



CHAPTER lvii.

An Act to confer further powers upon the London County Council and the Metropolitan Borough Councils to confer certain powers upon the Barnes Urban District Council and for other purposes. A.D. 1924.
[1st August 1924.]

WHEREAS the London County Council (hereinafter referred to as "the Council") and the Barnes Urban District Council have agreed as to the construction of the works in connection with the Beverley Brook (one of the main sewers comprised in the metropolitan main drainage system) which are referred to in this Act and it is expedient that the provisions contained in this Act with respect thereto should be enacted:

And whereas it is expedient that the provisions contained in this Act with respect to places of public entertainment should be enacted:

And whereas it is expedient that the Council and the councils of the metropolitan boroughs of Greenwich Southwark and Woolwich (hereinafter referred to as "the Greenwich Council" "the Southwark Council" and "the Woolwich Council" respectively) should be empowered to acquire compulsorily certain lands for the purposes mentioned in this Act:

And whereas it is expedient that such powers and provisions as are contained in this Act should be conferred upon and enacted with reference to the councils of metropolitan boroughs:

[Ch. lvii.] *London County* [14 & 15 GEO. 5.]
Council (General Powers) Act, 1924.

A.D. 1924.

—
And whereas doubts having arisen as to the power of the Council to establish a fund for the insurance of their property against loss or damage by fire lightning or explosion it is expedient that the establishment of such a fund should be sanctioned as provided by this Act :

And whereas it is expedient that the other provisions contained in this Act should be enacted :

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

And whereas the Greenwich Council the Southwark Council and the Woolwich Council have in relation to the promotion of the Bill for this Act (in so far as it confers powers upon them respectively) complied with the requirements of the Borough Funds Acts 1872 and 1903 :

And whereas plans showing the lands which may be acquired compulsorily under the powers of this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerk of the peace for the county of London and are in this Act respectively referred to as the deposited plans and book of reference :

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

PART I.

INTRODUCTORY.

Short title.

1. This Act may be cited as the London County Council (General Powers) Act 1924.

Act divided into Parts.

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

Part I.—Introductory.

Part II.—Works in connection with Beverley Brook.

Part III.—Places of public entertainment.

Part IV.—Superannuation.

Part V.—Acquisition of land by the Council.

Part VI.—General powers as to lands.

A.D. 1924.

Part VII.—Powers to Greenwich Council.

Part VIII.—Powers to Southwark Council.

Part IX.—Powers to Woolwich Council.

Part X.—Powers to borough councils.

Part XI.—Extensions of time.

Part XII.—Miscellaneous provisions.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes of and not inconsistent with or varied by this Act) are hereby incorporated with and form part of this Act with the following exceptions and modification—

Incorporation of
Lands
Clauses
Acts.

(a) Sections 127 and 133 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(b) The bond required by section 85 of the said Act of 1845 shall be under the seal of the Council or of the borough council exercising the powers of that section (as the case may be) and shall be sufficient without the addition of the sureties mentioned in that section.

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

Interpretation.

“The Council” means the London County Council:

“The county” means the administrative county of London:

“Borough council” means any metropolitan borough council:

“The Greenwich Council” means the council of the metropolitan borough of Greenwich:

“The Southwark Council” means the council of the metropolitan borough of Southwark:

“The Woolwich Council” means the council of the metropolitan borough of Woolwich:

“The Lambeth Council” means the council of the metropolitan borough of Lambeth:

“The Barnes Council” means the Barnes Urban District Council:

“The Barnes district” means the urban district of Barnes in the county of Surrey:

A.D. 1924.

“The Beverley Brook” means the main sewer of that name as described in Schedule (D) to the Metropolis Management Act 1855 :

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any Order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

PART II.

WORKS IN CONNECTION WITH BEVERLEY BROOK.

Construc-
tion &c. of
culvert from
Beverley
Brook to
River
Thames.

5. The Council in exercise of their powers under the Acts relating to the main drainage of the metropolis shall with all reasonable dispatch after the passing of this Act construct and shall at all times thereafter maintain a culvert (in this Part of this Act referred to as “the culvert”) in the Barnes district of such shape and size (not being of less carrying capacity than a circular culvert of an internal diameter of eight feet) as the Council may decide from a point in the Beverley Brook near the bridge carrying the Upper Richmond Road over the Beverley Brook and known as Priest’s Bridge to the River Thames at or near the northern end of White Hart Lane for diverting storm water from the Beverley Brook and conveying the same into the River Thames and shall in connection with the culvert construct all necessary and proper works including all such works at the inlet into the culvert from the Beverley Brook as shall be necessary to ensure (i) that the ordinary dry weather flow of the Beverley Brook shall flow along the present course of the Brook as hitherto (ii) that any flow of water along the Beverley Brook in excess of the ordinary dry weather flow and of a reasonable proportion of storm

water shall up to the capacity of the culvert be diverted into the culvert so as to be discharged by the culvert into the River Thames and (iii) that any flow of water along the Beverley Brook in excess of the capacity of the culvert shall flow along the present course of the Beverley Brook as hitherto and the said works shall also include a tidal flap and all other necessary outfall works at the point where the culvert discharges into the River Thames. A.D. 1924.

6. The culvert and other works constructed by the Council in pursuance of the foregoing section and the portion of the Beverley Brook situate between the inlet to the culvert and the River Thames shall be or remain sewers and works vested in and under the control of the Council and the Council shall be responsible for the management upkeep and control of the culvert and other works and the said portion of the Beverley Brook. Culvert to be part of metropolitan main drainage system.

7. The Barnes Council may make connections into the culvert and into the portion of the Beverley Brook situate between the inlet to the culvert and the River Thames for the purpose of discharging surface water but not sewage or house drainage into the culvert and the said portion of the Beverley Brook and so far as concerns such connections into the culvert the Barnes Council shall be subject to all such statutory duties and obligations as if the Barnes district were a metropolitan borough and the Barnes Council were the council of such metropolitan borough. Barnes Council may make connections into culvert &c.

