



CHAPTER ccxii.

An Act to make further provisions with respect to the use of Fire Hydrants Byelaws as to conveyance of Explosives over the Ferries of the London County Council enforcement of Ferry Byelaws the protection of Sewers and contribution towards Paddington Recreation Ground.

A. D. 1894.
—

[25th August 1894.]

WHEREAS it is expedient that provision should be made with respect to the use of fire hydrants as in this Act provided :

And whereas the Council have powers and obligations with respect to the establishment and management of ferries across the River Thames and it is expedient that further provisions should be made for enabling them to prevent the bringing of explosives on their ferry boats And that further powers should be conferred on them for dealing with offenders against their byelaws relating to ferries :

And whereas it is also expedient that further provision should be made for the protection of the sewers of the Council as herein-after provided :

And whereas it is also expedient that the Council should be empowered as hereafter provided to make a contribution towards the cost of acquiring land adjoining and to be added to Paddington Recreation Ground :

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

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

[Ch. ccxii.] *London County Council (General Powers) Act, 1894.* [57 & 58 VICT.]

A.D. 1894.

PART I.

INTRODUCTORY.

Short title. **1.** This Act may be cited as the London County Council (General Powers) Act 1894.

Application of Act. **2.** This Act applies only to the administrative county of London which is in this Act referred to as "the county."

Interpretation. **3.** In this Act words to which meanings are assigned by the Metropolis Management Act 1855 or the Acts amending the same shall when used in this Act have the same meanings as in the said Act.

PART II.

USE OF FIRE HYDRANTS.

Agreements as to use of fire hydrants. **4.** It shall be lawful for the Council to enter into and carry into effect any agreement with the companies supplying water in London and the vestries and district boards of works in London or any of them respectively with respect to the use of fire hydrants for flushing and other purposes :

Provided that no agreement under this section with respect to any hydrant shall be valid unless the company owning the main or pipe with which the hydrant is connected and the local authority (if any) to whom the hydrant belongs shall be a party thereto.

PART III.

EXPLOSIVES AT FERRIES—ENFORCEMENT OF BYELAWS.

Enforcement of byelaws as to explosives at ferries. **5.** Any person who shall offend against any byelaw of the Council prohibiting or regulating the conveyance by their ferries of explosives or other goods articles matters or things which in the opinion of the Council are or may be injurious to or prejudicially affect the use of any vessels used for the purpose of ferries or the traffic to be carried thereon shall be liable to a penalty of not exceeding twenty pounds.

Inspection and search for explosives. **6.** The Council may in writing authorise any one or more of the principal officers in charge of their ferries or any other person specially appointed by them for the purpose to search any vehicles or packages and to open any packages tendered to them for transmission over any of their ferries or brought upon any piers landing-places or other ferry works of the Council and any officer so authorised being in uniform and on producing his authority if required may inspect any such vehicles or packages and open any

packages if he has reason to suspect that such packages contain any goods articles matters or things which have been or may be declared by the byelaws of the Council to be injurious to or to prejudicially affect the use of any vessels used for the purpose of ferries or the traffic to be carried thereon. A.D. 1894.

7. Any constable or any officer of the Council authorised in writing to enforce byelaws of the Council relating to ferries and any person called to the assistance of such constable or officer may without other warrant than this Act seize and detain any person committing or having committed any offence against any such byelaw whose name or residence is unknown to and cannot be ascertained by such constable or officer and take him to a police station or before a justice to be dealt with according to law : Arrest of transient offenders against bye-laws.

Provided that any officer of the Council acting under this part of this Act and not being in uniform shall have with him a written authority from the Council to act and shall produce the same if required.

PART IV.

PROTECTION OF SEWERS.

