be required to pay any sum in respect of such cost :

And whereas it is also expedient to confer upon the Councils and upon the Middlesex Council and the Surrey Council respectively in connection with and for the purpose of the works by this Act authorised and in connection with the administration of the Bridge Estate Charity the powers hereinafter set forth :

And whereas it is also expedient to confer upon the Middlesex Council and upon the Surrey Council respectively such powers as are hereinafter set forth with regard to the raising of money for the purposes of this Act :

And whereas the Councils have caused to be deposited with the respective clerks of the peace for the counties of Middlesex and Surrey plans and sections describing the line and levels of the works by this Act authorised and the lands required and which may be taken for the purposes thereof and also books of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and such plans sections and books of reference are respectively referred to in this Act as "the deposited plans sections and books of reference" :

And whereas estimates have been prepared as to the sums required to be expended for the purposes of this Act and such sums amount to forty-nine thousand and twenty pounds to be expended by the Middlesex Council and sixty-four thousand nine hundred pounds to be expended by the Surrey Council :

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years :

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

And whereas an absolute majority of the whole number of the Middlesex Council at a meeting held on the twenty-seventh day of October one thousand nine hundred and ten after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Middlesex County Times a local newspaper published and circulating in the county of Middlesex such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the county fund :

And whereas the said resolution was published twice in the Middlesex County Times a newspaper published and circulating in the said county and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the twenty-sixth day of January one thousand nine hundred and eleven being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas an absolute majority of the whole number of the Surrey Council at a meeting held on the eighth day of November one thousand nine hundred and ten after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Surrey Advertiser a local newspaper published and circulating in the county of Surrey such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the county fund :

And whereas the said resolution was published twice in the Surrey Advertiser a newspaper published and circulating in the said county and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Surrey Council at a further special meeting held in pursuance of a similar notice on the tenth day of January one thousand nine hundred and eleven being not less than fourteen days after the deposit of the Bill in Parliament :

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

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

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

1. This Act may be cited as the Kingston-upon-Thames Bridge Act 1911. A.D. 1911.
Short title.

2. In this Act the following words and expressions have the several meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):— Interpreta-
tion.

“The Middlesex Council” means the county council for the administrative county of Middlesex;

“The Surrey Council” means the county council for the administrative county of Surrey;

“The Councils” means the Middlesex Council and the Surrey Council acting jointly and shall include any joint committee appointed for the purposes of this Act;

“The trustees” means the trustees of the Kingston-upon-Thames municipal charities;

“The conservators” means the conservators of the River Thames;

“The river” means the River Thames;

“The improvement” means the widening of Kingston-upon-Thames bridge and the widening and improvement of the approaches thereto and the works temporary or otherwise respectively connected therewith by this Act authorised;

“The bridge” means Kingston-upon-Thames bridge;

“Street” has the meaning assigned to that term in the Public Health Act 1875 and the Acts amending the same;

“Two justices” means two justices acting together in petty sessions;

“The district councils” means the council of the borough of Kingston-upon-Thames and the Hampton Wick Urban District Council;

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

The several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction. Provided that for the purposes of this Act the expressions "the promoters of the undertaking" and "the company" in the Lands Clauses Acts shall be construed to mean "the Councils" or "the Middlesex Council" or "the Surrey Council" as the case may require.

Incorporation of Acts.

3. The Lands Clauses Acts (except sections 127 and 133 of the Lands Clauses Consolidation Act 1845) and section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Powers of joint committee.

4. A joint committee of the Middlesex Council and of the Surrey Council appointed under and subject to the provisions of the Local Government Act 1888 and of the agreement set out in the Third Schedule hereto shall have full power to carry out such of the powers of this Act conferred upon the Councils (except those relating to the acquisition of lands) as the Councils shall from time to time determine and for this purpose and subject to such exception and determination shall have power to make and carry into effect all such agreements and arrangements as under the provisions of this Act may be made and carried into effect by the Councils. Such powers may include the management of the Bridge Estate Charity.

Vesting bridge in Councils.

5.—(1) As from the passing of this Act (in this Act referred to as "the appointed day") the bridge together with the approaches thereto and all the estate interest rights easements appurtenances duties and liabilities thereto belonging or attaching and now vested in the trustees shall by virtue of this Act be vested in and be the property of the Middlesex Council and the Surrey Council and the bridge together with the approaches thereto shall for all purposes be deemed a county bridge under the jurisdiction control and management of the Middlesex Council and the Surrey Council in manner following (that is to say) So much of the bridge and the approaches thereto as is situate on the Middlesex side of an imaginary line drawn across the said bridge at the centre of the centre arch thereof shall be vested

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

in and under the control of the Middlesex Council and so much of the bridge and the approaches thereto as is situate on the Surrey side of such imaginary line as aforesaid shall be vested in and under the control of the Surrey Council. A.D. 1911.

(2) As from the appointed day all the rights and liabilities of the trustees under the scheme of the Charity Commissioners intituled "In the matter of the municipal charities in the borough of Kingston-upon-Thames in the county of Surrey" and sealed the eleventh day of April one thousand eight hundred and ninety-three or otherwise to maintain repair watch and light the bridge and the approaches thereto shall cease and determine.

6. The Councils may subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections execute make and maintain together with all footways carriageways and all necessary works and conveniences connected therewith the works hereinafter described:—

Power to
Councils to
execute
works.

Work No. 1 A widening on the south side of the bridge commencing in the parish and urban district of Hampton Wick in the county of Middlesex at the western end of the western abutment of the bridge and terminating in the parish and borough of Kingston-upon-Thames in the county of Surrey at the eastern end of the eastern abutment of the bridge.

7. The Middlesex Council may subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections execute make and maintain the following works situate wholly in the parish and urban district of Hampton Wick in the county of Middlesex namely:—

Power to
Middlesex
Council to
execute
works.

Work No. 2 The diversion and widening of the approach road to the bridge on the south side thereof commencing at or near the junction of the tramways in Hampton Court Road at a point fifty yards or thereabouts in a north-easterly direction from the centre of Church Grove and terminating at or near the western end of the western abutment of the bridge:

Work No. 3 The diversion and raising of the road leading from the said approach road to the river bank on the south side of the bridge commencing at the junction of the said

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

road with the said approach road and terminating at the junction of the said road with the towpath on the said river bank at a point seventy-three yards or thereabouts in a south-easterly direction from the said point of commencement :

Work No. 4 The diversion of the road leading from Old Bridge Street to the wharf on the river bank on the south side of the bridge commencing at the south side of the westernmost archway under the said approach road and terminating at the present point of termination of the road so to be diverted at or near the said wharf.

Power to
Surrey
Council to
execute
works.

8. The Surrey Council may subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections execute make and maintain the following work situate wholly in the parish and borough of Kingston-upon-Thames in the county of Surrey namely :—

Work No. 5 The diversion raising and widening of the approach road to the bridge on the south side thereof commencing at the eastern end of the eastern abutment of the bridge and terminating at a point in the said approach road ninety yards or thereabouts in an easterly direction from the said point of commencement.

For protec-
tion of Con-
servators of
River
Thames.

9. For the protection of the conservators the following provisions shall notwithstanding anything contained in this Act or the Acts incorporated herewith or in any other Act have effect unless otherwise agreed between the conservators and the Councils (that is to say) :—

(1) The works by this Act authorised so far as the same affect the River Thames shall be executed according to plans elevations and sections approved in writing by the conservators and all such works and any incidental works whether permanent or temporary shall be executed to the reasonable satisfaction of the engineer of the conservators and the navigation of the river and the traffic to and from the public wharf at Hampton Wick on the south side of the bridge shall not be interfered with more than is absolutely necessary in the execution of the works :

- (2) Throughout the period of construction of the temporary and permanent works the openings in the temporary works shall be of the following clear widths between the piling and clear headways above Ordnance datum :—

A.D. 1911.