8.—(1) Within one month after the chief engineer of the Council certifies in writing to the Barnes Council that the culvert has been completed and is in use the Barnes Council shall pay to the Council— Barnes Council to contribute to cost of constructing culvert.

(a) the sum of eight thousand pounds; or

(b) a sum representing one-fifth of the costs and expenses incurred by the Council of constructing and completing the culvert and other works pursuant to this Part of this Act such costs and expenses including an additional five per centum in respect of supervision and establishment charges

whichever of those sums is the less Provided that for the purposes of this subsection there shall not be included

A.D. 1924. — in the said costs and expenses any costs and expenses incurred in applying for and obtaining the powers contained in this Part of this Act.

(2) The certificate of the said chief engineer as to the amount of the costs and expenses aforesaid shall be accepted as final and conclusive but the Barnes Council shall be entitled to inspect if they so desire the books of account and vouchers relating thereto.

Barnes
Council to
contribute
to cost of
maintaining
part of
Beverley
Brook.

9.—(1) The Barnes Council shall on the first day of April in every year pay to the Council the sum of fifty pounds (the first of such payments to be made on the first day of April immediately following the receipt by the Barnes Council of the certificate referred to in the last preceding section of this Act) in respect of the costs and expenses incurred by the Council from time to time in maintaining cleansing improving or otherwise in relation to the control and management of the portion of the Beverley Brook situate between the inlet into the culvert and the River Thames Provided always that if in any period of twelve months ending on the thirty-first day of March in the year one thousand nine hundred and thirty-four or in any earlier year the said annual contribution is insufficient to defray the costs and expenses incurred by the Council as aforesaid the Council may give notice in writing to the Barnes Council to that effect at any time within six months immediately preceding the first day of April one thousand nine hundred and thirty-four and in that event the contribution to be made by the Barnes Council for each period of twelve months commencing on the first day of April one thousand nine hundred and thirty-four or on any subsequent first day of April shall subject as hereinafter provided be such a sum as fairly represents the average costs and expenses per annum so incurred by the Council from the date of the completion of the culvert until the said thirty-first day of March one thousand nine hundred and thirty-four.

(2) The Council may also require revision or further revision of the said contribution by giving notice as aforesaid within six months immediately preceding the first day of April in the year one thousand nine hundred and forty-four or in any subsequent tenth year and in the event of the Council giving due notice of such revision or further revision the Barnes Council shall make a

contribution for the period of twelve months commencing on the first day of April next after the date of the notice and for each subsequent period of twelve months of such amount as fairly represents the average costs and expenses per annum incurred by the Council during the period of ten years ending on the day preceding such first day of April. A.D. 1924.

10.—(1) Any compensation to which any person is entitled by reason of the construction of the culvert or of anything done by or on behalf of the Council in connection therewith shall be paid by the Council who shall indemnify the Barnes Council against all actions proceedings costs damages claims and demands in respect thereof. Council to pay compensation.

(2) All expenditure incurred by the Council under this section shall be deemed part of the costs and expenses of constructing the culvert and other works pursuant to this Part of this Act.

11. In case default be made in the payment of any sum payable by the Barnes Council under this Part of this Act such sum shall be deemed to be a debt due from the Barnes Council to the Council with interest at the rate of five per centum per annum from the date at which such payment became due. In case of default amount due to be a debt to Council.

12. The Barnes Council shall at all times indemnify the Council against all claims for rates taxes charges duties assessments and impositions of any description in respect of the culvert or other works to be constructed pursuant to this Part of this Act. Barnes Council to indemnify Council against rates &c.

13.—(1) It shall be lawful for the Council at any time to enter upon and inspect any sewage works sewers and drains within the Barnes district for the purpose of ascertaining whether any contravention of the provisions of this Part of this Act is being committed and the Council may for that purpose break up or open any street or road reinstating the same at their own expense as soon as may be after such inspection Provided always that before the Council exercise any power of entry under this section they shall give to the Barnes Council notice in writing specifying the time at which they will begin to do so such notice (in any case in which the intended inspection by the Council will involve the breaking up or opening of any street or road in the Power of entry and inspection.

A.D. 1924. Barnes district) to be given seven days at least before the commencement of such breaking up or opening and any such breaking up or opening shall be done at the expense of the Council under the superintendence of the Barnes Council (unless that Council refuse or neglect to give such superintendence at the time specified in the notice for the commencement of such work or discontinue the same during the execution of such work) and to the reasonable satisfaction of the Barnes Council.

(2) If any difference arises under this section between the Council and the Barnes Council as to the reasonableness or otherwise of breaking up or opening any street or road in the Barnes district or touching any work matter or thing to be done or executed or proposed to be done or executed by the Council or the mode of doing or executing the same such difference shall be settled failing agreement by arbitration as in this Part of this Act provided.

Saving in respect of drainage of Barnes district.

14. Nothing in this Part of this Act shall render the Council liable in respect of the drainage of the Barnes district or any part thereof.

Arbitration.

15. Any difference between the Council and the Barnes Council arising under the provisions of this Part of this Act shall (except as in this section otherwise provided) be referred to and determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either the Council or the Barnes Council by the Minister of Health and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such reference to arbitration. Provided that any difference that may arise concerning the works to be carried out by the Council under the section of this Act of which the marginal note is "Construction &c. of culvert from Beverley Brook to River Thames" or any matter affecting or concerning the metropolitan main drainage system shall be determined by the chief engineer of the Council.

Application of provisions of Metropolis Management Acts.

16. The exercise by the Council of the powers conferred by this Part of this Act as to the construction of sewers the breaking up or opening of streets or roads and the construction of any works upon the banks bed or shores of the River Thames shall be subject to the provisions of the Metropolis Management Act 1855 and

any Act amending the same with respect to the construction or execution of works under those Acts for purposes in connection with the main drainage of the metropolis.

A.D. 1924.

17.—(1) The Barnes Council may from time to time independently of any other borrowing power borrow at interest any sum or sums not exceeding the amount which they are required under this Part of this Act to contribute towards the costs and expenses of the Council in relation to the construction of the culvert and other works.

Power to
Barnes
Council to
borrow.