8. Every person who—

(a) places or throws or causes to be placed or thrown or to fall ; or

(b) knowingly permits to be placed or to fall or to be carried ; or

(c) causes or knowingly permits to be placed in such a position as to be liable to fall or to be carried

in or into any sewer of the Council or in or into any sewer or drain dock or inlet communicating with any sewer of the Council or over any grate communicating with any such sewer or drain any solid matter mud or refuse except such as is contained in ordinary house sewage shall be deemed to have committed an offence against this part of this Act and every person committing such offence shall be liable to a penalty not exceeding twenty pounds and in the case of a continuing offence to a daily penalty of not exceeding five pounds for every day on which the offence continues after conviction :

Regulating discharge of solid matter and refuse into sewers.

Any such penalty shall be recoverable only by the Council who shall not be bound to proceed to recover any such penalty in any case where in their opinion such matter can be received into the sewers without risk of causing injury thereto or obstruction therein or of prejudicially affecting the health of any person employed in the sewers or otherwise :

A.D. 1894.

Provided that this section shall not authorise the recovery of a penalty from the Commissioners of Sewers of the city of London or from a vestry or district board of works for flushing or washing the surface of a street or place under their control or for removing mud or proper sewage deposit by flushing with water from any sewer under their control if such street or place or the streets and places draining into such sewer or gullies communicating therewith shall in each case have been previously properly swept and cleansed and solid matter mud and refuse removed therefrom so far as reasonably practicable.

Regulating
discharge of
offensive
liquid refuse.

9. Every person who causes to fall flow or enter or permits to fall flow or enter or to be carried into any sewer of the Council or any sewer or drain communicating therewith any matter such as hereafter defined shall be deemed to have committed an offence against this part of this Act and shall be liable to a penalty of not exceeding twenty pounds and to a further penalty of not exceeding five pounds for every day on which the default continues after conviction.

The matters herein-before referred to are—

- (a) Any chemical or manufacturing or trade or other refuse (not being solid matter or refuse to which the preceding section applies);
- (b) Any waste steam condensing water heated water or other liquid (such water or other liquid being of a higher temperature than 110 degrees Fahrenheit);

which either alone or in combination with other matter or liquid in a sewer may cause a nuisance or involve danger or risk of injury to the health of persons entering the sewers or be injurious to the structure or materials of the sewers or works of the Council.

Any penalty under this section shall be recoverable only by the Council and no proceeding under this section to recover any such penalty shall be commenced except in pursuance of a recommendation from the Committee of the Council charged with the management of the sewers after a report from the medical officer chemist or engineer of the Council describing the matter alleged to be causing a nuisance or to be dangerous or injurious and the nature of the nuisance danger or injury alleged to be caused thereby.

Special
orders in
certain cases.

10. Where in the opinion of the Council the introduction of any such matter as aforesaid into a sewer whether directly or through any drain or channel communicating therewith either does or will involve any such danger injury or risk as aforesaid the Council may by order absolutely prohibit any such matters or matter being

caused or permitted to fall flow or enter or to be carried into any sewer either directly or indirectly. A.D. 1894.

The Council may at any time cause a copy of any such order to be served upon any person who may in their opinion be acting in contravention thereof and if any such person dispute the reasonableness of any such order as applicable to himself or any works or premises under his control such person may appeal to the Local Government Board to appoint a referee to determine the reasonableness thereof and any such referee may determine either that the said order ought not to be enforced as against the objector or that it ought to be enforced either with or without modification or conditions and may by his award determine that the person objecting should have reasonable time allowed to execute any works or any alterations on his premises which may be necessary in order to prevent the introduction of the matter into a sewer and the costs of the award and determination and the costs of the parties thereto shall be in the discretion of the referee.

Any person who shall fail to comply with the terms of any such order after service thereof upon him or in the event of an appeal to a referee with the determination of the referee shall be liable to a penalty of not exceeding twenty pounds for every such default and to a daily penalty not exceeding five pounds for every day on which the default continues after conviction thereof.

11. 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 except premises of the Metropolitan or Metropolitan District Railway Companies which shall be subject to the provision hereafter contained for the purpose of examining whether the provisions of this part of this Act are being contravened. Powers of entry and inspection.

