



CHAPTER xxii.

An Act to confer further powers upon the London County Council and upon the corporation of the city of London and metropolitan borough councils and for other purposes. A.D. 1927.

[29th June 1927.]

WHEREAS the lord of the manor of Stebunheath otherwise Stepney in the administrative county of London and his successors in title are or claim to be the owner or owners of certain franchises and rights of market and market tolls within the said manor (which includes or is reputed to include (inter alia) the whole of the metropolitan borough of Stepney) and in exercise or purported exercise of such franchises or rights a market (generally known as the Whitechapel Hay and Straw Market) is held in Whitechapel High Street in the said metropolitan borough and other streets in that metropolitan borough adjoining thereto for the sale of hay and straw and in connection therewith parts of the carriageway of the said streets are occupied by standing carts and waggons :

And whereas under powers conferred by certain Acts of Parliament and a Provisional Order confirmed by Act of Parliament the North Metropolitan Tramways Company constructed tramways in Whitechapel High Street and certain adjoining streets and the construction repair and working of the said tramways were made subject by those Acts and Order to provisions for the protection of the said market which are binding upon

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A.D. 1927. the London County Council (hereinafter referred to as
— “the Council”) as successors of the said North Metropolitan Tramways Company :

And whereas the holding of a market in the public streets under the said conditions obstructs the free use of the said streets by traffic :

And whereas with the object of improving the traffic conditions in the said streets it is expedient that the provisions contained in this Act with respect to the extinguishment of the said franchises and rights so far as they are exerciseable within the metropolitan borough of Stepney should be enacted and that the Council should be authorised to reconstruct and to repair and work the said tramways free from the restrictive conditions of certain of the said statutory provisions for the protection of the said market and that with that object the said statutory provisions should be repealed :

And whereas the council of the metropolitan borough of Southwark (hereinafter referred to as “the Southwark Council”) are the lessees of certain lands in that metropolitan borough and those lands adjoin other lands of which the Southwark Council are the owners and it is expedient that the Southwark Council should be empowered to acquire by agreement the freehold reversionary interest in such first mentioned lands :

And whereas it is expedient that the provisions contained in this Act with respect to the carrying on of trading in streets in the administrative county of London exclusive of the city of London should be enacted :

And whereas it is expedient that further powers as in this Act contained should be conferred upon the Council the corporation of the city of London and the councils of metropolitan boroughs :

And whereas it is expedient that the Lambeth Borough Council (Superannuation) Act 1922 should be amended 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 an estimate has been prepared by the Council of the amount which they will require to expend

on capital account for the extinguishment of market rights and the reconstruction of tramways under the powers of this Act and such estimate amounts to the sum of seventy one thousand five hundred pounds :

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And whereas the councils of the metropolitan boroughs of Southwark and Lambeth have in relation to the promotion of the Bill for this Act (in so far as its provisions exclusively concern those councils respectively) complied with the requirements of the Borough Funds Acts 1872 and 1903 :

And whereas plans and sections showing the lines and levels of the reconstruction of tramways authorised by this Act and a book of reference to the said plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands which may be used for the purposes of such reconstruction under the powers of this Act 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 sections 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 (that is to say) :—

PART I.

INTRODUCTORY.

1. This Act may be cited as the London County Council (General Powers) Act 1927. Short title.

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

Act divided
into Parts.

Part I.—Introductory.

Part II.—Extinguishment of market rights.

Part III.—Reconstruction of tramways.

Part IV.—Powers to Southwark Council.

Part V.—Extensions of time.

Part VI.—Regulation of street trading.

Part VII.—Miscellaneous.

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Interpreta-
tion.

3. In this Act except as otherwise expressly provided or unless the subject or context otherwise requires :—

“ The Council ” means the London County Council ;

“ The county ” means the administrative county of London ;

“ The corporation ” means the mayor aldermen and commons of the city of London in common council assembled ;

“ The Stepney Council ” means the council of the metropolitan borough of Stepney ;

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

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

“ Borough council ” means the council of a metropolitan borough and “ the borough council ” means the council of the metropolitan borough in relation to which that expression is used ;

“ The town clerk ” means the town clerk of the metropolitan borough in relation to which that expression is used ;

“ The date of extinguishment ” means the date as from which the market rights referred to in Part II of this Act are extinguished by virtue of this Act ;

“ The tramways ” means the tramways or parts of tramways authorised to be reconstructed under the provisions of Part III of this Act ;

“ The reconstructed tramways ” means the tramways as reconstructed under the provisions of Part III of this Act ;

“ Daily penalty ” means a penalty to accrue for each day on which an offence is continued after conviction thereof ;

“ Street ” means any highway road bridge lane footway square court alley passage or place (whether a thoroughfare or not) or part of any such highway road bridge lane footway square court alley passage or place over which the public have a right of passage.

PART II.

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EXTINGUISHMENT OF MARKET RIGHTS.

4. In and for the purposes of this Part of this Act "the market rights" means all franchises and rights of market and market tolls appertaining to the manor of Stebunheath otherwise Stepney and enjoyed by or vested in the lord of that manor or vested in and exerciseable by his successors in title or other persons with the registration fees and other rights profits and emoluments in connection therewith so far as such franchises and rights of market and market tolls registration fees and other rights profits and emoluments may be exercised on or in relation to the surface of any street in the metropolitan borough of Stepney.

Definition of "the market rights."

5.—(1) At any time before the first day of January one thousand nine hundred and twenty-eight the Council may if they think fit give to the persons in whom the market rights are for the time being vested or to such of the said persons as are known to them notice in writing that the market rights will be extinguished and as from a date (not being less than six nor more than twelve months from the date of the notice) to be specified in that behalf in any notice so given by the Council the market rights shall by virtue of this Act be wholly extinguished.

Power to Council to extinguish market rights.

(2) If the Council give any such notice as is referred to in subsection (1) of this section they shall as soon as practicable thereafter give public notice thereof and of the effect of the provisions of this section by advertisement in the Times newspaper and in a newspaper circulating in the metropolitan borough of Stepney and by placards affixed in prominent positions in Whitechapel High Street.

6.—(1) Upon the extinguishment of the market rights under the provisions of this Part of this Act any person in and by whom immediately before such extinguishment those rights were vested and exerciseable shall be entitled to receive and shall be paid by the Council compensation for such loss (if any) as may have been sustained by him by the extinguishment of the market rights regularly exercised by him or any predecessor in title between the first day of November

Compensation in respect of extinguishment of market rights.

A.D. 1927. — one thousand nine hundred and twenty-six and the date of extinguishment provided that within two months after the date of extinguishment he delivers to the Council a notice in writing of his claim for compensation containing such particulars as are required by section 5 of the Acquisition of Land (Assessment of Compensation) Act 1919 to be given in such notices of claim as are referred to in that section.

(2) Any compensation payable under the provisions of this section shall be of such amount as may be agreed between the Council and the person claiming the same or as (failing such agreement) shall be determined by the arbitration of such one of the official arbitrators appointed under the Acquisition of Land (Assessment of Compensation) Act 1919 as may be selected in accordance with the rules referred to in section 1 of that Act and such determination shall be made in accordance (so far as applicable) with the provisions of the said Act.

