



CHAPTER cxxxvii.

An Act to amend the London Building Act 1894.

A.D. 1898.

[25th July 1898.]

WHEREAS it is expedient to amend the provisions contained in the London Building Act 1894 with respect to the erection or extension of buildings or structures and the formation or extension of forecourts or other spaces in front of buildings or structures within the prescribed distance from the centre of the roadway of the street in which such buildings or structures are situated the height of working-class dwellings erected on the side of certain streets the service of notices summonses and orders in relation to dangerous or neglected structures and the procedure in relation to certain offences under the said Act: 57 & 58 Vict.
c. ccxiii.

And whereas the objects aforesaid cannot be attained 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:—

1. This Act may be cited as the London Building Act 1894 (Amendment) Act 1898. Short title.

2. The London Building Act 1894 (in this Act referred to as "the principal Act") as amended by this Act and this Act shall be read and construed together as one Act and words and expressions used in this Act shall unless the context otherwise requires bear the meanings assigned to them in the principal Act and any references in the principal Act to any part or provisions of the principal Act shall be construed as referring to such part or provisions as amended by this Act. Act of 1894
and this
Act to be
construed
as one Act.

3.—(1) In every case where any new building or new structure or any part thereof is erected or any building or structure or any part thereof is extended in such manner that any external wall of Notice to
set back
buildings
&c.

A.D. 1898. — such building or structure or (if there be a forecourt or other space between such external wall and the roadway) any part of any external fence or boundary of such forecourt or space shall be at a distance in any direction from the centre of the roadway of any street or way (being a highway) less than the distance permitted under Part II. of the principal Act or contrary to the conditions and terms (if any) subject to which the Council or the tribunal of appeal has sanctioned the erection or extension of such building or structure the Council may serve a notice upon the owner or occupier of the said building structure fence or boundary or upon the builder requiring him to cause such building structure fence or boundary or any part thereof to be set back so that every part of any external wall of such building or structure or of the external fence or boundary of such forecourt or space shall be at a distance in every direction from the centre of the roadway of such street or way not less than the distance permitted under Part II. of the principal Act and shall be in accordance with such conditions and terms (if any) as the Council or the tribunal of appeal may have prescribed.

(2) Any notice served under the provisions of this section shall be deemed to be a notice empowered to be served under Part II. of the principal Act within the meaning of the second subsection of the two hundredth section of the principal Act which subsection shall be read and construed and take effect as though the words "fence or boundary" had been originally inserted therein immediately after the word "structure."

(3) The fourteenth section of the principal Act is hereby repealed and from and after the passing of this Act the principal Act shall be read and have effect as if this section had been inserted therein instead of the said fourteenth section.

(4) Nothing in this section shall affect the exercise of any powers conferred upon any railway company by any special Act of Parliament for railway purposes.

Height of
working
class
dwellings in
certain
streets.

4. The proviso in subsection 5 of section 13 of the principal Act commencing with the words "Provided always that no dwelling-house" is hereby so far as the said proviso relates to dwelling-houses inhabited or adapted to be inhabited by persons of the working class and situate outside the city amended so that it shall hereafter be read and have effect as if the words "a distance of twenty feet from the centre of the roadway" were substituted for the words "the prescribed distance" wherever the words "the prescribed distance" occur in the said proviso.

[61 & 62 VICT.] *London Building Act, 1894,* [Ch. cxxxvii.]
(Amendment) Act, 1898.

A.D. 1898.

5. Section 188 of the principal Act shall not apply to any notice summons or order to be served upon the owner or occupier of a dangerous or neglected structure :

Service of summonses and orders relating to dangerous or neglected structures.

Any such notice summons or order may be served on the owner or occupier of the dangerous or neglected structure by delivering a copy thereof to some person on the premises to which such notice summons or order relates or if no person be found on the premises then by fixing the same or a copy thereof on some conspicuous part of the premises to which it relates and in the case of a railway company by delivering a copy thereof to the secretary at the principal office of the Company and in any such notice summons or order it shall be sufficient to describe the owner or occupier as "the owner" or "the occupier" and the same may be addressed to the owner or occupier by the description of "the owner" or "the occupier" of the premises (naming the premises) to which the same relates without further name or description :

Provided always that when the owner of any dangerous or neglected structure and his residence are known to the Council it shall be the duty of the Council to send a copy of every such notice summons or order by registered post addressed to the usual or last known residence of such owner :

In this section the expression "structure" shall have the meaning assigned to it in Part IX. of the principal Act In cases where a dangerous structure is situate within the city this section shall be read as if the Corporation were named therein instead of the Council.

6. Subsection (3) (e) of the two hundredth section of the principal Act shall hereafter be read and construed and take effect as though the word "retains" had been inserted therein immediately after the word "erects" and the words "approval or" had been inserted therein immediately before the word "licence" wherever such word occurs therein.

Amendment of section 200 subs. (3) (e) of Act of 1894.

7. Every person who does any of the things specified in paragraphs (a) (d) and (e) of subsection (3) of section 200 of the principal Act as amended by this Act shall be liable on conviction to a penalty not exceeding forty shillings for every such offence and the court before whom an information is laid by the Council in respect thereof may in addition to imposing such penalty make an order in writing directing such person to demolish the building or structure complained of or any part thereof or to comply with the conditions contained in any consent licence or approval granted by the Council for the setting up erection adaptation alteration or

Amendment of section 200 subs. (3) of Act of 1894.

[Ch. cxxxvii.] *London Building Act, 1894,* [61 & 62 VICT.]
(*Amendment*) *Act, 1898.*

A.D. 1898. — retention of such building or structure and such order of the court shall be deemed to be the order of the court within the meaning and for the purposes of the third subsection of the two hundredth section of the principal Act and the imposition of any penalty under the provisions of this present section shall be without prejudice to any proceedings under the third subsection of the two hundredth section of the principal Act for the daily penalty therein mentioned or under any other provisions of the principal Act or otherwise but so that no person shall be liable to more than one penalty (other than daily penalties) for the same offence.

As to the
Stock
Exchange
buildings.

8. The buildings and premises of the Stock Exchange within the City of London shall for the purposes of this and the principal Act be deemed to be a public building within the meaning of such Acts.

Saving for
gas com-
panies.

9. Nothing in this Act contained shall in any way take away alter prejudice or affect any of the powers rights and privileges conferred upon a gas company by any Act of Parliament and as existing immediately before the passing of the principal Act.

Costs of
Act.

10. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be raised and paid by the Council as part of their general expenses.

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