Centre arch - -	Width 40 feet.	Headway 33·55 feet for a width of 19 feet in the centre of the opening.
Arch adjoining centre arch on the east side.	Width 36 feet.	Headway 32·55 feet for a width of 18 feet in the centre of the opening.
Arch adjoining centre arch on the west side.	Width 36 feet.	Headway 32·55 feet for a width of 18 feet in the centre of the opening.

and no pile driver barge or other craft shall at any time except with the consent of the conservators be allowed to lie in or obstruct any part of these openings
Provided that—

The owners and masters of vessels shall not be liable to make good any damage which may be caused to the temporary works except such as may arise from the wilful act or default of such owners or masters or their servants or agents :

- (3) The works when commenced shall be proceeded with and completed as early as practicable and the Councils and each of them shall upon completion of the permanent works and in any event within the period by this Act prescribed for such completion upon reasonable notice from the conservators so to do remove the whole and every part of any temporary works and materials for temporary works which may have been placed in the river by the Councils and on their failing so to do the conservators may remove the same charging the Councils with the expense of so doing and the Councils shall forthwith repay to the conservators all expenses so incurred :
- (4) The Councils shall during the construction of any works over or upon the bed banks or shores of the River Thames and on the widened bridge when completed hang out and exhibit at or near to the said works every

A.D. 1911:

night from sunset to sunrise lights to be kept burning by and at the expense of the Councils and proper and sufficient for the navigation and the safe guidance of vessels and the Councils shall also in like manner and at the like expense hang out and exhibit at or near the said works every day from sunrise to sunset such signals as may be reasonably proper and sufficient for the navigation and safe guidance of vessels and such lights and signals or any of them as the case may be shall from time to time be altered by the Councils in such manner and be of such kind and number and be so placed and used as the conservators by writing under the hand of their secretary or other authorised officer shall approve or direct and in case the Councils fail so to exhibit and keep burning the lights they shall for every such offence forfeit to the conservators ten pounds which may be recovered by the conservators in a summary manner in any court of summary jurisdiction :

- (5) Nothing in this Act contained shall authorise or empower the Councils without the previous consent of the conservators under the hand of their secretary to embank and encroach upon or interfere with any part of the River Thames or the bed or shore thereof except according to the plans elevations and sections approved by the conservators :
- (6) The Councils shall not (except so far as shall be necessary in the construction of the works) take any gravel soil or other material from the bed or shore of the river without the previous consent of the conservators signified in writing under the hand of their secretary :
- (7) The foundations of the piers and abutments respectively of the widened portion of the bridge shall be constructed and maintained at such a level as to allow the bed of the River Thames around and near to the foundations of such piers to be dredged to a depth of eighteen inches above Ordnance datum :
- (8) Notwithstanding anything contained in the Acts incorporated herewith or otherwise the Councils shall pay to the conservators such sum not exceeding five pounds for every calendar month or part of a calendar

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

month during which all or any of the temporary works by this Act authorised shall be or remain in on or under the bed banks or shores of the river or any adjacent land of the conservators as may be reasonably expended by the conservators in providing superintendence under this section : A.D. 1911.

(9) Notwithstanding anything contained in the section of this Act whereof the marginal note is "Power to deviate" the Councils shall not deviate from the line or levels defined on the deposited plans and sections in such a manner as to lessen or alter the headway or span of any of the arches of the widened portion of the bridge as shown on the said plans and sections :

(10) The Middlesex Council shall before commencing to execute any other works by this Act authorised construct and complete at their own expense on the bank of the river a permanent wharf constructed in accordance with a plan to be agreed between the Councils and the conservators on certain land of the conservators on the south side of the bridge in the parish of Hampton Wick in the county of Middlesex in all respects under the supervision and to the reasonable satisfaction of the engineer of the conservators and shall provide at the like expense and to the like satisfaction a free uninterrupted and convenient way of approach or passage for horses and carts to and from the said wharf so to be constructed as aforesaid and Old Bridge Street Provided also that if it shall become necessary during the construction of the works by this Act authorised to divert the traffic of horses and carts to and from the said wharf on to the adjacent towing-path or barge-walk the Middlesex Council shall at the like expense and to the like satisfaction as aforesaid repair and make good all damage which may be occasioned to the said towing-path or barge-walk consequent upon such diversion and in the event of the Middlesex Council failing so to do the conservators may do the work charging the Middlesex Council with the expense of so doing and the Middlesex Council shall forthwith repay to the conservators all expenses so incurred :

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

- (11) Notwithstanding anything in section 88 of the Thames Conservancy Act 1894 contained it shall not be obligatory upon the conservators to give to the Councils notice before commencing to dredge cleanse scour or deepen any part of the bed or channel of the Thames on the southern side of the widened bridge except within a distance of thirty feet of the southern side of the widened bridge or of any pier or abutment on that side:
- (12) Except as in this Act expressly provided to the contrary nothing therein contained shall extend or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the conservators or to prohibit defeat alter or diminish any power authority or jurisdiction which at the time of the passing of this Act the conservators did or might lawfully claim use or exercise:
- (13) If any difference arise between the Councils or either of them and the conservators as to any matter or thing affecting the plans or the mode of constructing the works by this Act authorised such difference shall be referred to an arbitrator to be appointed on the application of either party by the Board of Trade and any arbitration hereunder shall except as to the appointment of an arbitrator be subject to the provisions of the Arbitration Act 1889.

For protec-
tion of Me-
tropolitan
Water
Board.

10. For the protection of the Metropolitan Water Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the board on the one hand and the Councils or the Middlesex Council or the Surrey Council (as the case may be) on the other hand have effect (that is to say):—

(1) The expression "the Council" where used in this section means—

(A) The Councils in relation to any works to be executed or powers to be exercised by the Councils;

(B) The Middlesex Council in relation to any works to be executed or powers to be exercised by that Council; and

(c) The Surrey Council in relation to any works to be executed or powers to be exercised by that Council: A.D. 1911.

- (2) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Council shall not execute any works on the northern side of the bridge except in accordance with plans and sections to be submitted to and approved by the engineer of the board and failing agreement to be referred to arbitration:
- (3) The Council shall in executing the widening of the bridge and the diversion and widening of the approach roads thereto by this Act authorised at the expense of the board provide such accommodation under the footway as shall be sufficient for two mains having each an internal diameter of not exceeding eighteen inches to be laid side by side. The accommodation provided shall be situate beneath the footway of the new portion of the bridge and approach roads. The accommodation shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and approved by the board. Provided that if within one month after the receipt of any such plans sections and particulars the board shall not have intimated to the Council their disapproval thereof or made any requirement with respect thereto they shall be deemed to have approved the same:
- (4) The board shall make good all damage whatsoever and indemnify the Council against any expenses whatsoever incurred or suffered by them by reason of or incidental to or arising out of the laying or construction repair or maintenance of the said two mains or the pumping or user thereof or leakage therefrom or other defects therein or otherwise howsoever:
- (5) Notwithstanding anything contained in the section of this Act of which the marginal note is "No main or pipes to be laid on bridge except with consent of Councils" the board shall at all times after the passing of this Act have the right of entering upon

A.D. 1911.

breaking up or interfering with the footway over the widened portion of the bridge for the purpose of repairing and maintaining the said two mains:

- (6) Notwithstanding the stopping up temporarily or otherwise of any road street bridge footpath or way under the powers of this Act the board their engineer workmen and others in their employ shall at all times have all such rights of access to all or any of the apparatus of the board situate in or under any such road street bridge footpath or way as they had immediately before the passing of this Act and shall be at liberty to do all such works at their own expense in and upon such road street bridge footpath or way as may be necessary for inspecting repairing maintaining removing or extending such apparatus:
- (7) Not less than one month before commencing any of the works by this Act authorised in any street or road in or under which any mains pipes apparatus hydrants syphons plugs or other works or apparatus (in this section referred to as "apparatus") of the board are situate the Council shall deliver to the board a plan section and description of such works describing the proposed manner of executing the same and showing the whole of the works proposed to be executed in connection therewith:
- (8) The board may at any time within twenty-one days of the receipt of such plan section and description by notice in writing intimate to the Council their disapproval of the proposed manner of executing such works so far as they involve interference with the apparatus of the Board or make any requirement with respect to such plan section or description and in particular they may require the Council to provide and lay down such works and apparatus as may be reasonably necessary and to remove raise sink or otherwise alter the position of any apparatus and support the same and to substitute temporarily or otherwise other apparatus in such manner as may be reasonably necessary and to lay or place under any apparatus cement concrete or other like substance

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

Provided that if the board shall not within the said period of twenty-one days give any such notice in writing to the Council as aforesaid they shall be deemed to have approved the plan section and description as submitted: A.D. 1911.