(2) For the purpose of securing the repayment of any moneys borrowed under this section and the payment of interest thereon the Barnes Council may mortgage or charge the district fund and general district rate of the Barnes district Provided that all moneys borrowed by the Barnes Council under this section shall be repaid within twenty years from the date or respective dates of borrowing.

18. In calculating the amount which the Barnes Council may borrow under the provisions of the Public Health Acts any sums which the Barnes Council may borrow under or for the purposes of this Act shall not be reckoned and the powers of the Barnes Council of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Certain pro-
visions of
Public
Health Acts
not to apply.

19. The following sections of the Public Health Act 1875 (that is to say):—

- Section 236 (Form of mortgage);
- Section 237 (Register of mortgages);
- Section 238 (Transfer of mortgages); and
- Section 239 (Receiver may be appointed in certain cases)

Application
of certain
provisions
of Public
Health
Act 1875.

shall extend and apply to and in relation to all mortgages granted under the powers of this Part of this Act.

20. The Barnes Council shall pay off all moneys borrowed by them on mortgage under the powers of this Part of this Act by equal yearly or half-yearly instalments of principal or of principal and interest combined and the payment of the first instalment shall be made

Mode of
payment off
of borrowed
money.

[Ch. lvii.] *London County* [14 & 15 GEO. 5.]
Council (General Powers) Act, 1924.

A.D. 1924. — within twelve months or when the moneys are repaid by half-yearly instalments within six months from the date of borrowing.

Protection of lender from inquiry.

21. Any person lending money to the Barnes Council under this Part of this Act shall not be bound to inquire as to the observance by them of any provisions of this Part of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Barnes Council not to regard trusts.

22. The Barnes Council shall not be bound to see to the execution of any trust whether expressed implied or constructive to which any loan or security for loan given by them under this Part of this Act may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Barnes Council shall be a sufficient discharge to the Barnes Council in respect thereof notwithstanding any trust to which such loan or security may be subject and whether or not the Barnes Council have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest therein not entered on their register.

Power to Barnes Council to re-borrow.

23.—(1) The Barnes Council shall have power—

(a) to borrow for the purpose of paying off any moneys previously borrowed under this Part of this Act which are intended to be forthwith repaid; or

(b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Barnes Council in repaying moneys previously borrowed under this Part of this Act and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Barnes Council shall not have power to borrow for the purpose of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys. A.D. 1924.
—

(4) The Barnes Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) by instalments or annual payments; or

(b) out of moneys derived from the sale of land;
or

(c) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

24. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Barnes Council. Receipt in case of persons not sui juris.

25. Moneys borrowed by the Barnes Council under the provisions of this Act shall be applied only to the purposes for which they are authorised to be borrowed. Application of moneys borrowed.

26.—(1) The clerk of the Barnes Council shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Barnes Council under the authority of this Part of this Act. Return respecting instalments to Minister of Health.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the said clerk or other the chief accounting officer of the Barnes Council and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the said clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Barnes Council have failed to pay any instalment or annual payment required

A.D. 1924. — to be paid (whether such instalment or annual payment is required by this Part of this Act or by the Minister in virtue thereof to be paid appropriated or set apart) the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Barnes Council shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) The foregoing provisions of this section shall be substituted for any provisions of the local Acts or Provisional Orders now in force in the Barnes district requiring an annual return to be made to the Minister with regard to the repayment of debt.

Saving for existing charges.

27. Nothing in this Part of this Act shall prejudicially affect any charge upon the estates property funds rates or revenues of the Barnes Council by way of mortgage or otherwise subsisting at the passing of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge (if any) and all such rights and remedies in respect of the estates property funds rates or revenues subject to such charge as if this Act had not been passed.

As to payments under this Part of this Act.

28. Any moneys expended by the Barnes Council in the carrying out or giving effect to any of the powers or provisions of this Part of this Act or under or in pursuance of any agreement entered into between the Council and the Barnes Council in relation to the promotion of the Bill for this Act or to matters incidental to the provisions of this Part of this Act may be charged and defrayed by the Barnes Council as if the same were expenses incurred by them under the Public Health Acts.

PART III.

PLACES OF PUBLIC ENTERTAINMENT.

Further powers with reference to places of

29.—(1) Where in the opinion of the Council any premises licensed by them under the provisions of the Disorderly Houses Act 1751 the Theatres Act 1843 the Baths and Washhouses Act 1896 and the Cinematograph

Act 1909 or under any of such Acts or any Act amending any of such Acts are unsafe to be used for any purpose for which they are licensed by the Council as aforesaid by reason of serious risk of fire or danger to life arising on the premises owing to the failure on the part of the licensee to carry out or observe any rules or regulations applying to the premises or any of the conditions attaching to his licence the Council may (after affording to the licensee an opportunity of attending and being heard before the committee of the Council authorised to deal with the matter at the meeting of that committee at which the matter is to be considered) give him notice requiring him forthwith or within such period (if any) as may be specified in the notice to discontinue the use of the premises for such purpose so long as the premises remain unsafe as aforesaid and any such notice shall also state the grounds upon which the requirement of the Council is based. A.D. 1924.
—
public
enter-
tainment.

(2) If the licensee of any premises fails to comply with the terms of any notice given under the provisions of this section with respect to such premises he shall be liable on summary conviction to a penalty not exceeding one hundred pounds and to a further penalty not exceeding fifty pounds for every day on which the offence continues after conviction thereof and after any such conviction the Council may if they think fit revoke the licence granted by them with respect to such premises.

30. The following provisions shall be deemed to be substituted for subsection (4) of section 14 (Provisions with respect to music and dancing licences) of the London County Council (General Powers) Act 1915 (that is to say) :— Power to
extend
hours of
opening of
premises
licensed for
music and
dancing.

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

A.D. 1924.

PART IV.

SUPERANNUATION.

Amendment
of Part II.
(Superannu-
ation) of
London
County
Council
(General
Powers)
Act 1911.