Any person who shall refuse to permit any such officer after production of his authority to enter into any premises or shall obstruct any such officer in carrying out his duties under this section shall be liable to a penalty of not exceeding twenty pounds.

12. The provisions of the three preceding sections of this Act ("Regulating discharge of offensive liquid refuse" "Special orders in certain cases" and "Powers of entry and inspection") shall not come into force until the expiration of twelve months from the passing of this Act. Operation of certain sections postponed.

13. The provisions of this part of this Act shall not apply to heated water discharged from railway engines on any part of the railways of or worked over by the Metropolitan or Metropolitan District Railway Companies or either of them in any case where reasonable provision has been or shall be made to the satisfaction of For protection of the Metropolitan and Metropolitan District

A.D. 1894.
Railway
Companies.

the Board of Trade either within or in connexion with a sewer of the Council or a sewer or drain communicating therewith to secure that the temperature of such heated water shall not exceed 110 degrees Fahrenheit at such distance from the point of discharge into any sewer as in the event of difference between the Council and the company may be considered reasonable by the Board of Trade Provided that such distance shall not in any case exceed fifty feet from any point at which the water is discharged into any such sewer.

The Council shall afford all needful facilities for the works to be executed or appliances to be provided for the purposes of this section in any sewer of the Council and such works shall be constructed and maintained by the Council to the reasonable satisfaction of the engineer of the company concerned and the expenditure reasonably incurred thereon as the same shall be ascertained in case of difference by an arbitrator to be appointed on the request of either or any of the parties by the Board of Trade shall be paid from time to time by the company to the Council on demand.

The Metropolitan and Metropolitan District Railway Companies shall after the expiration of twelve months from the passing of this Act afford reasonable facilities to any officer of the Council duly authorised in writing at convenient times having regard to the safety of the public and the exigencies of the traffic to inspect the engine-pits on the companies premises and the connexions on such premises with sewers and drains for the purpose only of ascertaining whether such of the provisions of this part of this Act as are applicable to those companies are being complied with but such officer shall not be entitled to require any interruption or obstruction of the working of the traffic on the said railways or to go on any part of the railway until after twenty-four hours notice in writing.

For protection of
common
brewers.

14. This part of this Act shall not extend to prohibit the introduction into a sewer of water or liquid used for washing casks or other vessels at any brewery provided such water or liquid be not of a higher temperature than 110 degrees Fahrenheit and do not contain any greater proportion than three per cent. of solid refuse.

As to placing
snow in
sewers.

15. This part of this Act shall not prevent any vestry or district board of works from placing snow in any sewer belonging to them provided arrangements be made to prevent obstruction of any sewer and to prevent any solid matter from passing or being conveyed into any sewer of the Council.

A.D. 1894.

16. The duty of cleansing every grating and gully in any street communicating with any sewer of the Council (except in streets vested in and cleansed by the Council) so far as such grating or gully belongs to or is under the control of the Council shall as from the passing of this Act be transferred to the vestry of the parish or the board of works for the district within which the same is situate.

Cleansing of gratings and gullies transferred to vestries and district boards.

17. Nothing in this Act shall be deemed to take away or affect any power of any vestry or district board of works to take proceedings under any other Act in respect of any of the matters made offences under this part of this Act.

Act not to affect powers of proceeding under other Acts.

PART V.

PADDINGTON RECREATION GROUND.

18. The Council may if they think fit expend on capital account a sum of money not exceeding six thousand pounds as a contribution towards the cost of acquiring land adjoining and to be added to the Paddington Recreation Ground authorised by the Paddington Recreation Ground Act 1893.

Power to contribute towards purchase of land adjoining Paddington Recreation Ground.

PART VI.

PENALTIES—COSTS.

19. Penalties under this Act may be recovered in a summary way in a petty sessional court.

Penalties.

20. 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 or any other 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 applying for obtaining and passing of this Act shall be paid by the Council in like manner.

As to payments under this Act.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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