- (9) The Council shall not construct such works as aforesaid except in strict accordance with the said plan section and description as approved by the board or settled by arbitration:
- (10) Notwithstanding any other provision of this Act the Council shall not without the consent in writing of the board remove raise sink or otherwise alter the position of any apparatus of the board or do anything which may impede the passage of water into or through any apparatus in any manner other than the board shall approve unless and until such good and sufficient apparatus (hereinafter referred to as "substituted apparatus") as may be reasonably necessary for continuing the supply of water shall have been first provided laid down and ready for use:
- (11) All works to be executed or provided under this section in connection with any apparatus of the board shall subject as herein provided be so executed or provided by and at the expense of the Council but to the reasonable satisfaction and under the superintendence of the engineer of the board:
- (12) Not less than fourteen days before commencing the construction of any such works as aforesaid the Council shall give to the board notice in writing of their intention to commence such construction and shall state in such notice the place and time at which they propose so to commence and if within seven days after the receipt of such notice the board shall give notice to the Council of their intention themselves to lay down any substituted apparatus or to execute any other works to or in connection with any apparatus of the board as provided by this section it shall be lawful for the board instead of the Council to lay down such apparatus or execute such works and the cost reasonably and properly incurred by them in

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

so doing shall on demand be repaid to the board by the Council :

- (13) The Council shall make good all damage done by them to any existing apparatus or other property of the board in the execution of the works by this Act authorised or in the provision of substituted apparatus or the execution of any other works required by this section and shall indemnify the board in respect of any actions claims or demands arising out of any interference with any such apparatus or property or with the private communication pipes of any person or persons supplied by the board :
- (14) The board may at their own expense if they deem fit employ watchmen or inspectors to watch any works to be executed by the Council under this section or any other provision of this Act whereby any apparatus of the board will or may be interfered with or affected :
- (15) The expense of all repairs and renewals of any apparatus of the board or any works in connection therewith which may be rendered necessary by or in consequence of the acts or defaults of the Council their contractors agents workmen or servants or any person in the employ of them or any of them or rendered necessary by reason of the subsidence resulting from the works of the Council whether during the construction of such works or within twelve calendar months thereafter shall be borne by the Council and paid by them on demand to the board :
- (16) If any difference shall arise between the board and the Council with respect to any matters under this section or concerning any of the said plans sections and descriptions the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such settlement by arbitration.

11.—(1) The Council shall in executing the widening of the bridge and the diversion and widening of the approach roads thereto by this Act authorised provide such accommodation under the footway as shall be sufficient for six ducts (containing telegraphic lines) each having an internal diameter of three and a quarter inches together with the necessary jointing chambers. The accommodation provided shall be situate beneath the footway of the new portion of the bridge and approach roads and shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and approved by the Postmaster-General. Provided that if within one month after the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Council his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same.

A.D. 1911.
For pro-
tection of
Postmaster-
General.

(2) In case of any interruption of telegraphic communication by means of any telegraphic line placed under the footway under the provisions of this section, or in case of any other emergency the Postmaster-General shall be at liberty to suspend in manner approved by the engineer of the Council a temporary cable containing telegraphic lines on the parapet or other convenient part of the bridge and to maintain the same until communication by means of the said underground telegraphic line is restored.

(3) Any question or difference arising under this section with reference to the manner in which the said temporary cable shall be suspended shall be determined by the Board of Trade on the application of either party and the determination of any such question or difference by the Board of Trade shall be final.

(4) Subject to the provisions of this section the provisions of the Telegraph Act 1878 with reference to alterations of telegraphic lines of the Postmaster-General in connection with works proposed to be done in the execution of an undertaking authorised by an Act of Parliament shall apply to all alterations of any telegraphic line of the Postmaster-General which may be involved in the execution of the works authorised by this Act.

(5) The expression "the Council" where used in this section means—

(A) The Councils in relation to any works to be executed or powers to be exercised by the Councils;

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

(B) The Middlesex Council in relation to any works to be executed or powers to be exercised by that Council; and

(c) The Surrey Council in relation to any works to be executed or powers to be exercised by that Council.

Removal and
relaying of
tramways.

12.—(1) Subject to the provisions of the section of this Act whereof the marginal note is “For protection of London United Tramways Limited” the London United Tramways Limited (in this section called “the company”) shall so far as it may be necessary for the purposes of the improvement take up and remove so much of their existing tramways together with rails plates sleepers posts conductors wires tubes mains cables boxes apparatus works and conveniences connected therewith as is situate on the bridge and the approaches thereto and the Councils and the company shall in the lines and according to the levels and within the limits of deviation shown upon the deposited plans and sections make form and lay down the new tramway or tramways or portion of tramway or tramways hereinafter described together with all proper rails plates sleepers posts conductors wires tubes mains cables boxes apparatus works and conveniences connected therewith and the company shall own and may thereafter work and use the same namely:—

Work No. 6 A tramway (double line) (1 furlong 7·6 chains or thereabouts in length) commencing in the parish and urban district of Hampton Wick in the county of Middlesex at the point of the commencement of Work No. 2 by this Act authorised thence traversing the said approach road to the bridge on the Middlesex side thence over the bridge and along the approach road to the bridge on the Surrey side thence across Thames Street and along Clarence Street and terminating in that street in the said parish and borough of Kingston-upon-Thames at a point six yards or thereabouts eastward of the east side of Thames Street:

Work No. 7 A tramway (double line) 3 chains or thereabouts in length situate wholly in the parish and urban district of Hampton Wick in the county of Middlesex commencing in High Street at a point one hundred and twenty yards or thereabouts measured in a north-easterly direction from the centre of

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

Church Grove and terminating on the approach road to the bridge on the Middlesex side by a junction with Work No. 6 at or near the point of commencement of Work No. 3 by this Act authorised. A.D. 1911.

(2) When the Company shall have taken up and removed their tramways as in this Act provided they shall be under no obligation to reinstate the roadway or other matters disturbed by their works.

(3) All the subsisting provisions of the London United Tramways Acts 1873 to 1910 relating to the said existing tramways shall mutatis mutandis apply to Works Nos. 6 and 7 by this Act authorised as if those works were the said existing tramways.

13. The following provisions shall unless otherwise agreed in writing between the London United Tramways Limited (hereinafter called "the company") and the Councils have effect for the protection of the company (that is to say):—

For protec-
tion of Lon-
don United
Tramways
Limited.

(1) So much of the new tramways authorised by the section of this Act whereof the marginal note is "Removal and relaying of tramways" as is hatched red upon a plan signed in duplicate by Charles Robinson Holmes on behalf of the company and by Basil Mott on behalf of the Councils shall be constructed by and at the expense of the Councils and any further new tramways or adjustment of the existing tramways which may be necessary at either end of the bridge so as to form and complete connections with the existing tramways of the company in Hampton Wick and Kingston-upon-Thames shall be constructed and effected by and at the expense of the company with all reasonable speed Provided that notwithstanding anything contained in this Act or shown on the deposited plans the company shall not be required to make any greater alteration of or addition to their tramways than may be reasonably necessary to connect the tramways to be so constructed by the Councils as aforesaid with the existing tramways of the company:

(2) Before the Councils commence to execute any works under this Act or to exercise any of the powers of

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

this Act which may affect the tramways works or apparatus of the company or interfere with the traffic on the tramways of the company they shall submit to the company plans sections and particulars showing the method of constructing the improvement and the extent of any alteration of or interference with the tramways works or other apparatus of the company which may be necessary for or during the construction and completion of the improvement and the Councils shall not interfere with such tramways works or apparatus otherwise than in accordance with such plans sections and particulars as may be agreed to by the company or as failing agreement may be settled by arbitration as hereinafter provided:

- (3) All works to be executed by the Councils in upon or in relation to the tramways works or apparatus of the company shall be carried out under the superintendence and to the reasonable satisfaction of the engineer of the company:
- (4) The improvement shall be carried out in such manner as to ensure either by the provision of temporary tramways (to be constructed to the satisfaction of the company) at the expense of the Councils or otherwise at the like expense that at least one line of tramway traffic over the bridge and approaches shall be continuously maintained throughout Provided that any temporary tramways constructed under the provisions of this section shall be laid and maintained in such manner that the surface of the rails shall be on a level with the surface of the road:
- (5) The Councils shall proceed with all reasonable speed upon the commencement of the improvement to carry it out and complete it:
- (6) The Councils shall pay the expense of the employment by the company during the construction of the improvement of a sufficient number of inspectors watchmen and signalmen to be appointed by the company for watching and signalling with reference to and during such construction and for securing the safety of the public and of passengers using the company's tramways and for preventing interference

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

obstruction danger and accident from any of the operations or from the acts or defaults of the Councils or their contractors or any person in the employment of the Councils or of their contractors but this subsection shall not relieve the Councils from liability for any accident which may be occasioned by or through the operations of the Councils or their contractors agents or workmen: A.D. 1911.

(7) The Councils shall indemnify the company against all claims and demands which may arise against the company for accidents or injuries caused during the carrying out of the improvement to any employees of the company or persons using the tramways in consequence of any negligence or default of the Councils their agents or servants:

(8) If by reason of any act or omission of the Councils or of their contractors or any person employed by them respectively any loss expenses or damage shall be incurred by and be caused to the company otherwise than by loss of traffic the same shall be made good to the company by the Councils and the Councils shall pay all costs charges and expenses to which the company may be put or which the company may incur by reason of any such act or omission as aforesaid:

(9) If any difference shall arise under the provisions of this Act between the Councils and the company the same shall be referred to and determined by an arbitrator to be appointed by agreement between the parties or failing agreement by the President of the Institution of Civil Engineers and any arbitration hereunder shall except as to the appointment of an arbitrator be subject to the provisions of the Arbitration Act 1889.

14. The Surrey Council may stop up and discontinue the footpath now lying on the south side of the approach to the bridge in the borough of Kingston-upon-Thames and shall provide in lieu thereof suitable and convenient steps for affording access to the river from the bridge. Stopping up of footpath.

All rights of way over or along the footpath when so stopped up under the provisions of this Act shall be deemed to be

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. extinguished and the site and soil thereof and the fee simple and inheritance thereof shall be wholly and absolutely vested in the Surrey Council and they may appropriate the same to the purposes of the improvement.

Power to
take lands.

15. Subject to the provisions of this Act the Councils or the Middlesex Council or the Surrey Council may as the case may require enter upon take hold and use all or any of the lands shown on the deposited plans and described in the deposited books of reference which they may respectively require for the purposes of the improvement:

Provided always that all lands so taken and used as may be situate within the county of Middlesex shall subject to the provisions of this Act vest in and belong to the Middlesex Council and all lands so taken and used as may be situate within the county of Surrey shall subject to the provisions of this Act vest in and belong to the Surrey Council.

Power to
acquire ad-
ditional lands
by agree-
ment.

16. In addition to the other lands which the Councils or the Middlesex Council or the Surrey Council are by this Act authorised to purchase and acquire they may purchase take on lease or acquire by agreement and may hold for the purposes of the improvement any lands not exceeding as regards either Council five acres or in the aggregate ten acres.

Nuisance.

17. Nothing in this Act shall exonerate the Councils or either of them from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them under the provisions of this Act.

Owners may
be required
to sell parts
only of cer-
tain lands
and build-
ings.

18. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Councils or either of them of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the improvement and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(1) In this section—

The Councils or either of them acting jointly or severally are included in the term “the Council”;

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the improvement or each or any of them are included in the term "the owner" and the said properties are referred to as "the scheduled properties":

A.D. 1911.

- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Council on whose behalf such notice to treat shall be served 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 Council such portion only without the Council being obliged or compellable to purchase the whole the Council paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Council on whose behalf such notice to treat shall be served allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled 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 over which the Council have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled 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 Council the portion which the tribunal shall have

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911:

determined to be so severable without the Council being obliged or compellable to purchase the whole the Council 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:

- (5) If the tribunal determine that the portion of the scheduled 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 in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Council 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:
- (7) If the tribunal determine that the portion of the scheduled 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 Council 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 shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or^o but for

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845. A.D. 1911.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

19. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Councils or either of them any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands. And the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

20. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Councils or either of them as the case may require after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the respective counties of Middlesex or of Surrey as the case may be for the correction thereof and if it shall appear to the justices hearing the application that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Middlesex or the clerk of the peace for the county of Surrey as the case may require and a duplicate thereof shall also be deposited with the clerks of the district councils and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Councils or either of them to take the lands and execute the works in accordance with such certificate.

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

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

Power to
Councils to
enter upon
property for
survey and
valuation.

21. The Councils or either of them and their respective surveyors officers and workmen and any person duly authorised in writing under the hands of the clerks of the respective Councils may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to
temporarily
stop up or
interfere
with roads
&c. for pur-
poses of im-
provement.

22. The Councils or either of them for the purposes of the powers granted to them respectively by this Act and during the making of the improvement may in or upon the lands shown in connection therewith upon the deposited plans stop up or interfere with alter or divert temporarily all or any part of any road street bridge (including the bridge) footpath way wharf stream or watercourse which they shall think necessary for such purposes to be stopped up or interfered with altered or diverted and may put or cause to be put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such road street bridge footpath way wharf stream or watercourse open for traffic and may subject to the rights powers and authorities of the Commissioner of Police of the Metropolis make such orders for regulating the traffic as to them shall seem proper.

The Councils or either of them shall provide reasonable access for all persons bonâ fide going to or returning from any house in any such road street or place and shall in each case do as little damage as possible and shall make full compensation to all persons injuriously affected by the exercise of the powers of this section.

Streets &c.
may be
raised or
lowered.

23. Subject to the provisions of this Act the Councils or either of them may for the purposes of and in connection with the powers granted to them respectively by this Act alter the line or level of any of the streets roads and places described on the deposited plans or sections as intended to

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

be diverted raised or lowered in the manner shown on such plans or sections. A.D. 1911.

24. In executing any of the works for or connected with the improvement the Councils or either of them may subject to the provisions of this Act deviate to any extent from the line thereof within the limits of deviation defined on the deposited plans and the Councils or either of them may subject to the provisions of this Act deviate to any extent from the levels thereof defined on the deposited sections not exceeding two feet from the levels thereof as defined on the said sections but not so as to increase the inclination of the main approach roads leading to the bridge as shown on the deposited sections. Power to deviate.

25. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to any house building or other erection within one hundred feet of the works by this Act authorised it may be necessary to underpin or otherwise strengthen the same Therefore the Councils or either of them (in this section referred to as "the Council") at their own costs and charges may and if required by the owner or lessee of any such house building or other erection shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):— Councils empowered or may be required to underpin or otherwise strengthen buildings &c. near works.

- (1) At least ten days' notice shall unless in case of emergency be given to the owner lessee and occupier or by the owner or lessee of the house building or other erection so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Council shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owner or lessee of the premises to be underpinned or strengthened shall be sent to the clerk of the county council of the county in which the premises are situate:
- (3) If any owner lessee or occupier of any such house building or other erection or the Council as the case may require shall within seven days after the giving of such notice give a counter notice

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

in writing disputing the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer (in this section called "the arbitrator") to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade:

- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house building or other erection and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Council may and shall proceed forthwith so to underpin or strengthen the said house building or other erection:
- (5) The Council shall be liable to compensate the owner lessee and occupier of every such house building or other erection for any inconvenience loss or damage which may result to them by reason of any such underpinning or strengthening:
- (6) If in any case in which any house building or other erection shall have been underpinned or strengthened on the requisition of the Council such underpinning or strengthening shall prove inadequate for the support or protection of the house building or other erection against further injury arising from the execution or use of the works by this Act authorised then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the arbitrator the Council shall make compensation to the owner lessee and occupier of such house building or other erection for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof:
- (7) Nothing in this section contained nor any dealing with any property in pursuance of the provisions of this section shall relieve the Council from the liability to

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act: A.D. 1911.