(3) Any compensation payable under the provisions of this section shall be paid to the person entitled thereto as soon as practicable after the amount thereof has been agreed or determined as aforesaid together with interest thereon at the rate of five per centum per annum calculated from the date of extinguishment to the date of payment.

(4) Within three months after each payment of compensation as aforesaid the Council shall produce to the Commissioners of Inland Revenue a King's Printers' copy of this Act stamped with the same ad valorem duty in respect of each such payment as would be payable upon a deed of release or renunciation of a right or interest in property (executed at the time of such payment) upon a sale made in consideration of each such payment and in default of such production the amount of the said duty with interest thereon at the rate of five per centum per annum from the date of each such payment shall be a debt due to His Majesty from the Council.

Provisions
in cases
where notice
is not given.

7.—(1) The omission by the Council to give notice under subsection (1) of the section of this Act of which the marginal note is "Power to Council to extinguish market rights" to any person in whom the market rights are vested but the existence of whose interest

therein was not known to the Council shall not interfere with or affect the operation of the provisions of that section.

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(2) The rights of any person entitled to compensation under the provisions of the section of this Act of which the marginal note is "Compensation in respect of extinguishment of market rights" to receive such compensation shall not be prejudiced by the omission of the Council to give him any notice under subsection (1) of the said section of this Act of which the marginal note is "Power to Council to extinguish market rights" but any claim for compensation by any person to whom the Council omit to give such a notice as aforesaid shall not be entertained unless he delivers to the Council within two months after the date of extinguishment a notice in writing of his claim containing such particulars as are referred to in subsection (1) of the said section of this Act of which the marginal note is "Compensation in respect of extinguishment of market rights."

8. The Stepney Council may contribute towards the costs and expenses of the Council in relation to the extinguishment of the market rights such sums as the Stepney Council may determine. For the purpose of paying any contribution authorised by this section the Stepney Council may borrow the requisite moneys and in order to secure the repayment with interest of any moneys so borrowed the Stepney Council may mortgage and assign all or 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 by the Stepney Council under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as amended as aforesaid. Provided that all moneys borrowed by the Stepney Council under the powers of this section shall be repaid within a period not exceeding sixty years from the date of borrowing.

Contributions by Stepney Council.

9. The Council on the one hand and the Stepney Council and any person in whom the market rights are vested or any of them on the other hand may enter into and carry into effect agreements and arrangements for and with respect to any of the purposes of this Part of this Act.

Agreements between Council and Stepney Council and others with reference to extinguishment of market rights.

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Repeal of
Whitechapel
Improve-
ment Act
1853 &c.

10. As from the date of extinguishment the Whitechapel Improvement Act 1853 so far as the same is unrepealed and subsections (2) and (3) of section 1 of the Borough of Stepney (Whitechapel) Scheme 1901 made under the London Government Act 1899 and confirmed by Order in Council shall be and the same are hereby repealed.

PART III.

RECONSTRUCTION OF TRAMWAYS.

Reconstruc-
tion of
tramways.

11.—(1) Subject to the provisions of this Act the Council may reconstruct (which expression where used in this Part of this Act includes the placing of the reconstructed tramways in a different position in the street from that occupied by the tramways as existing at the date of the passing of this Act) in the lines and according to the levels shown on the deposited plans and sections the portions of the tramways of the Council in the metropolitan borough of Stepney hereinafter described (that is to say):—

- (a) So much of the tramway in Whitechapel High Street and Whitechapel Road as lies between a point in Whitechapel High Street opposite the eastern side of Mansell Street (being the termination of the existing tramway) and a point in Whitechapel Road 0·5 chain or thereabouts eastward of the junction of Whitechapel Road with Osborn Street.

The reconstructed tramway will be a double line 1 furlong 7·82 chains or thereabouts in length.

- (b) So much of the tramway in Whitechapel High Street Leman Street and Commercial Road East or some or one of them as lies between a point in Whitechapel High Street 1·5 chains or thereabouts westward of the junction of Commercial Street with Whitechapel High Street and a point in Commercial Road East 2 chains or thereabouts measured in an easterly direction from the north-western corner of Leman Street.

The reconstructed tramway will be a double line 3 chains or thereabouts in length.

- (c) So much of the tramway in Commercial Street Whitechapel High Street Commercial Road East and Leman Street or some or one of them as lies between a point in Commercial Street 1·5 chains or thereabouts northward of the junction of Whitechapel High Street with Commercial Street and a point in Leman Street 1 chain or thereabouts measured in a south-easterly direction from the north-western corner of Leman Street. A.D. 1927.
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The reconstructed tramway will be a double line 2·97 chains or thereabouts in length.

- (d) So much of the tramway in Commercial Street Whitechapel High Street Leman Street and Commercial Road East or some or one of them as lies between a point in Commercial Street 1 chain or thereabouts northward of the junction of Whitechapel High Street with Commercial Street and a point in Commercial Road East 2 chains or thereabouts measured in an easterly direction from the north-western corner of Leman Street.

The reconstructed tramway will be a double line 2·6 chains or thereabouts in length.

(2) The reconstructed tramways shall for all purposes form part of the tramway undertaking of the Council.

(3) The powers of this section shall not be exercised by the Council until after the date of extinguishment.

12. Subject to the provisions of this Part of this Act the tramways shall be reconstructed so that the same system of electrical traction may be used in working the same as is used in working the tramways as existing at the date of the passing of this Act. System of traction.

13. In connection with the reconstruction of the tramways the Council may to the extent shown on the deposited sections raise the level of the carriageway of so much of Whitechapel High Street in the metropolitan borough of Stepney as lies between a point 1·5 chains or thereabouts eastward of the junction of Commercial Street with Whitechapel High Street and a point 1·5 chains or thereabouts westward of the junction of Osborn Street with Whitechapel High Street. Alteration of street level.

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Agreements
between Council
and Stepney
Council with
reference to re-
construction of
tramways.

14. The Council on the one hand and the Stepney Council on the other hand may enter into and carry into effect agreements and arrangements for and with respect to any of the purposes of this Part of this Act or any matter incidental thereto.

Agreements
between
Council and
Metropoli-
tan and
Metropoli-
tan District
Railway
Companies.

15. The Council on the one hand and the Metropolitan Railway Company and the Metropolitan District Railway Company or either of them on the other hand may enter into and carry into effect agreements with reference to the reconstruction of the tramways in on or over the tunnels or other works of the said companies or either of them constructed or authorised to be constructed in and under Whitechapel High Street and with respect to the execution of such works as may be necessitated thereby.

Period for
completion
of works.

16. If the reconstruction of the tramways is not completed on or before the thirty-first day of October one thousand nine hundred and thirty-four then as from that date the powers of the Council under this Part of this Act for the execution of the same shall cease except so far as the same is then completed.

Notice to
Commis-
sioner of
Police.

17. Before breaking up or otherwise interfering with any street or road in connection with the reconstruction of the tramways the Council shall (except in cases of emergency) give seven days' notice in writing to the Commissioner of Police of the metropolis and make such arrangements with the said Commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street or road during the execution of such works.