31. The following provisions shall have and shall be deemed on and from the twenty-sixth day of April one thousand nine hundred and twenty-one to have had effect in lieu of the provisions of section 6 (Prescribing maximum allowances) of the London County Council (General Powers) Act 1911 (that is to say) :—

“ 6. In computing the period of service of any person who on the thirty-first day of December one thousand nine hundred and eleven was a contributor to the Officers' Fund for the purpose of calculating the allowance to be made to him by virtue or in pursuance of this Part of this Act the Council may include the whole of any continuous period during which he was employed in an established capacity in the service of the late School Board for London and of the Council and in respect of which he has made contributions to the Officers' Fund or in respect of which he has made or may make to the superannuation and provident fund established in pursuance of Part IV. (Superannuation &c.) of the London Council (General Powers) Act 1891 as amended by any other Act such contributions or increased contributions as the Council may prescribe.”

Constitution
of com-
mittee ad-
ministering
Teachers'
Fund.

32. Notwithstanding anything in the School Board for London (Superannuation Scheme) Act 1902 or in any other Act it shall be lawful for any person in receipt of a superannuation allowance from the Teachers' Fund referred to in that Act to take part in and vote at the election of representatives of teachers on the committee administering that fund or to be elected as a representative of teachers on the said committee in all respects as if he were a contributor to the said fund.

PART V.

ACQUISITION OF LAND BY THE COUNCIL.

Acquisition
of land by
Council.

33. Subject to the provisions of this Act the Council may enter upon take and use for the purposes hereinafter stated any of the lands hereinafter mentioned which

are shown on the deposited plans and described in the deposited book of reference (that is to say):— A.D. 1924.

(a) For purposes of the Lunacy Acts 1890 to 1911—

Lands in the metropolitan borough of Camberwell comprising the premises known as No. 6 Windsor Road Denmark Hill together with lands at the rear of and adjoining those and other premises known as Nos. 7 to 14 (inclusive) Windsor Road aforesaid:

(b) For the purposes of a street widening—

Lands in the metropolitan borough of Holborn comprising the premises known as No. 41 Bloomsbury Square.

PART VI.

GENERAL POWERS AS TO LANDS.

34. The powers of the Council for the compulsory purchase of lands under this Act shall cease on the thirtieth day of September one thousand nine hundred and twenty-seven. Limitation of time for purchase of lands.

35. 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 Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this 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 shall extend and apply to such grants and to such easements rights and privileges as aforesaid. Power to certain persons to grant easements &c. by agreement.

36. If there is any omission mis-statement 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 book of reference the Council after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to a metropolitan police magistrate for the correction thereof and if it appears to the magistrate that the omission mis-statement or wrong description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission Correction of errors in deposited plans &c.

A.D. 1924. — and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of London and shall be kept by such clerk of the peace with the other documents to which it relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

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

37. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council 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 any lands and buildings by this Act authorised to be taken and used for the purpose of surveying and valuing the same 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.

Compensation in case of recently created interests.

38. In settling any question of disputed compensation payable in respect of lands to be acquired by the Council under this Act the arbitrator settling the same shall not award any sum of money in respect of any improvement alteration or building made or erected or in respect of any interest in the lands created after the thirteenth day of November one thousand nine hundred and twenty-three if in the opinion of such arbitrator the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Council may exchange lands.

39. The Council may exchange or otherwise dispose of any buildings or lands or any part thereof acquired by them under this Act and not required for the purposes thereof and may execute and do any deed act or thing requisite or proper for effectuating any such exchange or other disposition.

As to sale of ground rents.

40. Subject to the provisions of this Act the Council may sell and dispose of or cause to be sold and disposed of the ground rents to be reserved by the leases or agreed to be reserved by any agreements for leases of any lands

acquired by them under this Act and not required for the purposes thereof and also the fee simple in reversion in such lands and in the houses erections or buildings thereon either altogether or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Council think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the Council for the benefit of the parties entitled to other property adjoining or held after the same title.

A.D. 1924.

41. Any lands acquired by the Council under the powers of this Act except such as are required to be permanently retained for the purposes of this Act shall be sold or disposed of by the Council within a period of sixty years commencing on the first day of October next after the passing of this Act.

Council to dispose of lands within a certain period.

42. Subject to the provisions of this Act the Council may if they think it expedient so to do sell and dispose of in the manner hereinbefore directed any lands acquired by them under the powers of this Act and not required for the purposes thereof without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Council think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council think fit.

Council may sell land in first instance without having previously granted a lease thereof.

43. The receipt of the Council or of any person duly authorised by the Council for any purchase-money rent or money payable to the Council by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt is given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

Receipts of Council to be effectual discharges.

A.D. 1924.
—
Power to
Council to
make agree-
ments with
owners of
property
&c.

44. The Council may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands or property abutting on any portion of the lands which the Council may acquire under the powers of this Act with respect to the sale by the Council to such person of any such last-mentioned lands for such consideration as may be agreed upon between the Council and such person and the Council may accept as satisfaction of the whole or any part of such consideration the grant by such person of any other lands or property required by the Council for the purposes of this Act.

PART VII.

POWERS TO GREENWICH COUNCIL.

Power to
Greenwich
Council to
acquire
lands.

45. Subject to the provisions of this Act the Greenwich Council may enter upon take and use for the purposes of an approach road to or otherwise in connection with their Tunnel Avenue depôt any of the lands in the metropolitan borough of Greenwich situate between the said depôt and the River Thames which are shown on the deposited plans and described in the deposited book of reference.

As to parts
of certain
properties
to be taken
by Green-
wich
Council.

46.—(1) The Greenwich Council in exercise of the powers of this Part of this Act may take so much of the property in the metropolitan borough of Greenwich shown or partly shown on the deposited plans as is within the limits of land to be acquired and described in the deposited book of reference or such part thereof as they may require without being required or compellable to purchase any greater part or the whole of any such property.

(2) The provisions of subsection (1) of this section shall be stated in every notice given thereunder by the Greenwich Council to sell and convey any property.

Application
of Part VI.
of this Act to
Greenwich
Council.