(8) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts:

(9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

26. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Councils or either of them in connection with the powers granted to them respectively by this Act and as part of the improvement may make junctions and communications with any road street bridge way stream or watercourse interfered with by or contiguous to the works and may divert widen or alter the line or level of any road street bridge way stream or watercourse for the purpose of connecting the same with the improvement And the Councils or either of them doing the works by this section authorised may alter and interfere with any drain or sewer providing a proper substitute before interrupting the flow of sewage in any such drain or sewer and they may execute any works for the protection of any adjoining land or buildings Any pipes drains and sewers paving metalling or materials in on or under any street so altered or diverted shall vest in the Middlesex Council or in the Surrey Council as the case may require and all substituted pipes drains and sewers shall be under the same jurisdiction care management and direction as the existing pipes drains and sewers for which they may be so substituted In the exercise of the powers conferred by this section the Councils or either of them doing the work shall cause as little detriment and inconvenience as circumstances admit to any company or person and shall make reasonable compensation for any damage caused to any company or person by the exercise of the powers aforesaid.

Power to make subsidiary works.

27. Subject to the provisions of this Act the Councils or either of them may for any purpose in connection with the improvement upon the lands acquired by them respectively under the powers of this Act and also in any street road or way within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house

Alteration of position of water gas and other pipes.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1. & 2 GEO. 5.]
Act, 1911.

A.D. 1911. or building and also any main or other pipe laid down or used by any company or person for carrying a supply of water or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and any pipe tube wire or apparatus laid down or placed for supplying electricity and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to any company or person and making reasonable compensation to any company or person who suffers damage by any such alteration. Provided always that before the Councils or either of them alter the position of any main pipe tube wire or apparatus laid down or used by any such company or person they shall (except in cases of emergency) give to the company or person to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done (at the expense of the Council effecting such alteration) under the superintendence of the company or person to whom such main pipe tube wire or apparatus belongs unless such company or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Councils or such Council as aforesaid shall execute such work to the reasonable satisfaction of the engineer of such company or person. Provided also that the Councils or either of them shall not cause any street road or way to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main or other pipe in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Councils or the Council doing such work shall in such case protect the said main or pipe from frost or injury by artificial covering to the reasonable satisfaction of the engineer of such company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Councils or Council in such case provide special means of access to the said main or pipe to the reasonable satisfaction of the engineer of such company or person:

If any difference arise between the Councils or either of them or their respective engineers and any such company or person or

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

their or his engineer touching the amount of any costs expenses or charges under the provisions of this Act to be paid by the Councils or the Council doing such work to any such company or person or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Councils or Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the Councils or the Council doing such work and any such company or person respectively or failing agreement by such engineer as shall on the application of the Councils or the Council doing such work or any such company or person be named by the Board of Trade whose decision shall be final and binding and the expenses of the reference shall be borne as the referee may direct: A.D. 1911.

Provided always that nothing in this section shall extend to prejudice or affect any of the provisions for the protection of any undertakers authorised to supply electrical energy contained in any special Act or any Provisional Order confirmed by Act of Parliament:

Provided further that nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

28. Notwithstanding anything in any Act to the contrary it shall not except as by this Act expressly provided be lawful for any person to enter upon break up or interfere with the bridge as widened or the carriageways and footways over the same respectively for the purpose of executing any work whatsoever therein thereon or thereunder except with the consent of the Councils in writing and in accordance with such terms and conditions either as to the payment of any rent or other valuable consideration or otherwise as the Councils may reasonably determine Provided that nothing in this section contained shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1909:

No main or pipes to be laid on bridge except with consent of Councils.

Provided also that nothing in this section shall restrict limit or affect the powers of the London United Tramways

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. Limited under section 27 (Power to erect posts &c.) of the London United Tramways Act 1901 or any other Act relating to the London United Tramways Limited or be deemed to require the consent of the Councils or either of them to the exercise upon the bridge as widened or the carriageways or footways over the same of any of such powers.

Councils
empowered
to lay out
carriage-
ways and
footways.

29. Subject to the provisions of this Act the Middlesex Council and the Surrey Council may each within their respective counties of Middlesex and Surrey cause such parts of the improvement (other than those referred to in the section of this Act whereof the marginal note is "Power to Councils to execute works") to be laid out for carriageway and such parts thereof for footways as they may think proper and may upon the lands acquired by or vested in them respectively under the powers of this Act and within the limits of deviation defined on the deposited plans construct and provide such carriageways footways vaults cellars arches sewers drains subways and other works and conveniences as they may respectively think proper for the purposes of the improvement and in laying out or forming such carriageways and footways and works the Council doing the work may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only in respect thereof as are imposed upon any urban or road authority when they stop up temporarily any road thoroughfare or any part thereof in the repairing or repaving of any street.

Sewers or
drains to be
removed
arched over
or filled up.

30. The Councils or either of them as the case may require may cause to be removed arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets or roads to be interfered with for the purposes of the improvement as shall appear necessary for executing the purposes of this Act so as that no sewer or drain (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in any wise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided always that before removing or filling up any sewer or drain or part thereof as aforesaid the Councils or the Council doing the work shall where necessary cause to be made and built other good and sufficient sewers and drains in substitution for the sewers or drains which shall be filled up and when

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains for which they are substituted. A.D. 1911.

31. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Councils or either of them may for the purposes of and in connection with the powers granted to them respectively by this Act alter and pull down any houses buildings and erections and may stop up and appropriate the site and soil of any streets ways roads courts passages alleys or plantations shown upon the said plans making all reasonable compensation to any person who suffers damage by any such alteration. Power to alter and pull down buildings and to stop up streets.

32. Subject to the provisions of this Act the Councils or either of them may in connection with the powers granted to them respectively by this Act enter into and carry into effect agreements with the conservators the district councils owners of property or other persons interested in lands houses or property shown or partly shown on the deposited plans with respect to the sale or purchase by the Councils or either of them of any such lands houses or property or any rights or easements in on or affecting the same for such consideration being a sum of money in gross or a grant of land or partly money and partly land as may be agreed upon between the Councils or either of them and the said conservators district councils owners or other persons. Power to Councils to make agreements with owners of property &c.

33. The powers of the Councils or of either of them for the compulsory purchase or taking of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Limitation of time for purchase of lands.

34. If the improvement be not completed within five years from the passing of this Act then on the expiration of that period the powers of the Councils and of the Middlesex Council and Surrey Council respectively under this Act for the execution of the improvement shall cease except so far as the same shall have been completed. Period for completion of improvement.

35. When the improvement is completed a certificate thereof shall be issued under the seals of the respective Councils and any copy of such certificate certified under the hands of the clerks of the respective Councils shall in all proceedings and for all purposes Certificate of completion.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. be admissible and received as evidence that such certificate has been duly made and from the date of such certificate so much of the improvement as shall have been laid out as carriageway or footway shall be open to the public accordingly.

As to repair and maintenance of improvement.

36. So much of section 13 of the Kew and other Bridges Act 1869 as deals with the maintaining repairing supporting paving watching and lighting of the bridge is hereby repealed. The bridge and the approaches thereto as widened with the roads over the same so far as the same shall not be public highways maintainable and repairable by the district councils respectively shall be maintained repaired watched and lighted as to so much of the bridge approaches and roads as is situate on the Middlesex side of an imaginary line to be drawn across the bridge at the centre of the centre arch thereof by and at the expense of the Middlesex Council and as to so much of the bridge approaches and roads as is situate on the Surrey side of such imaginary line as aforesaid by and at the expense of the Surrey Council.

Power to sell materials.