Incorpora-
tion of
sections of
previous
Acts.

18. The sections of the London County Tramways (Electrical Power) Act 1900 the London County Council (Tramways and Improvements) Act 1901 the London County Council (Tramways and Improvements) Act 1907 and the London County Council (Tramways and Improvements) Act 1911 of which the numbers and marginal notes are respectively set forth in this section are hereby incorporated with and form part of this Part of this Act and the said sections shall so far as applicable extend and apply to the reconstruction of the tramways and to the reconstructed tramways and to the Council in respect thereof as fully and effectually as if such

sections had been re-enacted with the necessary modifications in this Part of this Act with reference thereto : A.D. 1927.

Provided that where in any of the incorporated sections the Board of Trade is referred to there shall be deemed to be substituted therefor a reference to the Minister of Transport :

Provided also that for the purposes of the incorporated sections 48 and 49 of the said Act of 1901 the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies :

Provided further that for the purposes of this section section 11 of the said Act of 1901 shall be read and construed as if the words " or by the Commissioner of Police for the metropolis " had been inserted therein after the words " twenty inhabitant ratepayers of such district. "

The sections of the said Acts hereinbefore referred to are :—

London County Tramways (Electrical Power) Act 1900.

- Section 3 (Use of electrical power);
- Section 4 (Special provisions as to use of electrical power);
- Section 6 (Power to construct and provide appliances);
- Section 7 (Further provisions as to paving materials of roads);
- Section 9 (Application of materials excavated in construction of works);
- Section 10 (Alterations in streets &c.);
- Section 11 (Electrical power works subject to Tramways Act 1870);
- Section 12 (Drainage and cleaning of rails and conduit); and
- Section 13 (Reference of certain questions to arbitration).

London County Council (Tramways and Improvements) Act 1901.

- Section 7 (Tramways not to be opened until certified by Board of Trade);
- Section 8 (As to rails of tramways);

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- Section 9 (Rails to be maintained on level of roadway);
- Section 10 (Saving rights of access to sewers);
- Section 11 (Penalty for not maintaining rails and roads in good condition and inspection of tramways);
- Section 14 (Use of tramways by road authorities for certain local purposes);
- Section 17 (Power to Council to work tramways);
- Section 19 (For protection of Postmaster-General except paragraph (b) (5) of that section and as amended by this Act);
- Section 22 (Provision against interference with tramways);
- Section 38 (Power to sell materials);
- Section 42 (Correction of errors &c. in deposited plans and book of reference);
- Section 48 (Alteration of position of water gas and other pipes);
- Section 49 (For protection of gas and water companies); and
- Section 50 (Alteration of electric lines).

London County Council (Tramways and Improvements) Act 1907.

- Section 9 (Gauge of tramways);
- Section 12 (Application of section 32 of Tramways Act 1870);
- Section 14 (Power to make additional cross-overs and to double tramway lines);
- Section 37 (Amending section 12 of London County Tramways (Electrical Power) Act 1900); and
- Section 40 (Power to stop up ways temporarily).

London County Council (Tramways and Improvements) Act 1911.

- Section 11 (For protection of Royal Observatory Greenwich).

19. As from the date of extinguishment the Acts and Order hereinafter in this section referred to shall be and are hereby repealed to the extent hereinafter specified (that is to say):—

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 Repeal of certain Acts &c. relating to tramways.

Act or Order.	Extent of Repeal.
The North Metropolitan Tramways Act 1870.	Section 5 thereof.
The North Metropolitan Tramways Act 1871.	Subsections (2) and (3) of section 21 and section 28 thereof.
The North Metropolitan Tramways Act 1887.	Sections 8 and 9 thereof.
The North Metropolitan Tramways Order 1888 confirmed by the Tramways Orders Confirmation (No. 3) Act 1888.	Section 8 subsection (1) of section 9 and section 10 of the said Order.

20. Subsection (b) (4) of section 19 of the London County Council (Tramways and Improvements) Act 1901 shall be read and have effect as if the words “generated or used by or supplied to the Council” were inserted in that subsection in substitution for the words “generated by the Council.”

For protection of Postmaster-General.

21. For the protection of the Metropolitan Railway Company and the Metropolitan District Railway Company (in this section called “the two companies”) the following provisions shall notwithstanding anything in this Act contained have effect unless otherwise agreed between the Council and the two companies (that is to say):—

For protection of Metropolitan and Metropolitan District Railway Companies.

- (1) The Council shall execute all works in connection with the reconstruction and alteration of the tramways mentioned in the section of this Act of which the marginal note is “Reconstruction of tramways” and the works connected therewith (in this section referred to as “the said works”) in such a manner as to interfere as little as possible with the City Lines Railway of the two companies (in this section referred to as “the

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City Lines Railway”) and the Council shall so maintain the said tramways when reconstructed or altered as not to interfere with the City Lines Railway :

- (2) The said works shall only be executed by the Council according to plans sections and specifications to be previously submitted to and reasonably approved by the engineer of the two companies (in this section referred to as “the engineer”) and shall be carried out to the reasonable satisfaction of the engineer :

Provided that unless the two companies by notice in writing to the Council within twenty-eight days after the submission of such plans sections and specifications give notice in writing to the Council objecting thereto or making any requirement with respect thereto the said plans sections and specifications shall be deemed to have been approved on behalf of the two companies and the work may be proceeded with accordingly :

- (3) In the event of any injury being caused to the City Lines Railway by the said works or the maintenance working or failure thereof the two companies may at the reasonable expense of the Council restore the City Lines Railway or the part or parts thereof which may be so injured to as good a state and condition as they were in before such injury was occasioned and the two companies may recover from the Council the amount of such expense :
- (4) The said works shall be so executed maintained and worked that the traffic upon the City Lines Railway shall not be impeded or interfered with :
- (5) The two companies may if they deem fit employ such watchmen or inspectors or other persons as may be reasonably necessary to watch and inspect the said works during the execution thereof and the wages of such watchmen or inspectors or other persons shall be borne by the Council and the Council shall afford full and free right of entry to the said works to

such watchmen inspectors or other persons A.D. 1927.
during the execution of the said works : —

(6) The Council shall be responsible for and make good to the two companies all costs losses damages and expenses which may be occasioned to the two companies or either of them or to the City Lines Railway or to the traffic thereon during or by reason of the execution alteration maintenance working or failure of the said works or by the acts or defaults of the Council or of any persons in their employ or of their contractors or otherwise and the Council shall effectually indemnify and hold harmless the two companies and each of them from all claims and demands made upon or against them by reason of such execution alteration maintenance working or failure or of any such act or default Provided that the two companies shall give to the Council immediate notice of any such claim or demand and that no settlement or compromise thereof shall be made except with the consent of the Council :