47. The provisions of Part VI. (General powers as to lands) of this Act shall extend and apply to the Greenwich Council and the lands to be acquired by them under this Act as if the Greenwich Council and the town clerk of the metropolitan borough of Greenwich were named in the said provisions in place of the Council and the clerk of the Council respectively and as if in the section of this Act of which the marginal note

is "Compensation in case of recently created interests" the fifteenth day of May were substituted for the thirteenth day of November. A.D. 1924.

48. For the protection of Wilkie and Soames Limited (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the company and the Greenwich Council apply and have effect (that is to say):—
For protection of Wilkie and Soames Limited.

- (1) Notwithstanding anything contained in this Act or shown upon the deposited plans it shall not be lawful for the Greenwich Council except under and subject to the provisions of this section to enter upon take or use the lands numbered on the deposited plans one in the metropolitan borough of Greenwich or any part thereof before the determination of the term granted by an indenture of lease dated the thirteenth day of July one thousand nine hundred and seventeen and made between the trustees acting in the administration of the charity known as Sir John Morden's College situate at Blackheath in the parish of Charlton in the county of the one part and the company of the other part under which the company hold the said lands or to purchase or acquire any right or interest of the company in the said lands:
- (2) The company shall demise for all the residue of the term granted by the said indenture of lease less the last three days thereof and the Greenwich Council shall accept the demise of the lands (in this section referred to as "the demised lands") coloured brown and green on the plan marked "A" (in this section referred to as "the signed plan") signed in duplicate by Sir Arthur Shirley Benn the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited in the Private Bill Office of the House of Commons and the other copy in the Parliament Office in the House of Lords:
- (3) The consideration for the said demise shall be the capital sum of six thousand five hundred

A.D. 1924.

pounds and the yearly rent of a peppercorn as a full payment for the whole of the interest of the company in the demised lands for the remainder of the term granted by the said indenture of lease less the last three days thereof :

- (4) The said demise shall contain a covenant on the part of the Greenwich Council at all times during the term thereby granted duly to perform and observe all the covenants agreements and provisions affecting the demised lands which are contained in the said indenture of lease and on the part of the lessees thereunder to be performed and observed (except the covenant for payment of rent) and shall contain such other covenants and otherwise be in such form as may be agreed between the company and the Greenwich Council or in default of agreement settled by one of the conveyancing counsel to the High Court to be nominated (failing agreement between the parties) by the President of the Law Society :
- (5) The said demise shall be completed and the said capital sum of six thousand five hundred pounds shall be paid to the company on the quarter day next following the expiration of three months from the date of the passing of this Act and the company shall give possession of the demised lands to the Greenwich Council on completion :
- (6) The lands coloured brown on the signed plan shall be used only for the purposes of the approach road hereinafter mentioned :
- (7) Subject to the Port of London Authority granting to the Greenwich Council a licence for the construction of a wharf or jetty (to be used by the Greenwich Council in connection with the said approach road) which the Greenwich Council shall use their best endeavours to obtain the Greenwich Council shall within a period of two years after the granting of such licence construct and thereafter maintain an approach road of the width of 60 feet or thereabouts suitable for heavy traffic over the land coloured brown on the signed plan :

(8) The Greenwich Council shall forthwith upon the completion of the said approach road erect in accordance with plans and specifications to be previously submitted to and reasonably approved by the company and thereafter maintain a stout unclimbable fence from the point marked A to the point marked B on the signed plan with such gates (if any) therein as the company may reasonably require and it shall be permissible for the company with the approval of the Greenwich Council (which approval shall not be unreasonably withheld) at any time thereafter at the expense of the company to substitute for the said fence any other fence or wall and to make or substitute any other gates at any point or points between the said points A and B and the company shall at their own expense maintain any such substituted fence wall or gates as aforesaid: A.D. 1924.

(9) The Greenwich Council shall permit the company during the continuance of the said demise to have a right of access to and a right of passage for themselves their servants customers carmen and workmen and other persons having lawful business with the company either with or without horses horse-drawn hand-drawn or motor vehicles through over and along any part of the said approach road between the points marked A and B on the signed plan and through over and along the road coloured yellow and purple on the signed plan across the Greenwich Council's Tunnel Avenue depôt (or such other equally convenient road as may at any time hereafter be provided by the Greenwich Council in lieu of the said road coloured yellow and purple) to and from Tunnel Avenue on every day (except Sundays Christmas Day Good Friday and the usual public holidays) between the hours of eight in the forenoon and twelve noon on Saturdays and between the hours of eight in the forenoon and five in the afternoon on other week days Provided that no pedestrian shall be permitted to use the aforesaid roads except on production

A.D. 1924.

(if and when required by a servant of the Greenwich Council) of a pass signed by or on behalf of the secretary of the company. The company shall also have a right to stand carts and vehicles for the purpose of loading and unloading the same alongside any buildings fronting on the said approach road between the points marked A and B on the signed plan which may hereafter be erected on the adjoining land by the company. Provided that the user of the said roads by the Greenwich Council or the company shall not interfere with the free and unrestricted user of the said roads by the other of them and that the Greenwich Council and the company shall take all reasonable steps for giving effect to this proviso :

- (10) The Greenwich Council shall not at any time during the continuance of the said demise use, dispose of or occupy or cause to be used, disposed of or occupied the said wharf or jetty and approach road in such manner as to cause any nuisance or damage to the company and in particular the Greenwich Council shall take all necessary steps to prevent any nuisance or damage being caused to the company by the circulation or deposit of dust or refuse or by reason of any offensive dry or liquid matter, smoke, effluvia or smell coming from the said wharf or jetty or approach road on to the adjoining land held by the company or any buildings constructed or to be constructed thereon or from carts or vehicles conveying material or rubbish to or from the said wharf or jetty or approach road :
- (11) If any difference shall arise between the company and the Greenwich Council under the provisions of this section such difference shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Surveyors Institution and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to arbitration.

49.—(1) Notwithstanding anything contained in the London Squares and Enclosures (Preservation) Act 1906 or any other Act the Greenwich Council may provide and maintain a public underground sanitary convenience and lavatory in on or under the lands known as Batley Park situate in the metropolitan borough of Greenwich.