37. The Councils or either of them may sell or dispose of any materials of any houses buildings or structures acquired by them respectively under the powers of this Act and not required for the improvement and also all materials in under or upon any road street or other place altered by them for the purposes of this Act and any materials obtained in the alteration of or interference with any drain or sewer which are vested in the Councils or either of them under the powers of this Act and the materials (if any) obtained in the course of the improvement.

Vesting of Bridge Estate Charity.

38.—(1) The freehold and leasehold lands and hereditaments now vested in the Official Trustee of Charity Lands and the two pounds ten shillings per centum consolidated stock (hereinafter referred to as "the stock") invested in the name of the Official Trustees of Charitable Funds and described in the Second Schedule hereto and all other the property of or held in trust for the Bridge Estate Charity are hereby vested in the Middlesex Council and the Surrey Council in equal shares for all the estate and interest therein belonging to or held in trust for the said charity.

(2) The Official Trustees of Charitable Funds and the trustees and all other necessary parties shall do all such acts as may be necessary in order to vest in or transfer to the Councils the said freehold and leasehold lands and hereditaments and the stock

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

and all other property which now form part of the Bridge Estate Charity. A.D. 1911.

39. The Council may if and so long as the said freehold and leasehold lands and hereditaments set out in the Second Schedule hereto are vested in them jointly from time to time hold retain and occupy such part of the said lands and hereditaments as may be necessary for the purposes of the improvement and subject thereto may with the approval of the Local Government Board dispose of or otherwise deal with the said lands and hereditaments either by way of absolute sale or by way of exchange mortgage charge demise lease or otherwise in such manner and on such terms and conditions as the Local Government Board approve.

Management
of charity
lands.

40. Subject to the approval of the Local Government Board the Councils may if and so long as the stock is vested in them jointly sell the stock and any other shares funds and securities acquired in addition thereto or in substitution therefor and reinvest the proceeds of such sale.

Power to sell
and reinvest
stock.

41. The Councils shall in accordance with the terms of the agreement set out in the Third Schedule hereto be entitled each to one moiety of the income arising from the said freehold and leasehold lands and hereditaments and the stock and any other property forming part of the Bridge Estate Charity and shall apply the income arising therefrom to and towards—

Application
of income.

First Defraying the cost of maintaining and repairing the bridge and the approaches thereto;

Secondly The formation of a reserve fund for the repair maintenance and improvement of the bridge and the approaches thereto.

42.—(1) Either Council may by notice in writing call upon the other Council to agree to an apportionment of the said lands and hereditaments stock securities and other property (if any) vested in the county councils by the section of this Act whereof the marginal note is “Vesting of Bridge Estate Charity” and hereinafter referred to as the charity whereby each Council is to receive one half share of the charity.

Apportion-
ment of
Bridge
Estate
Charity.

(2) In the event of the Councils being unable to agree upon such apportionment within six months of such notice in writing the matter shall be referred to arbitration in manner provided by the agreement set out in the Third Schedule hereto and the

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. arbitrators or the umpire as the case may be shall have full power to determine in what manner the said apportionment shall be made and effected.

(3) The arbitrators or the umpire as the case may be may as part of their or his award direct that the whole or any part of the said lands and hereditaments may be sold and the proceeds of such sale (after deducting therefrom the cost of such sale) shall be divided in such shares as he may determine between the Councils.

(4) In the event of such apportionment each Council shall have in relation to that part of the charity to which it may become entitled under the award the same powers as are by the sections of this Act whereof the marginal notes are "Management of charity lands" and "Power to sell and reinvest stock" and "Application of income" vested in the Councils.

Power to make a grant to trustees' clerk for loss of any fees &c.

43. It shall be lawful for the Councils if having regard to all the circumstances of the case it shall appear to them right so to do of which the Councils shall be the sole judges to grant to John Durham the present clerk to the trustees such a sum of money as the Councils may in their absolute discretion see fit to award him in respect of any loss of fees or emoluments arising out of the transfer to the Councils of the Bridge Estate Charity.

Power to sell or exchange lands.

44. Subject to the provisions of this Act the Middlesex Council or the Surrey Council may if they think it expedient so to do sell exchange and dispose of all or any lands and hereditaments acquired by them respectively under the powers of this Act and not required for the improvement for such price and on such terms and conditions as they shall respectively think reasonable and subject to such stipulations as to title as they shall respectively think fit and may execute and do any deed act or thing proper for effectuating any such sale or exchange.

Power to lease surplus lands.

45. Notwithstanding the provisions of the Lands Clauses Acts the Middlesex Council or the Surrey Council may hold and when and as they shall think fit so to do may demise and lease any lands and hereditaments acquired by them respectively under this Act and not required for the improvement or such parts of such land and hereditaments as they may respectively think expedient at such rent and on such terms as they shall

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

respectively think fit and may execute and do any deed act or thing proper for effectuating any such demise or lease. A.D. 1911.

46. The Middlesex Council and the Surrey Council shall subject as in this section provided apply all moneys from time to time received by them respectively in respect of any sales exchanges or dispositions of land and hereditaments (other than lands and hereditaments comprised in the Bridge Estate Charity) or in respect of any contribution received from the London United Tramways Limited or in respect of the sale of materials by this Act respectively authorised in or towards paying off moneys borrowed and for the time being owing under this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Local Government Board:

Application
of moneys
from sale &c.
of land.

Provided that if at any time the Middlesex Council or the Surrey Council shall have in their hands moneys so received by them they may at their discretion respectively apply the said moneys or any part thereof as part of the capital authorised to be raised under the section of this Act whereof the marginal note is "Money to be raised on capital account" in lieu of borrowing further moneys under the provisions of the said section:

Provided further that no part of such moneys shall be so applied as to increase the total amount expended for the purposes of the works authorised by this Act beyond the limit of the amount by the said section authorised to be borrowed and that the Middlesex Council or the Surrey Council as the case may be shall furnish to the Local Government Board all such information returns and accounts relating to such application as the said Board may require.

47. The engineer for the time being employed by the Councils in connection with the improvement shall have full power to determine during the progress of the works and after their completion what sums ought to be paid by the Councils jointly and severally as by this Act and the agreement set out in the Third Schedule hereto provided and every such determination shall be binding on both the Councils and shall have the effect of an award made under the provisions of the Arbitration Act [1889] Provided always that if either of the

Determina-
tion of costs.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. Councils shall have paid more than its due proportion as so determined of the total amount of the costs and expenses by this Act jointly payable the amount so paid in excess of such proportion unless included in any final determination of the joint sums payable shall be a debt due to the Council which has so paid in excess from the other Council and shall be recoverable accordingly.

Contribution
by London
United
Tramways
Limited.

48. The liability of the London United Tramways Limited (in this section referred to as "the company") under the provisions of section 34 of the London United Tramways Act 1901 shall be discharged as follows:—

Upon the production of the certificate of the engineer for the time being employed by the Councils in connection with the improvement that a sum of ten thousand pounds has been actually expended upon the improvement the company shall forthwith pay that amount to the Councils and the payment of the said sum of ten thousand pounds shall relieve the company of all further liability under section 34 of the said Act.

Money to be
raised on
capital
account.

49.—(1) The Middlesex Council and the Surrey Council may severally expend on capital account for the purpose of carrying out the improvement including the purchase of land and compensation for injury and damage done for the same and for the payment of the expenses by this Act authorised (including the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act) such money as they may from time to time think fit not exceeding as regards the county of Middlesex the sum of fifty-five thousand pounds and not exceeding as regards the county of Surrey the sum of seventy thousand pounds and in order to raise or provide the money so required each Council may borrow such sums as may be from time to time required for the purposes of this Act but not exceeding as regards the Middlesex Council the said sum of fifty-five thousand pounds and as regards the Surrey Council the said sum of seventy thousand pounds.

(2) In addition to any other moneys which the Middlesex Council and the Surrey Council are by this Act authorised to borrow they may respectively with the consent of the Local Government Board borrow for the purposes of this Act such sums of money as may be required as if such purposes had been

[1. & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

purposes mentioned in section 69 of the Local Government Act 1888. A.D. 1911.