(7) If and whenever in the opinion of the two companies any alteration or strengthening of the City Lines Railway shall be rendered necessary by reason of the execution maintenance or user of the said works the two companies shall give the Council twenty-eight days' notice (or in case of emergency such notice as may be reasonably practicable) of the works which in the opinion of the two companies are necessary and unless the nature and extent of such works shall be agreed upon between the Council and the two companies it shall be referred to arbitration to determine what works may be necessary for so altering or strengthening the City Lines Railway and pending such determination the execution or working of the said works shall not be proceeded with at the place in question The reasonable costs and expenses of and incidental to such works shall be paid by the Council and upon the completion of such works the Council shall also pay such a sum as may be agreed between

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the Council and the two companies or (in default of agreement) determined by arbitration by way of compensation for and in satisfaction of all claims by the two companies in respect of the additional expense (if any) of maintenance arising from any alteration or strengthening of the City Lines Railway :

- (8) The Council shall not in carrying out the said works obstruct or otherwise interfere with the entrances to or exits from any of the station buildings on the City Lines Railway :
- (9) If the two companies or either of them shall at any time require to strengthen reconstruct alter or repair the City Lines Railway or to widen or enlarge their Aldgate East Station under their existing powers the Council shall free of cost afford all sufficient facilities for any of such purposes and if the two companies or either of them shall find it necessary for any such purpose that the working or user of any part of the said works over the City Lines Railway or within a reasonable distance thereof be wholly or in part stopped or delayed or that such part of the said works be temporarily diverted or wholly or in part taken up or removed and if the two companies accordingly give to the Council twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay diversion taking up or removal then the working or user of such part of the said works shall be stopped or delayed or such part of the said works shall be diverted taken up or removed at the reasonable expense of the Council and under the superintendence of the engineer (if he shall give such superintendence) but only to such extent and for so long as shall be reasonably necessary for effecting such purpose as aforesaid and such part of the said works shall be restored with all possible despatch and in such case the two companies shall not be liable to pay compensation in respect of such stoppage delay or diversion taking up or removal as aforesaid :

Provided that if such part of the said works be constructed as a double line of tramway the two companies shall not be at liberty to require more than one line of rails to be stopped at any one time or if such part of the said works be constructed as a single line of tramway the two companies shall give to the Council all reasonable facilities for the construction and user of a temporary line to be laid for maintaining the tramway service :

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- (10) If any difference arise under this section between the Council and the two companies the matter in difference shall be referred to and be determined by an engineer to be appointed in default of agreement by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

PART IV.

POWERS TO SOUTHWARK COUNCIL.

22. The Southwark Council may purchase or acquire by agreement and hold the lands forming a part of the site of the premises known as the Mint Street Workhouse in the metropolitan borough of Southwark which are delineated and coloured red on the plan signed in triplicate by Walter Raine 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 House of Lords and with the town clerk respectively).

Power to Southwark Council to acquire lands.

23.—(1) The provisions of the Lands Clauses Acts (other than those with respect to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) so far as the same are applicable for the purposes of and are not inconsistent with or varied by this Part of this Act are hereby incorporated with and form part of this Part of this Act.

Incorporation of certain provisions of Lands Clauses Acts.

(2) For the purposes of this section the expression "the promoters of the undertaking" in the Lands Clauses Acts shall mean the Southwark Council.

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Borrowing
powers to
Southwark
Council.

24.—(1) The Southwark Council may borrow money to such amount as may be necessary for the purposes of this Part of this Act.

(2) For the purpose of securing the repayment with interest of any moneys to be borrowed under this section the Southwark Council may mortgage and assign all or 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 by the Southwark Council under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as amended as aforesaid :

Provided that all moneys borrowed by the Southwark Council under the powers of this section shall be repaid within a period not exceeding in any case sixty years from the date of borrowing.

Adjustment
of accounts
and pay-
ment of
expenses by
Southwark
Council.

25. When any lands purchased or acquired by the Southwark Council under this Part of this Act shall be appropriated for the purposes of any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Southwark Council and pending such appropriation all expenses incurred by the Southwark Council under this section shall be payable out of the general rate authorised to be levied by the Southwark Council.

PART V.

EXTENSIONS OF TIME.

Extension
of time for
completion
of Mall
improve-
ment.

26. The time limited by the Mall Approach (Improvement) Act 1914 as extended by Orders made by the Minister of Transport under the Special Acts (Extension of Time) Act 1915 as amended by the War Emergency Laws (Continuance) Act 1920 and further extended by the London County Council (General Powers) Act 1924 for the completion of the widenings described in and authorised by the first-mentioned Act is hereby further extended until the thirtieth day of September one thousand nine hundred and thirty.

Extension of
time for com-
pletion of
other street
improve-
ments.

27. The time limited by the London County Council (Tramways and Improvements) Act 1920 for the completion of the improvements described in and authorised by that Act is hereby extended until the

thirty-first day of October one thousand nine hundred and thirty. A.D. 1927.

28. The time limited by the London County Council (Lambeth Bridge) Act 1924 for the compulsory purchase of lands for the purposes of that Act is hereby extended until the thirty-first day of October one thousand nine hundred and twenty-nine. Extension of time for compulsory purchase of lands for Lambeth Bridge reconstruction.

29. Section 26 (Increase of fees to district surveyors) of the London County Council (General Powers) Act 1921 as amended by section 8 of the London County Council (General Powers) Act 1926 shall be read and have effect as if the thirty-first day of December one thousand nine hundred and twenty-eight were substituted in paragraph (A) of subsection (4) and in subsection (7) thereof for the thirty-first day of December one thousand nine hundred and twenty-seven. Extension of time for operation of section 26 of London County Council (General Powers) Act 1921.

PART VI.

REGULATION OF STREET TRADING.

30. On and after the first day of November one thousand nine hundred and twenty-seven it shall not be lawful for any person to sell or expose or offer for sale any article or thing from or upon any barrow cart stall or other receptacle occupying a stationary position at a place in the carriageway or footway of any street in any metropolitan borough without a licence from the borough council authorising him so to do. Provided that this section shall not apply to any person selling or exposing or offering for sale any article or thing from or upon any barrow cart stall or other receptacle which he ordinarily moves from place to place in pursuit of and while conducting his trade. Licensing of street traders.

31.—(1) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application in writing to the borough council and shall in such application state his full name and address and the nature of the articles and things which he intends to sell or expose or offer for sale under the authority of the licence if granted the place if any at which the articles or things will be stored by him before any sale or exposure or offer for sale and the street or streets Applications for licences &c.

A.D. 1927. or area in which he intends so to sell or expose or offer for sale In the case of any person intending to sell or expose or offer for sale as aforesaid any article or thing on or within one month after the first day of November one thousand nine hundred and twenty-seven such application shall be made not later than the first day of October one thousand nine hundred and twenty-seven.

(2) The borough council shall as soon as reasonably practicable after the receipt of an application under the provisions of this section grant or renew a licence to the applicant under and for the purposes of this Part of this Act Provided that the borough council may refuse to grant or renew a licence or may at any time revoke or vary a licence granted to any person if—

(a) on account of misconduct or for any other sufficient reason he is in their opinion unsuitable to hold such licence; or

(b) the space available in the street or streets or area to which the application relates or which is or are prescribed by the licence is at the date of such application or becomes at any time after the grant of such licence insufficient for the selling or exposing or offering for sale by the applicant or licensee of any articles or things under the authority of a licence under this Part of this Act or of the particular articles or things referred to in the application or licence without causing undue interference with or inconvenience to the traffic in such street or streets or area; or

(c) the street or streets to which the application relates is or are not a street or streets ordinarily prescribed by the borough council in licences granted by them pursuant to this Part of this Act;

but shall not refuse to grant or renew a licence or revoke a licence on the ground only that the applicant for or holder of the licence does not reside in their metropolitan borough Provided also that the operation of this subsection shall be subject to the provisions of the section of this Act of which the marginal note is "For preventing interference with traffic."