A.D. 1924.
—
Provision of
sanitary
convenience
at Batley
Park.

(2) The enactments byelaws and regulations relating to public sanitary conveniences and lavatories in the said metropolitan borough shall apply so far as the same are applicable to any convenience and lavatory provided under the provisions of this section.

PART VIII.

POWERS TO SOUTHWARK COUNCIL.

50. Subject to the provisions of this Act the Southwark Council may enter upon take and use for the accommodation of vehicles or for purposes of storage or for workshops in connection with the exercise and performance of their powers and duties any of the lands in the metropolitan borough of Southwark situate between Penrose Street and Carter Street which are shown on the deposited plans and described in the deposited book of reference.

Power to
Southwark
Council
to acquire
lands.

51. The provisions of Part VI. (General powers as to lands) of this Act shall extend and apply to the Southwark Council and the lands to be acquired by them under this Act as if the Southwark Council and the town clerk of the metropolitan borough of Southwark were named in the said provisions in place of the Council and the clerk of the Council respectively and as if in the section of this Act of which the marginal note is "Compensation in case of recently created interests" the sixth day of November were substituted for the thirteenth day of November.

Application
of Part VI.
of this Act to
Southwark
Council.

PART IX.

POWERS TO WOOLWICH COUNCIL.

52. Subject to the provisions of this Act the Woolwich Council may enter upon take and use for purposes of the Baths and Washhouses Acts 1846 to 1896 and of the Public Libraries Acts 1892 to 1919 and of section 24 (Public buildings of vestries and district boards) of the London County Council (General Powers) Act 1893 any

Power to
Woolwich
Council to
acquire
lands.

A.D. 1924. of the lands in the metropolitan borough of Woolwich situate at the junction of and having frontages in Southwood Road and Footscray Road New Eltham which are shown on the deposited plans and described in the deposited book of reference.

Application of Part VI. of Act to Woolwich Council.

53. The provisions of Part VI. (General powers as to lands) of this Act shall extend and apply to the Woolwich Council and the lands to be acquired by them under this Act as if the Woolwich Council and the town clerk of the metropolitan borough of Woolwich were named in the said provisions in place of the Council and the clerk of the Council respectively and as if in the section of this Act of which the marginal note is "Compensation in case of recently created interests" the twenty-third day of October were substituted for the thirteenth day of November.

PART X.

POWERS TO BOROUGH COUNCILS.

Flags banners &c. over carriage-way.

54.—(1) It shall not be lawful for any person to suspend or continue to suspend or to permit to be suspended over or partly over the carriageway of any street or road or of any other public way in any metropolitan borough or boroughs any flag banner or similar device for the purpose of an advertisement announcement or direction except in any case in which the consent in writing of the council of the borough or boroughs concerned has been obtained and subject to such terms and conditions (if any) as may be attached to such consent.

(2) Any person contravening the provisions of this section shall be liable on summary conviction to a penalty not exceeding five pounds and to a further penalty not exceeding two pounds for each day on which the offence continues after conviction thereof and after such conviction the borough council or borough councils concerned may in their discretion take such steps as they may consider necessary for removing the flag banner or similar device to which the conviction relates.

(3) Nothing contained in or done under this section shall confer any exemption from the provisions of any byelaws made and in force under section 164 of the London Building Act 1894.

55.—(1) Where any borough council are authorised by any statutory borrowing power to raise moneys for any purpose they may instead of exercising such borrowing powers by the issue of any fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose—

A.D. 1924.
—
Power to borough councils to use sinking and other funds instead of borrowing.

(a) so much of any moneys for the time being forming part of any sinking fund or loans fund or redemption fund of the borough council (which funds are in this section severally referred to as a "sinking fund") as shall be available for the repayment of a loan which is secured by a deed constituting a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a borrowing power conferred for a specific purpose; or

(b) any moneys for the time being forming part of any reserve fund or superannuation fund of the borough council and not required for any purpose to which such moneys are otherwise applicable.

(2) A borough council when exercising the powers of using a sinking fund conferred on them by this section shall—

(a) withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund;

(b) credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund;

(c) debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and there-

A.D. 1924.

upon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly;

- (d) form a new sinking fund and make such annual contributions thereto as will ensure that a total sum equivalent to that withdrawn from the original sinking fund shall have been carried to the credit of such new sinking fund not later than the date fixed for repayment of the loan to which the original sinking fund relates.

(3) Where a borough council exercise the powers conferred by this section of using any such moneys as are referred to in paragraph (b) of subsection (1) of this section the following provisions shall apply and have effect (that is to say):—

- (a) The moneys so used shall be repaid to the fund from which they were withdrawn within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable;
- (b) Interest on any moneys so used and for the time being not repaid to the fund from which they were withdrawn shall be paid to that fund. Such interest shall be calculated at a rate per centum per annum to be determined by the borough council with the approval of the Minister of Health and equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;
- (c) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of

any enactment as to the re-borrowing of sums raised under the statutory borrowing power shall apply thereto. A.D. 1924.
—

(4) Any borough council exercising the powers of this section shall furnish all such information (if any) to the Minister of Health with regard to the exercise of such powers as that Minister shall require.

(5) Section 9 (Investment of superannuation funds of borough councils) of the London County Council (Parks &c.) Act 1915 is hereby repealed.

56. Notwithstanding anything contained in any Act or Provisional or Special Order authorising any borough council to supply electricity any borough council carrying on an electricity undertaking may if they think fit instead of carrying to the credit of the local rate the net surplus remaining in any year of the moneys received by them in respect of that undertaking (other than (a) borrowed moneys (b) moneys arising from the disposal of lands acquired for the purposes of the undertaking and (c) other capital moneys received by them in respect of the undertaking) and the annual proceeds of any reserve fund provided by them in connection with the undertaking when amounting to the prescribed limit apply the whole or any part of such surplus or proceeds to the purchase of electric mains or lines machinery apparatus appliances and fittings required for the purposes of the undertaking and to defraying the cost of laying such mains or lines and the fixing of such machinery apparatus appliances and fittings or to any of those purposes Provided that the powers of this section shall not be exerciseable by any borough council if and so long as the aggregate amount (if any) of the deficiencies of income of their electricity undertaking paid out of the local rate exceeds the aggregate amount (if any) of the net surplus revenue of that undertaking carried to the credit of the local rate or applied to the improvement of their borough or in reduction of the capital moneys borrowed by them for electricity purposes.