(3) In calculating the amounts which the Councils may respectively borrow under the Local Government Act 1888 the amounts borrowed under this Act shall not be reckoned but subject as aforesaid any loan so borrowed shall be borrowed under and subject to the provisions (so far as applicable) of section 69 of the Local Government Act 1888 as by this Act specially varied but the consent of the Local Government Board shall not be required to the borrowing of moneys under subsection (1) of this section or to the period of repayment of any moneys under this section.

(4) The Councils shall severally make provision for the repayment of any money borrowed on capital account under this section within a period not exceeding sixty years from the date of the borrowing of such money except as regards money borrowed for the payment of the costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act" which shall be repaid within five years from the passing of this Act.

(5) All sums of money which the respective Councils may from time to time require for such repayment shall subject to the provisions of this Act be defrayed by them respectively as payments for general county purposes within the meaning of and as authorised by the Local Government Act 1888.

50.—(1) The clerk of the Middlesex Council or of the Surrey Council as the case may require shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and

Return to
Local Go-
vernment
Board as to
repayment
of debt.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that either Council has failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Confirmation
of agreement
set out in
Third
Schedule.

51. The provisions of the agreement set out in the Third Schedule hereto are hereby confirmed and made binding on the parties thereto.

Compensa-
tion &c. how
to be deter-
mined.

52. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Acts.

Inquiries by
Local
Government
Board.

53.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875. A.D. 1911.

(2) The Councils shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

54. Nothing contained in this Act shall authorise the Councils or the Middlesex Council or the Surrey Council to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or vested in or under the management of the Commissioners of Works without the consent in writing of the Commissioners of Woods on behalf of His Majesty or the Commissioners of Works as the case may be first had and obtained for that purpose which consent such Commissioners are hereby authorised to give subject to such terms and conditions as they may think right neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty. Saving
rights of
Crown.

55. The entire consideration to be paid by the Middlesex Council in pursuance of an agreement dated the sixth day of July one thousand nine hundred and eleven and made between the county council of the administrative county of Middlesex of the first part the King's most Excellent Majesty of the second part George Granville Leveson Gower Esquire of the third part and the Commissioners of Works of the fourth part notwithstanding that some portion thereof may be in respect of leases of or easements under land part of the land revenues of the Crown under the management of the Commissioners of Works shall be paid as provided by the said agreement and be applied to the same purposes as other moneys arising from leases or grants of easements under or over land part of the land Application
of considera-
tion money
for Crown
lands.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. revenues of the Crown may for the time being be by law directed to be applied and the Commissioners of Woods are hereby empowered to make such leases and grants of easements.

Costs of Act. **56.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons other than and excepting any extra costs charges and expenses incurred in or occasioned by the making provision for the widening and for the improvement of the approaches to the bridge shall be borne by the Councils respectively in moieties and such extra costs charges and expenses if any shall be borne by the Council of the county in which the widening and improvement for the purpose of which such provision is expressly made is situated.

The SCHEDULES referred to in the foregoing Act. A.D. 1911

FIRST SCHEDULE.

HOUSES OR OTHER BUILDINGS OR MANUFACTORIES AND LANDS
 PARTS OF WHICH ONLY ARE REQUIRED FOR THE PURPOSES
 OF THE ACT.

Nos. on deposited Plans.	Parish and District.	Description of Property.
16	Parish and borough of Kingston-upon-Thames county of Surrey.	Shop and premises
17		Do.
18		Do.
19		Do.
20		House and premises
21		Shop and premises
22		Do.
23		Do.
24		Public-house
25		Shop and premises
9	Parish and urban district of Hampton Wick county of Middlesex.	Steps and footpath
13		Landing Stage
41		House and premises
42		Do.

SECOND SCHEDULE.

PROPERTY COMPRISED IN THE BRIDGE ESTATE CHARITY.

Description.	Extent or Amount.	Tenant Persons liable or Persons in whose Name invested.	Gross Yearly Income.
The under-mentioned property situated in or near Kingston-upon-Thames:— Message fronting Clattern Bridge. Land at Hershams	A. R. P.		£ s. d.
	—	Treasurer of the borough fund.	2 2 0
	—	Treasurer of the borough fund.	1 11 0

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

Description.	Extent or Amount.			Tenant Persons liable or Persons in whose name invested.	Gross Yearly Income.		
	A.	R.	P.		£	s.	d.
The under-mentioned property situated in or near Kingston-upon-Thames :—							
Tenement in Clarence Street.		—		Frank Bentall - -	3	0	0
Tenement in Old Bridge Street.		—		Nuthall and Sons Limited	1	6	8
Tenement in Old Bridge Street.		—		Nuthall and Sons Limited	3	0	0
Land at Chapel Stile		—		Governors of the Kingston Endowed Schools.	2	0	0
Land in Marsh Lane -	2	2	37	George Wise - - -	3	0	0
Land in Marsh Lane -	4	1	6	Sarah Ann Offer Thomas Woodgate and George Henry Ovenden the executors of Henry Offer deceased.	9	13	4
Land in Marsh Lane -	1	3	25	Sarah Ann Offer Thomas Woodgate and George Henry Ovenden the executors of Henry Offer deceased.	7	0	0
Bridge Barn - -	0	0	21	Mayor aldermen and burgesses of the borough of Kingston-upon-Thames.	56	0	0
Bridge Wharf near Kingston Bridge.	0	0	35	James and Frederick Gridley.	130	0	0
Right of way from Bridge Wharf to the bridge.		—		Hart Harden and Company.	1	0	0
Bridge Arches Hampton Wick.		—		Albert Edward Healey -	16	0	0
Two pounds ten shillings per centum Consolidated Stock.	4,618	18s.	2d.	The Official Trustees of Charitable Funds.	115	9	4

THIRD SCHEDULE.

A.D. 1911.

Referred to in Section 51.

AN AGREEMENT made this twenty-fourth day of November one thousand nine hundred and ten between THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF MIDDLESEX (hereinafter referred to as "the Middlesex County Council") of the one part and THE COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF SURREY (hereinafter referred to as "the Surrey County Council") of the other part.

WHEREAS the existing bridge across the River Thames from the shore thereof in the parish of Hampton Wick in the county of Middlesex to the opposite shore in the parish of Kingston-upon-Thames in the county of Surrey commonly known as Kingston Bridge and hereinafter referred to as "the bridge" together with the approaches thereto is vested in the trustees of the Kingston Municipal Trust (hereinafter referred to as "the trustees"):

And whereas certain trust estates and funds commonly and hereinafter called the Bridge Estate Charity are by a scheme of the Charity Commissioners dated eleventh April one thousand eight hundred and ninety-three administered and maintained by the trustees:

And whereas any freehold or leasehold land and hereditaments comprised in the scheme and belonging to or held in trust for the Bridge Estate Charity are vested in the Official Trustee of Charity Lands:

And whereas all sums of cash belonging to or held in trust for the Bridge Estate Charity and not required for current expenditure are invested in the name of the Official Trustees of Charitable Funds in trust for the Bridge Estate Charity:

And whereas by section 13 of the Kew and other Bridges Act 1869 it was provided that whenever the net income to arise from the Bridge Estate Charity and applicable by the trustees to the maintaining repairing supporting paving watching and lighting of the bridge should be at any time insufficient for those purposes then and as often as any such deficiency should occur and as long as the same should continue the bridge should be deemed a county bridge and should be maintained repaired supported paved watched and lighted accordingly and that any expenditure for the rebuilding of the bridge or other extraordinary expenditure connected therewith should be defrayed as if the same were to all intents a county bridge:

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

And whereas the Middlesex County Council and the Surrey County Council (hereinafter collectively referred to as "the County Councils") being of opinion that the bridge and approaches ought to be widened recently instructed Basil Mott to prepare designs for the widening of the bridge and its approaches and such designs have accordingly been prepared and have been approved by the County Councils:

And whereas the County Councils are prepared to undertake the widening of the bridge to a width of fifty-five feet on the condition that the bridge and the Bridge Estate Charity are transferred absolutely to the County Councils and that the approach on the Middlesex side of the river be transferred to the Middlesex County Council and the approach on the Surrey side of the river be transferred to the Surrey County Council:

And whereas the London United Tramways Limited are under the provisions of the London United Tramways Act 1901 liable to contribute towards the cost of widening the bridge:

And whereas application has been made to the Charity Commissioners by the County Councils and the trustees for a scheme transferring the bridge and the Bridge Estate Charity to the County Councils:

And whereas the Charity Commissioners have intimated (1) that the proposal is one which it is not within their power to carry into effect their jurisdiction being limited to the administration of charitable trusts and that upon the suggested transfer the charity would be extinguished and (2) that the proposed course can only be carried into effect with the authority of Parliament:

And whereas it is believed that the bridge and the Bridge Estate Charity can only be transferred to the County Councils by an Act of Parliament:

And whereas it is advisable that the County Councils shall widen the bridge and subject to the provisions of this agreement widen and improve the approaches thereto:

Now it is hereby agreed between the County Councils in exercise of the powers and authorities conferred upon them by the Highways and Bridges Act 1891 and of every or any other power or authority them hereunto enabling as follows:—

1. The County Councils shall jointly apply for and endeavour to obtain in the session of 1911 an Act of Parliament transferring to them jointly the bridge and the Bridge Estate Charity and empowering the County Councils to widen the bridge and subject to the provisions of this agreement widen and improve the approaches thereto and also to acquire any necessary land and properties and execute all necessary

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

or convenient works in connection therewith. The powers sought to be obtained by the Act shall include any necessary powers for the widening deviation or stopping up of any roads in either county and power to borrow the money required for the works or for the purchase of land or for compensation upon the terms of repaying the same by instalments within a period not exceeding eighty years. The county solicitor of Middlesex shall be solicitor for the Bill and the parliamentary agents of the Surrey County Council shall be agents for the Bill. A.D. 1911.

2. The costs and expenses other than those borne by the London United Tramways Limited of and incidental to the said application (including the costs and expenses of any local authorities or trustees supporting the Bill at the instance of the County Councils) shall be borne by the County Councils in equal shares except as regards any costs or expenses caused by any opposition to the powers sought for the acquisition of land or the widening deviation or stopping up of roads in either county which excepted costs or expenses shall be borne exclusively by the County Council of the county in which such land or roads may be situate.

3. The widening of the bridge and the widening and improvement of the approaches thereto shall with all convenient speed be carried out in accordance with the designs so prepared and approved as hereinbefore recited subject to such modifications (if any) as shall from time to time be agreed upon by the Joint Committee hereinafter referred to.

4. The cost of widening the bridge from and inclusive of the abutment on the Middlesex side of the river to and inclusive of the abutment on the Surrey side of the river less any contribution received from the London United Tramways Limited and all other costs and expenses connected with the widening of the bridge except the cost of widening and improving the approaches thereto shall be borne by the County Councils in moieties.

5. The cost of widening and improving the approaches to the bridge on the Middlesex side of the river shall be wholly borne as between the County Councils by the Middlesex County Council and the cost of widening and improving the approaches to the bridge on the Surrey side of the river shall be wholly borne as between the County Councils by the Surrey County Council.

6. Each of the County Councils shall at their own expense provide any additional land on their own side of the river which may be required (whether permanently or temporarily) for or in connection with the widening of the bridge or the widening and improvement of the approaches thereto.

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911.

7. For the purpose of carrying out the widening of the bridge and the widening and improvement of its approaches and the works connected therewith and of dealing with any matters relating thereto and subject to the provisions of the Local Government Act 1888 a joint committee of the County Councils shall be appointed consisting of the following members (A) the chairman and vice-chairman (who shall be ex officio members) and five members of Middlesex County Council appointed by that Council and (B) the chairman and vice-chairman (who shall be ex officio members) and five members of Surrey County Council appointed by that Council Subject to the proviso hereinafter contained the joint committee shall have full power to decide any question which may be submitted to them as to any alteration or modification of the designs so prepared and approved as aforesaid and should any alteration or modification of the designs be sanctioned by the joint committee or a majority of them the same shall be binding on the County Councils and may be carried out but such sanction shall not invalidate the terms and conditions of this agreement or affect the obligations of the County Councils to pay their respective contributions towards the widening of the bridge and the expenses incidental thereto Provided always that any three or more members of the joint Committee representing the Middlesex County Council or three or more members of the joint committee representing the Surrey County Council may require any question relating to the carrying out of the works aforesaid and any alteration or modification of the approved designs or of the approved mode of carrying out any of the said works to be referred to the County Councils and in that case such works alteration or modification shall not be carried into effect unless or until the same shall be approved by the County Councils or in case of difference settled by arbitration as hereinafter provided.

8. Should any vacancy arise on the joint committee in consequence of the death or incapacity or refusal to act of any member representing either County Council the Council whose representative he was shall nominate another member to fill such vacancy and such newly appointed member shall occupy the same position and have the same power as the other members of the Committee The quorum of the Committee shall be fixed by the Committee but shall consist of at least two members from each County Council.

9. The said Basil Mott or other the engineer for the time being employed by the County Councils in connection with the widening of the bridge and the widening and improvement of the approaches (hereafter called "the engineer") shall have full power to determine from time to time during the progress of the works what sums ought

[1 & 2 GEO. 5.] *Kingston-upon-Thames Bridge* [Ch. lxxxix.]
Act, 1911.

to be paid on account by the County Councils jointly under clause 4 hereof and what sums ought to be paid on account by each of the County Councils seperately under clause 5 hereof and to determine finally upon the completion of the works what part of the total cost thereof ought to be borne by the County Councils jointly and by each of them separately under the same clauses respectively and every such determination shall be binding on the County Councils And if before such final determination either of the County Councils shall have paid more than their due proportion of the total amount of the costs and expenses connected with the widening of the bridge the amount so paid in excess of such due proportion shall be a debt due to such County Council from the other County Council and such County Council shall be entitled to claim and recover from the other County Council the amount so paid in excess accordingly. A.D. 1911.

10. The fees and other charges and disbursements of the engineer shall be borne by the County Councils in equal moieties but each of them shall (subject as provided by clause 2) pay their own legal and other costs and expenses in connection with the widening of the bridge and the widening and improvement of the approaches and the providing the necessary additional land and incidental thereto or otherwise howsoever.

11. From and after the transfer the Bridge Estate Charity shall belong to the County Councils in moieties and shall be managed in accordance with a scheme to be approved of by the County Councils or in the case of difference to be settled by arbitration as hereinafter provided.

12. From and after the completion of the widening of the bridge each County Council shall bear all the expenses of maintaining repairing and cleansing the approaches thereto on their own side of the river and such part of the bridge as is situate on the same side of an imaginary line to be drawn across the bridge at the centre of the centre arch thereof so far as the said expenses shall not be payable by the parish or other local authority or by the Conservators of the River Thames.

13. If at any time hereafter any dispute difference or question shall arise between the County Councils as to the meaning or construction of this agreement or as to any act or thing to be made or done by either County Council in pursuance hereof or in regard to the rights or liabilities of either County Council hereunder the same shall be referred to the arbitration of two persons (one to be appointed by each County Council) or their umpire according and subject to the provisions of the Arbitration Act 1889.

14. This agreement is made subject to such alterations as Parliament may think fit to make therein but in the event of either House

[Ch. lxxxix.] *Kingston-upon-Thames Bridge* [1 & 2 GEO. 5.]
Act, 1911.

A.D. 1911. of Parliament making any material alteration therein either party may withdraw from the agreement.

15. The provisions of this agreement other than those contained in clauses 1 2 and 13 thereof shall take effect only in the event of the Act of Parliament referred to in clause 1 hereof being obtained.

In witness whereof the County Council of the administrative county of Middlesex and the County Council of the administrative county of Surrey have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the County Council of the administrative county of Middlesex was affixed hereunto in the presence of

L.S.

HENRY BURT Vice-Chairman of the County Council.
WALTER GEO. AUSTIN Clerk of the County Council.

The common seal of the County Council of the administrative county of Surrey was hereunto affixed in the presence of

L.S.

WILLIAM VINCENT Chairman.
T. W. WEEDING Clerk.

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