(3) Any such licence shall be in a form prescribed by the Secretary of State and may prescribe— A.D. 1927.

- (a) the street or streets or area in which and the position or place in any such street or area at which the licensee may sell or expose or offer for sale articles or things as aforesaid;
- (b) the class or classes of articles or things which may be sold or exposed or offered for sale under such licence provided that no article of food shall be classed with any other commodity;
- (c) the day or days and the time or times on and at or during which the licensee may sell or expose or offer for sale articles or things as aforesaid; and
- (d) the number of barrows carts stalls or other receptacles which may be used for those purposes under the authority of the licence;

and on any occasion of the renewal of a licence the borough council may vary such prescriptions.

(4) A borough council shall not refuse to renew or shall not revoke or vary any such licence unless they shall have given to the person applying for such renewal or holding the licence proposed to be revoked or varied not less than seven days' previous notice in writing that objections have been or will be taken to such renewal or that a revocation or variation is proposed and unless on written application made within three days after the receipt of such notice they have afforded to such person an opportunity of being heard against such refusal revocation or variation.

32.—(1) Where it appears to the Secretary of State after consultation with the borough council that the presence of persons licensed under this Part of this Act causes or is calculated to cause undue interference with or inconvenience to traffic in any street or part of a street in the metropolitan borough he may by order prohibit the selling or exposing or offering for sale by persons licensed or thereafter to be licensed under this Part of this Act of any article or thing in any such street or part of a street except in such numbers and under such conditions if any as may be prescribed in the order.

For preventing interference with traffic.

A.D. 1927.

(2) Where the Secretary of State proposes to make an order under this section he shall cause notice of the proposal to be published in at least one newspaper circulating within the metropolitan borough and shall also cause a copy of such notice to be posted for not less than fourteen consecutive days in some conspicuous position in the street or part of a street to which the proposal relates and every such notice shall (a) specify the street or part of the street to which the proposal relates and (b) notify the date (which shall not be less than twenty-eight days) within which any objection to the proposal shall be sent in writing to the Secretary of State.

(3) Before carrying into effect any proposal of which notice is required by this section to be given the Secretary of State shall consider any objection to the proposal which is sent to him in writing within the time fixed in that behalf and shall if necessary cause a public local inquiry to be held. Provided that where more than twenty persons affected by the proposal have duly presented objections thereto and have not withdrawn the same the Secretary of State shall before making the order cause a public local inquiry to be held with reference to the proposal.

(4) A person appointed by the Secretary of State to hold a public local inquiry under the provisions of this section shall for the purposes of the inquiry have in relation to witnesses and their examination the production of papers and accounts and the inspection of places and matters required to be inspected similar powers to those which poor law inspectors have under the Acts relating to the relief of the poor for the purposes of those Acts.

(5) Where any such order as aforesaid is made and is in force no licence shall be granted or renewed under this Part of this Act contrary to the order and any such licence to the extent to which it contravenes the order shall be inoperative. Provided that any such order shall not affect the operation of any licence in force at the date on which the order comes into force.

(6) Any refusal of the borough council to grant or renew a licence in pursuance of the provisions of the preceding paragraph shall not be a ground for an appeal

under subsection (2) of the section of this Act of which the marginal note is "Appeals against refusal or revocation of licences." A.D. 1927.

(7) The reasonable costs incurred by the Secretary of State in relation to any such public local inquiry (including the remuneration of any person employed by him for the purpose of the inquiry) shall be paid by the borough council and the Secretary of State may certify the amount of the costs incurred and any sums so certified shall be a debt to the Crown from the borough council.

33. Any person making application for the grant or renewal of a licence under this Part of this Act shall when making the same pay to the borough council in respect of such application a fee of five shillings. Fees on licences.

34. Every licence granted or renewed under this Part of this Act shall unless revoked be valid for a period of one year or in the case of any licence granted or renewed otherwise than at any annual meeting fixed by the borough council for the purpose of considering applications under this Part of this Act for a period expiring on the thirty-first day of December next after the date of such grant or renewal. Provided that every such licence granted before the thirty-first day of December one thousand nine hundred and twenty-seven shall unless revoked be valid until the thirty-first day of December one thousand nine hundred and twenty-eight or the date of any annual meeting held by the borough council in the year one thousand nine hundred and twenty-eight for the purpose of considering applications under this Part of this Act (whichever of those dates shall be the earlier). Duration of licences.

35.—(1) If any borough council refuse to grant or renew a licence or revoke or vary a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal revocation or variation. Appeals against refusal or revocation of licences.

(2) Any person aggrieved by such refusal revocation or variation or by any prescription made by the borough council under subsection (3) of the section of this Act of which the marginal note is "Applications for licences &c." may appeal to a petty sessional court provided that

A.D. 1927. such appeal is made within fourteen days from the date on which such refusal revocation variation or prescription is notified to him and that notice in writing of such appeal is sent to the borough council not less than seven days before the hearing thereof and the court may make such order as it thinks fit and may award costs.

Byelaws as
to trading
under
licences.

36.—(1) Every borough council shall in conformity with draft byelaws to be framed by the Secretary of State and so soon as may be practicable after the framing thereof make byelaws relating to the following matters (that is to say):—

- (a) the days on which and the times during which articles or things may be sold or exposed or offered for sale under the authority of a licence granted or renewed under this Part of this Act;
- (b) the deposit and removal of refuse and the charges which may be made for removal or other services rendered by a borough council;
- (c) the allocation maximum dimensions and arrangement of barrows carts stalls and other receptacles;
- (d) the storage and the sanitary supervision (while at the place of intended sale or exposure or offering for sale) of articles intended to be sold or exposed or offered for sale under the authority of the licence;
- (e) any other conditions under which articles or things may be sold or exposed or offered for sale under such authority;
- (f) penalties for the breach of any such byelaws:

Provided that any borough council may in making such byelaws make such modifications (if any) in the said draft byelaws as the Secretary of State may allow to meet the special circumstances existing in their borough:

Provided also that before framing any such draft byelaw as aforesaid relating to the storage and sanitary supervision of articles of food or confirming any byelaw containing any modification of a draft byelaw relating to such matters the Secretary of State shall consult the Minister of Health.

(2) Before any byelaws made by a borough council under this section are confirmed by the Secretary of State the borough council shall take such steps as may be prescribed in rules to be made by the Secretary of State for affording to any recognised organisation representative of street traders and to any street trader affected by such byelaws and not being a member of any such organisation an opportunity to make representations with regard thereto. A.D. 1927.