Further power as to net revenue of electricity undertakings of borough councils.

PART XI.

EXTENSIONS OF TIME.

57. The time limited by the Mall Approach (Improvement) Act 1914 as extended by Orders made by the Ministry of Transport under the Special Acts Extension of time for completion

A.D. 1924. —
of street
improve-
ment. (Extension of Time) Act 1915 as amended by the War
Emergency Laws (Continuance) Act 1920 for the comple-
tion of the widenings described in and authorised by
such first-mentioned Act is hereby further extended until
the seventh day of August one thousand nine hundred
and twenty-seven.

Extension
of time for
compulsory
purchase
of lands. **58.** The time limited by the London County Council
(General Powers) Act 1921 for the compulsory purchase
under the powers of that Act of lands in the Strand and
Church Row in the city of Westminster and in High
Street Notting Hill and Church Street in the royal
borough of Kensington is hereby extended until the
twenty-eighth day of July one thousand nine hundred
and twenty-six.

PART XII.

MISCELLANEOUS PROVISIONS.

Powers with
reference to
leases of
surplus
lands. **59.**—(1) The Council or any borough council may
and shall be deemed always to have been empowered
to—

- (a) lease or let any lands (which expression in this
section includes buildings or structures) for the
time being vested in the Council or any such
borough council (as the case may be) and not
required for the purposes for which they were
acquired by the Council or such borough council
(as the case may be); and
- (b) accept a surrender of any lease or letting
so granted and of any lease or letting
granted by any of their respective predecessors
in respect of lands acquired by such predecessors
and not required for the purposes for which
such lands were acquired and in their discretion
grant either to the lessee or tenant under the
surrendered lease or letting or to any other
person a new lease or letting of any of such
lands; and
- (c) grant a reversionary lease of any of such lands.

(2) Notwithstanding anything contained in any Act
the Council or any borough council may and they and
their respective predecessors shall be deemed always to
have been empowered to lease or let lands as aforesaid at
such times for such periods for such purposes and upon
such terms and conditions as may be or may have been

determined by them in their discretion and take any fine or premium for the grant of any such lease or letting and enter into and carry into effect any agreement for or with respect to the surrender or grant of any such lease or letting and in any such lease or agreement give to the lessee or tenant or intended lessee or tenant an option or right to purchase the fee simple in reversion or other the reversionary interest of the Council or the borough council or of their respective predecessors (as the case may be) of or in any of the lands leased or let or agreed to be leased or let at such time and on such terms and conditions as may be or may have been determined by the Council or the borough council or their respective predecessors (as the case may be) in their discretion. A.D. 1924.

(3) Provided that nothing in this section shall be construed as rendering unnecessary the consent of any Government department to the leasing or letting of lands in any case in which such consent would have been required if this Act had not been passed.

(4) Section 15 of the London County Council (General Powers) Act 1923 is hereby repealed.

60.—(1) For the removal of doubts it is hereby enacted that the Council shall have and shall be deemed always to have had power to establish a fund (in this section called “the fire insurance fund”) with a view to providing a sum of money which shall be available for the purpose of reconstructing rebuilding repairing restoring replacing and making good any loss or damage by or in consequence of fire lightning or explosion to any buildings works or machinery or any other property whatsoever belonging to or on loan to or under the care custody or control of the Council (in this section called “the insurable property”). Fire insurance fund.

(2) The Council shall pay into the fire insurance fund in each year in respect of the insurable property insured in the said fund such sums as they may deem necessary from time to time not exceeding the amount of the annual premiums which would be payable in the event of the property thus insured being insured for a like amount in some public insurance office in England Provided that the Council may discontinue such yearly payments for such period or periods as they may think fit if it appears to them at any time that the insurance

A.D. 1924. fund amounts to a sum in excess of what is reasonably necessary to cover the risks insured in the said fund.

(3) Nothing in this section shall affect the power of the Council to insure the insurable property or any part thereof against loss or damage by or in consequence of fire lightning or explosion in any public insurance office in England or partly in such public insurance office and partly in the fire insurance fund or shall compel the Council to insure any of the insurable property to the full amount of the value thereof.

(4) The Council shall provide the yearly payments to the fire insurance fund as aforesaid from the respective revenues funds or rates which if the insurable property were insured in a public insurance office would be properly chargeable with the payment of the premiums of such insurance.

(5) Except so far as the fire insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses by or in consequence of fire lightning or explosion all moneys for the time being standing to the credit of the fire insurance fund shall be invested and the interest and annual proceeds arising therefrom shall also be invested and accumulated. Provided that if it appears to the Council at any time that the insurance fund amounts to a sum in excess of what is reasonably necessary to cover the risks insured in the said fund the Council may during such period or periods as they think fit carry the interest and annual proceeds as aforesaid to the general county account of the county fund.

(6) If at any time the fire insurance fund is insufficient to make good any loss or damage by or in consequence of fire lightning or explosion to any part of the insurable property to which that fund for the time being relates the deficiency shall be made good by the Council as a payment for general county purposes within the meaning of the Local Government Act 1888 or the Council may in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912 borrow or otherwise provide the money required for such purpose.

(7) Any insurance under this section shall to the extent of the amount of such insurance be deemed to satisfy any general covenant or obligation binding the Council to insure the insurable property.