(3) The provisions of sections 182 to 186 of the Public Health Act 1875 as set out in the First Schedule to the Public Health (London) Act 1891 shall apply to all byelaws made by a borough council under this section with the substitution of the Secretary of State for the Minister of Health as the confirming authority.

37. Any borough council may make and recover from persons licensed by them under the provisions of this Part of this Act charges for the removal of refuse or other services rendered by them not exceeding the amounts prescribed by byelaws made under this Part of this Act. Power to borough councils to make charges for certain services.

38. Any person holding a licence under this Part of this Act may employ any other person to assist him in the conduct of his business without any further licence under this Part of this Act being required. Power to licensees to employ other persons.

39. Every person who or whose assistant on or after the first day of November one thousand nine hundred and twenty-seven without a licence under this Part of this Act authorising him so to do or contrary to any prescription of such licence sells or exposes or offers for sale any article or thing from or upon any barrow cart stall or other receptacle occupying a stationary position at a place in the carriageway or footway of any street in any metropolitan borough or obtains a licence or the renewal of a licence by wilful misrepresentation shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings Provided that a person who has appealed to a petty sessional court (except against a refusal to grant a new licence) in accordance with the provisions of the section of this Act of which the marginal note is " Appeals against refusal or revocation of licences " or to a court of quarter Penalties for offences in respect of trading required to be licensed.

A.D. 1927.

— sessions in accordance with the provisions of the section of this Act of which the marginal note is "As to appeal" shall not be liable to any proceedings under this section for the offence of selling or exposing or offering for sale in the street or streets or area specified in his application any article or thing as aforesaid without a licence until such appeal has been heard and determined or has been abandoned.

Saving for holders of pedlars' certificates and hawkers' licences.

40. Nothing in this Part of this Act shall restrict the right of any person holding a pedlar's certificate or a hawker's licence to carry on the business of a pedlar or of a hawker (as the case may be) in accordance with such certificate or licence.

Saving for London Traffic Act 1924 and other enactments.

41. Nothing in this Part of this Act shall exempt any person from or shall alter or affect the operation of any of the provisions of the London Traffic Act 1924 or of any enactment relating to obstruction of traffic in highways.

Authentication and service of notices.

42.—(1) Where any notice or demand under this Part of this Act or under any byelaw made under this Part of this Act requires authentication by the borough council the signature of the town clerk or other duly authorised officer of the borough council shall be sufficient authentication.

(2) Notices demands orders or other documents required or authorised to be served under this Part of this Act or under any byelaw made under this Part of this Act may be served in the same manner as notices under the Public Health (London) Act 1891 are by section 128 of that Act authorised to be served. Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Persons acting in execution of this Part of Act not to be personally liable.

43. No matter or thing done or contract entered into by a borough council nor any matter or thing done by the town clerk or by any member or officer of a borough council or by any person whomsoever acting under the direction of the borough council shall if the matter or thing be done or the contract be entered into bona fide for the purpose of executing this Part of this

Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by a borough council or the town clerk member officer or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the borough council.

A.D. 1927.

44. Save as otherwise expressly provided all offences against this Part of this Act or any byelaw made thereunder and all fines forfeitures penalties costs charges and expenses imposed or recoverable thereunder or under any such byelaw may be prosecuted and recovered in a summary manner. Provided that costs charges and expenses except such as are recoverable along with a fine shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of penalties expenses &c.

45. Any person deeming himself aggrieved by any conviction or order by a court of summary jurisdiction under any provision of this Part of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

As to appeal.

46. Save as otherwise expressly provided all informations and complaints under or for the breach of any of the provisions of this Part of this Act or of any byelaw made thereunder may be laid and made by any officer of the borough council duly authorised in that behalf or by the town clerk or by any officer of the metropolitan police and a borough council may appear before any court in any legal proceedings under this Part of this Act by the town clerk or any officer authorised generally by resolution of the borough council.

Informations by whom to be laid.

47. A judge of any court or a justice shall not be disqualified from acting in the execution of this Part of this Act by reason of his being liable to any rate.

Judges not disqualified.

48. All powers rights and remedies given to borough councils by this Part of this Act shall be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them by any other Act or any order and any borough council may exercise such other powers and shall be entitled to such other rights and remedies as if this Act had not been passed. Provided

Powers of this Part of Act cumulative.

A.D. 1927. — that no person shall incur more than one penalty (other than a daily penalty) for the commission of the same offence.

Saving for Woolwich Borough Council.

49. Nothing contained in this Part of this Act shall alter or affect the powers authorities rights duties and privileges of the mayor aldermen and councillors of the metropolitan borough of Woolwich under the Letters Patent enactments and scheme referred to in and as extended by section 4 (Provisions of Letters Patent &c. relating to markets in parish of Woolwich to extend to remainder of borough) of the Woolwich Borough Council Act 1903.

Saving for sales in legal markets or fairs.

50. In the case of any market or fair held in pursuance of any statute Royal Licence Royal Charter or Letters Patent or as of right from time immemorial nothing in this Part of this Act shall affect the sale or exposure for sale by any person who has paid a toll to or shall be acting under the written authority of a person holding or entitled to hold such market or fair or to receive tolls in respect of sales made or stalls or stands occupied in such market or fair of goods in any such market or fair.

PART VII.

MISCELLANEOUS.

Skating enclosures in open spaces.

51.—(1) The Council may flood and enclose during time of frost any part of any open space for the purpose of providing ice for skating and may charge for admission to the part so enclosed.

(2) The provisions of section 10 of the London County Council (General Powers) Act 1923 as to the making and enforcing of byelaws or regulations shall apply with respect to any part of an open space enclosed under the provisions of this section.

(3) For the purposes of this section the expression "open space" means any park common heath garden walk recreation ground pleasure ground or open space vested in or under the control and management of the Council.

Nuisance arising from pigeons.

52.—(1) For the purpose of abating or mitigating any nuisance annoyance or damage caused by the congregation at any place in the county of house doves

or pigeons having or believed by the local authority to have no owner or of preventing or minimising any such nuisance annoyance or damage which might in the opinion of the local authority be so caused the local authority may notwithstanding anything in the Larceny Act 1861 or in any other Act seize and destroy or sell or otherwise dispose of or cause to be seized and destroyed or sold or otherwise disposed of any such house doves or pigeons in excess of such number as the local authority may consider reasonable and take such other steps as they may deem necessary for any such purpose Provided that a local authority shall not in the exercise of the powers conferred by this section—

(a) enter upon any building or land (other than a public highway) without the consent of the occupier or the authority body or person having the exclusive control and management of such building or land; or

(b) execute or do any work or thing affecting the structure of such building or the use of such land without the consent of the authority body or person in whom such building or land is vested; or

(c) knowingly destroy sell or otherwise dispose of or cause to be destroyed sold or otherwise disposed of any house dove or pigeon belonging to any person.

(2) The powers conferred by this section shall be in addition to and not in derogation of any other powers vested in the local authority.

(3) In this section the expression "local authority" means as respects the city of London the corporation and as respects a metropolitan borough the borough council.

53.—(1) The Council may make byelaws in relation to the demolition of buildings within the county exclusive of the city of London and the places known as the Inner and Middle Temple for the following purposes (that is to say) :—

Byelaws as to demolition of buildings.