61. The Council on the one hand and the most noble Hugh Arthur Duke of Westminster (in this section referred to as "the Duke") and the trustees of the estate in the city of Westminster known as the Grosvenor Estate (in this section referred to as "the trustees") and the lessees of any part of the said estate (in this section referred to as "the lessees") or any of them on the other hand are hereby and shall be deemed always to have been empowered to enter into and carry into effect an agreement or agreements for and with respect to the sale by the Duke and the trustees and the purchase by the Council of lands forming part of the said estate for the purposes of public improvements and the surrender to the Council of the interest of the lessees in any lands so purchased and the restriction of building rights on the said lands and any other matter incidental thereto at such times and for such consideration as the Council the Duke the trustees and the lessees may agree and such sales of land as may be effected under any such agreement shall be deemed to be sales of land under the Settled Land Acts 1882 to 1890.

A.D. 1924.

—
Agreement
relating to
Grosvenor
Estate.

62.—(1) All restrictions contained in the Act 46 Geo. III. chapter lvii. or any Act amending the same upon the erection placing or maintaining of buildings or erections shall cease to apply to the land in the metropolitan borough of Lambeth shown by a pink colour on the plan marked "B" signed in triplicate by Sir Arthur Shirley Benn the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (of which plan copies have been deposited in the Private Bill Office of the House of Commons in the Parliament Office of the House of Lords and with the Council respectively) Provided that no building or erection shall be erected or placed on any part of the land shown by a pink colour as aforesaid unless or until arrangements have been made to the satisfaction of the Council for the surrender or giving up free of cost and without payment of compensation of the land shown by a blue colour on the said plan for the purpose of widening Brixton Road.

Removal of
building
restriction
and widen-
ing of Brix-
ton Road.

(2) If and so soon as the last mentioned land is surrendered or given up as aforesaid it shall be vested by virtue of this Act in the Lambeth Council and shall be by them made up and paved and thereafter maintained repaired and cleansed as part of Brixton Road aforesaid

A.D. 1924. Provided that the Council shall contribute one equal moiety or half part of the net cost reasonably incurred by the Lambeth Council (after deducting the amount of any grant or contribution towards such cost which may be otherwise received by the Lambeth Council) in making up and paving the said land in pursuance of this subsection.

(3) The widening of Brixton Road if carried out as aforesaid and the said contribution by the Council towards the cost thereof shall be deemed to be a street improvement and contribution (as the case may be) made in pursuance of the provisions of the Metropolis Management Acts 1855 to 1893.

Agreements
with respect
to streets
and roads on
or adjoining
county
boundary.

63.—(1) The Council and any borough council or either of them on the one hand and the authority or authorities having jurisdiction over the whole or part of any street or road on or adjoining the boundary of the county on the other hand may and shall be deemed on and from the first day of January one thousand nine hundred and twenty-three to have been empowered to enter into and carry into effect agreements for and with respect to the widening improvement maintenance repair cleansing lighting or watering of such street or road or any part thereof.

(2) For the purpose of carrying into effect any such agreement any party thereto shall subject to the provisions of the agreement have with respect to any street or road or part thereof not being under their jurisdiction all the powers and be subject to all the obligations and liabilities of the party to the agreement having jurisdiction over the street or road or part thereof and such first-mentioned party may bear or contribute towards the cost of the widening improvement maintenance repair cleansing lighting or watering of such street or road or part thereof and apply the like funds and rates and exercise the like powers of borrowing money upon the security of rates or otherwise in all respects as though such street or road or part thereof had been under their jurisdiction.

(3) Any such agreement as aforesaid may be carried into effect notwithstanding the provisions of any order relating to any street or road or part thereof referred to in the agreement and made under the Highways Act 1835 or under any Act repealed or superseded by

that Act and where any such street or road or part thereof is widened or otherwise altered pursuant to any such agreement as aforesaid the order shall (unless and except so far as may be otherwise provided by the agreement) extend and apply to the street or road or part thereof as so widened or altered. A.D. 1924.
—

64. Notwithstanding anything contained in the Metropolitan Police Courts Act 1839 or in any other Act every penalty recovered under or in pursuance of this Act shall be payable to the authority taking the proceedings leading to the recovery of the penalty. Application of penalties under this Act.

65. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Council to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners are hereby authorised to give). Crown rights.

66.—(1) The Greenwich Council the Southwark Council and the Woolwich Council respectively for the purpose of the acquisition of lands by them under this Act and the Lambeth Council for the purposes of the section of this Act of which the marginal note is "Removal of building restriction and widening of Brixton Road" may incur such expenditure and (subject to the provisions of this section) may borrow moneys to such amount as may be necessary. Capital expenditure and borrowing by Greenwich Southwark Woolwich and Lambeth metropolitan borough councils.

(2) For the purpose of securing the repayment with interest of any moneys to be borrowed under this section the Greenwich Council the Southwark Council the Woolwich Council and the Lambeth Council respectively may mortgage and assign any of the moneys or rates authorised to be raised or levied by them under the Metropolis Management Act 1855 as amended by subsequent Acts and any borrowing under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as so amended. Provided that all moneys borrowed by the Greenwich

[Ch. lvii.] *London County* [14 & 15 GEO. 5.]
Council (General Powers) Act, 1924.

A.D. 1924.

Council the Southwark Council the Woolwich Council or the Lambeth Council under the powers of this section shall be repaid within a period or periods not exceeding sixty years from the respective dates of borrowing.

Money to be raised by Council on capital account.

67. The Council may expend on capital account for the purposes of Part V. (Acquisition of land by the Council) of this Act and for the purposes of the section of this Act of which the marginal note is "Removal of building restriction and widening of Brixton Road" such moneys as they may think fit and may borrow or otherwise provide the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912.

As to payments under this Act.

68. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888 and the costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and passing of this Act shall be paid by the Council in like manner Provided that so much of such last-mentioned costs charges and expenses as may be incurred in respect of or in connection with the provisions respectively contained in Part VII. (Powers to Greenwich Council) Part VIII. (Powers to Southwark Council) and Part IX. (Powers to Woolwich Council) shall be paid as regards the said Part VII. by the Greenwich Council as regards the said Part VIII. by the Southwark Council and as regards the said Part IX. by the Woolwich Council out of the general rate authorised to be levied by those councils respectively.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Imperial House, Kingsway, London, W.C. 2; 28, Abingdon Street, London, S.W. 1;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
or 120, George Street, Edinburgh;
or through any Bookseller.