The fixing of fans at the level of each floor of the building undergoing demolition ;

The hoarding up of windows in such building from which sashes and glass have been removed ;

A.D. 1927.

The regulation of the demolition of internal parts of buildings before commencing to take down any external wall thereof;

The placing of screens or mats to prevent nuisance arising from dust;

Requiring the use of water to prevent nuisance arising from dust;

Requiring the taking of such other precautions as may be prescribed by the byelaws to prevent nuisance arising from dust;

The regulation of the hours of the day or night during which ceilings may be broken down and mortar may be shot or allowed to fall into any lower floor.

(2) Byelaws made under this section may provide that the byelaws shall either generally or as respects any particular metropolitan borough or any part thereof have effect subject to such modifications limitations or exceptions as may be specified in the byelaws.

(3) The provisions of section 114 (Byelaws) of the Public Health (London) Act 1891 shall apply to all byelaws made by the Council under this section but the said byelaws shall be enforceable in any metropolitan borough by the borough council.

(4) The borough council or any officer or person duly authorised by them in that behalf may enter at all reasonable times any building which is undergoing or about to undergo demolition for the purpose of examining whether there is any contravention of the provisions of any byelaw made under this section and if any person obstructs any such officer or person as aforesaid in entering any building or in carrying out his duties under the provisions of this section he shall be liable on summary conviction to a penalty not exceeding five pounds.

(5) Nothing in any byelaws made under this section shall apply to any building (not being a dwelling-house) belonging to any railway company and used by such company as a part of or in connection with their railway.

Penalty
for dis-
charging

54.—(1) Every person who wilfully or negligently empties turns or permits to enter into any sewer belonging to or vested in the Council or into any sewer or drain

communicating directly or indirectly with such sewer any petroleum spirit or carbide of calcium shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

A.D. 1927
—
petroleum
spirit &c.
into sewers

(2) In this section the expression " petroleum spirit " means—

(a) any crude petroleum;

(b) any oil made from petroleum coal shale peat or other bituminous substance; and

(c) any product of petroleum or mixture containing petroleum which when tested in manner set forth in the First Schedule to the Petroleum Act 1926 gives off an inflammable vapour at a temperature of less than seventy-three degrees of Fahrenheit's thermometer.

(3) The Council by any of their officers either generally or specially authorised in that behalf in writing may at any reasonable time enter any premises for the purpose of examining whether the provisions of this section are being contravened Any person who shall refuse to permit any such officer after production of his authority to enter any premises or shall obstruct any such officer in carrying out his duties under this subsection shall be liable on summary conviction to a penalty not exceeding twenty pounds.

(4) Proceedings for offences under this section shall be taken only by the Council.

(5) (a) The powers conferred upon the Council by subsection (3) of this section shall not be exercised in respect of any premises in any district the local authority of which shall have adopted the provisions of section 41 of the Public Health Act 1925 unless the Council shall have previously by notice in writing required such local authority to exercise in respect of such premises the powers of entry conferred upon them by the Public Health Acts and to report to the Council whether an offence against the said section 41 has been committed by any person on such premises and unless such local authority shall neglect for a period of fourteen days to so report; and

(b) The powers conferred upon the Council by subsection (4) of this section shall not be exercised in respect

A.D. 1927. of any such premises as aforesaid unless (in the event of such local authority reporting that such an offence has been so committed) the local authority shall for a further period of fourteen days neglect to take proceedings against any person who shall be so reported by them to have committed such an offence.

For protec-
tion of Cor-
porations of
Croydon
and West
Ham.

55. Nothing in the section of this Act of which the marginal note is "Penalty for discharging petroleum spirit &c. into sewers" shall authorise the recovery of a penalty from the mayor aldermen and burgesses of the borough of Croydon or the mayor aldermen and burgesses of the borough of West Ham by reason only of their being the owners of a sewer or drain by means of which any matter such as is in that section defined falls flows enters or is carried into any sewer belonging to the Council.

As to
consents to
establish-
ment of
offensive
businesses.

56.—(1) Any sanction of the Council under section 19 of the Public Health (London) Act 1891 to the establishment anew of any business to which that section applies may be given so as to authorise the carrying on of the business for a period specified in the sanction and for such extension (if any) thereof as may from time to time be granted by the Council and any person carrying on the business after the expiration of the period so specified or any such extension thereof (as the case may be) shall be liable on summary conviction to a penalty not exceeding fifty pounds and to a daily penalty not exceeding fifty pounds.

(2) This section shall be read with and form part of the Public Health (London) Act 1891.

Appropria-
tion and
use of
surplus
lands for
any purpose
by metro-
politan
borough
councils.

57. A borough council may appropriate hold and use for any purpose for which they have statutory power to acquire or hold lands (which expression in this section includes buildings or structures) any lands vested in them for any other purpose and for which such lands are no longer required. Provided that the powers conferred by this section shall not be exercised in relation to (a) any lands the appropriation or use of which by the borough council for any purpose other than that for which such lands are for the time being vested in them is by any enactment expressly made subject to the consent or approval of any Government department

without the consent or approval of that department or
(b) any other lands without the consent of the Minister
of Health. Provided also that the borough council shall
make any necessary adjustments in their accounts
required in consequence of any such appropriation as
aforesaid.

A.D. 1927.
—

58. In the exercise of the powers in regard to the
paving of new streets conferred upon a borough council
by the Metropolis Management Acts 1855 to 1893 as
amended by any other enactment a borough council
may make a variation or variations of the relative
widths of the carriageway and footway or footways of
that street :

Power to
borough
councils
to vary
width of
carriage-
ways and
footways on
making up
new streets.

Provided that no greater charge shall be imposed on
an owner of a house or land by reason of any such
variation or variations than could have been imposed in
respect of a carriageway or footway of the width pre-
scribed for a new street of the same class by any enactment
byelaw or condition with respect to the width of new
streets which applied to the street when it was laid out
and any sum in excess of that charge shall be borne by
the borough council :

Provided also that whenever a borough council shall
in reducing the width of the footway of any street under
the power contained in this section add to the carriageway
any portion of such footway in which there is any main
pipe work or apparatus (hereinafter in this section
referred to as " apparatus ") of the Metropolitan Water
Board (in this section referred to as " the board ") the
board may lower such apparatus so that its depth below
the surface of the carriageway shall not exceed three
feet measured from the upper side of the apparatus
and the borough council shall on demand repay to the
board the expenses reasonably incurred by them in so
doing.

59.—(1) In any case in which the boundary between
any two or more metropolitan boroughs is situate in or
across or abuts on any street vested wholly or partly in
the borough councils or any or either of them it shall be
lawful for the borough councils to enter into and carry
into effect agreements with one another or for any or
both or either of them to enter into and carry into effect

Agreements
between
Council and
borough
councils as
to improve-
ment of
streets in
adjoining
boroughs.

A.D. 1927. — agreements with the Council with respect to the widening and improvement of the said street or any part thereof.

(2) For the purpose of carrying into effect any agreement under this section a borough council subject to the provisions of the agreement shall with respect to so much of the street or part thereof to which the agreement relates as is not within their borough have all the powers and be subject to all the obligations and liabilities of the borough council in whom such street or part is vested and such first mentioned borough council may bear or contribute towards the cost of the widening and improvement of the street or part thereof (as the case may be) 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 the street or part thereof were wholly within their borough.

Provision by Council and borough councils in connection with housing accommodation of buildings for commercial purposes.

60.—(1) The power of the Council and of a borough council under the Housing Act 1925 or under any scheme made in pursuance of that Act to provide housing accommodation shall include a power to provide and maintain in connection with any such housing accommodation any building or part of a building adapted for use for any commercial purpose Provided that the powers conferred by this section shall not be exercised except with the consent of the Minister of Health nor (outside the county) except also with the consent of the council of the borough or district concerned.

(2) Section 39 (Provision by Council in connection with housing accommodation of buildings for commercial purposes) of the London County Council (General Powers) Act 1926 is hereby repealed.

Lighting of staircases of tenement buildings:

61.—(1) The owner of every tenement building in the county shall—

(a) wherever practicable provide every common staircase in that building with adequate means of lighting by natural light including (in the case of a building constructed or reconstructed after the commencement of this Act) a window or windows or opening or openings on the staircase at each storey opening directly into the external air; and

- (b) provide adequate means for the artificial lighting of every common staircase in that building and keep such means efficient and lighted daily from one hour after sunset until eleven o'clock in the afternoon : A.D. 1927.

Provided that in the case of a common staircase leading to not more than two separate or self-contained flats or tenements in a two-storey tenement building the owner of such building shall not be required to light or keep lighted such means for artificial lighting as aforesaid. For the purposes of this subsection the expression "means" in relation to artificial lighting includes electricity gas or other illuminating agency.

(2) Every person who fails to comply with any of the provisions of this section shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) Any officer or person duly authorised in that behalf by a borough council may at all reasonable times enter and inspect any tenement building in order to ascertain whether the provisions of this section have been or are being complied with and if any person refuses to permit any such officer or person to enter and inspect the tenement building or obstructs him in the execution of his duty under this section such person shall be liable on summary conviction to a penalty not exceeding five pounds.

(4) For the purposes of this section—

(a) "The county" means the administrative county of London exclusive of the city of London and the places known as the Inner and Middle Temple;

(b) "Tenement building" means a building constructed or reconstructed by way of conversion so as to comprise two or more separate or self-contained flats or tenements intended or used for occupation by the working classes but does not include a house to which sections 6 and 7 of the Housing Act 1925 apply;

A.D. 1927.

(c) "Owner" means the person for the time being receiving the rack rents of the flats and tenements comprised in the tenement building whether on his own account or as agent or trustee for any other person or who would receive the same if the flats or tenements were let at rack rents;

(d) "Staircase" includes a landing or passage.

(5) Proceedings for any offence under this section may be taken by the council of the metropolitan borough in which the offence is committed.

(6) The provisions of this section shall come into operation on the first day of August one thousand nine hundred and twenty-eight.

Honorary
freedom
of metro-
politan
boroughs.

62.—(1) Any borough council may by the authority of not less than two-thirds of the number voting at a meeting of that council specially called for the purpose with notice of the object admit to be honorary freemen of their metropolitan borough persons of distinction or any persons who have rendered eminent services to that borough.

(2) The town clerk shall keep a list called the freemen's roll and every person admitted to be an honorary freeman of the metropolitan borough shall be enrolled by the town clerk on the freemen's roll.

Amendment
of Lambeth
Borough
Council
(Super-
annuation)
Act 1922.

63. The Lambeth Borough Council (Superannuation) Act 1922 (in this section referred to as "the Act of 1922") shall be amended as follows—

(1) The expression "any other local authority as defined in section 34 of the Local Loans Act 1875" where used in section 7 of the Act of 1922 shall include any joint committee joint board or joint authority constituted by or under the powers of two or more local authorities as defined by section 34 of the Local Loans Act 1875:

(2) In the case of an officer serving under any such joint committee as is referred to in section 20 (Officers of joint committees) of the Act of

1922 who becomes a contributor to the super-annuation fund established by that Act there shall be substituted for the words "before his appointment by the Council or their predecessors" in subsection (1) of section 7 of the Act of 1922 the words "before the date of the resolution of the Council that such officer is to be regarded as being on the permanent establishment":

A.D. 1927.

- (3) Any period of service rendered in a whole time capacity by an officer under and as an officer of the Lambeth Council prior to his transfer or appointment to service under any such joint committee as is referred to in the said section 20 of the Act of 1922 shall be aggregated and reckoned in accordance with the provisions of section 7 of that Act (including the provisions as to the making of an additional payment contained in subsections (2) and (3) thereof) as though it were a period of service rendered by him in a whole time capacity under and as an officer of an authority other than the Lambeth Council and the said section 7 as hereinbefore amended shall apply to such officer:
- (4) Section 2 (Interpretation) of the Act of 1922 shall be read and have effect as if the following paragraph were added at the end of subsection (4) thereof:—

(c) Every officer servant or workman deemed to be in the service of the Council under and by virtue of subsection (1) of section 20 of this Act and who is by a resolution of the Council passed or to be passed to be regarded as being placed upon the permanent establishment of the Council for the purposes of this Act Provided that such resolution shall not be passed unless and until the requirements set forth in the proviso to paragraph (b) of this subsection have been complied with.

64. Notwithstanding anything contained in the Penalties Metropolitan Police Courts Act 1839 or in any other Act to be paid

A.D. 1927. every penalty recovered under or in pursuance of this Act or any byelaw made thereunder shall be payable to the authority taking the proceedings leading to the recovery of the penalty.

to authorities taking proceedings.

65. Nothing in this Act shall exempt any person from or shall alter or affect the operation of the London Building Acts 1894 to 1923 or any Act amending or extending the same or any byelaw or regulation in force thereunder.

Saving for London Building Acts.

66. The Council may expend on capital account for the purposes of Part II (Extinguishment of market rights) and of Part III (Reconstruction of tramways) of this Act such moneys as they may think fit not exceeding seventy-one thousand five hundred pounds 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 amended by subsequent Acts.

Money to be raised by Council on capital account.

67.—(1) 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 or special county purposes within the meaning of the Local Government Act 1888 as the Council may decide 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 contained in Part IV (Powers to Southwark Council) of this Act and the section of this Act of which the marginal note is "Amendment of Lambeth Borough Council (Superannuation) Act 1922" shall be paid as regards Part IV by the Southwark Council and as regards the said section by the Lambeth Council out of the general rate authorised to be levied by those councils respectively.

As to payments under this Act.

(2) All expenses incurred by the corporation in the execution of any of the provisions of this Act shall be defrayed out of the general rate authorised to be levied by them.

[17 & 18 GEO. 5.] *London County* [Ch. xxii.]
Council (General Powers) Act, 1927.

(3) All expenses incurred by a borough council in the execution of any of the provisions of this Act shall be defrayed out of the general rate authorised to be levied by them. A.D. 1927.
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68. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

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