CHAPTER civ.

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1903 to enable the London County Council to put in force the Lands Clauses Acts. [4th August 1905.] A.D. 1905.

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1903 on behalf of the London County Council (herein called "the Council") and it is requisite that the same should be confirmed by Parliament:

And whereas by the Board of Education Act 1899 it is provided that the Board of Education shall take the place of the Education Department and all enactments and documents shall be construed accordingly:

And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plan (numbered 21) accompanying the petition referred to in the said Provisional Order and a copy of the said plan has been duly deposited in the Offices of the two Houses of Parliament:

Be it therefore 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:—

1. The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation of Order in schedule.

CHAPTER civ.

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1903 to enable the London County Council to put in force the Lands Clauses Acts. [4th August 1905.] A.D. 1905.

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1903 on behalf of the London County Council (herein called "the Council") and it is requisite that the same should be confirmed by Parliament:

And whereas by the Board of Education Act 1899 it is provided that the Board of Education shall take the place of the Education Department and all enactments and documents shall be construed accordingly:

And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plan (numbered 21) accompanying the petition referred to in the said Provisional Order and a copy of the said plan has been duly deposited in the Offices of the two Houses of Parliament:

Be it therefore 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:—

1. The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation of Order in schedule.

A.D. 1905.

Saving of public rights of way.

2. Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such Order being obtained as but for this Act would have been required for that purpose.

Council may appropriate &c. for street widenings portions of site acquired.

3. If in the opinion of the Council either of the roads upon which the site which the Council are by this Act and the Order scheduled hereto authorised to acquire abuts are not sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said roads it shall be lawful for the Council to appropriate take and use for the purpose of widening such roads or either of them so much of the said site as the Council may determine to be necessary for such purpose:

Provided that if the Council appropriate take or use under the provisions of this section any part of the said site for the purpose of widening any road such part (if any) of the cost of the acquisition of the site and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and exponses of the Council in connexion with street improvements.

Rules as to disputed purchase-money or compensation.

4. In settling any question of disputed purchase-money or compensation payable under this Act by the Council the court or persons settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the eighteenth day of October one thousand nine hundred and four if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view of obtaining or increasing compensation under this Act.

Short title.

5. This Act may be cited as the Education Board Provisional Order Confirmation (London No. 2) Act 1905.

A.D. 1905.

Saving of public rights of way.

2. Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such Order being obtained as but for this Act would have been required for that purpose.

Council may appropriate &c. for street widenings portions of site acquired.

3. If in the opinion of the Council either of the roads upon which the site which the Council are by this Act and the Order scheduled hereto authorised to acquire abuts are not sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said roads it shall be lawful for the Council to appropriate take and use for the purpose of widening such roads or either of them so much of the said site as the Council may determine to be necessary for such purpose:

Provided that if the Council appropriate take or use under the provisions of this section any part of the said site for the purpose of widening any road such part (if any) of the cost of the acquisition of the site and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and exponses of the Council in connexion with street improvements.

Rules as to disputed purchase-money or compensation.

4. In settling any question of disputed purchase-money or compensation payable under this Act by the Council the court or persons settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the eighteenth day of October one thousand nine hundred and four if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view of obtaining or increasing compensation under this Act.

Short title.

5. This Act may be cited as the Education Board Provisional Order Confirmation (London No. 2) Act 1905.

SCHEDULE.

EDUCATION ACTS 1870–1903
AND
BOARD OF EDUCATION ACT 1899.

THE LONDON COUNTY COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts. *London County Council.*

WHEREAS the London County Council require to purchase certain lands for the purpose of providing Elementary Education within the meaning of the Education Acts 1870–1903 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereto:

And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870–1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required:

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused such inquiry as is hereinafter referred to to be made in the district wherein the said lands are situate as to the propriety of the proposed Order:

And whereas the said lands are intended to be used for the site of a new Public Elementary School to be provided by the London County Council and the Council of the Metropolitan Borough of Wandsworth in which Borough the said lands are situated do not concur in the proposed compulsory acquisition:

And whereas the Board of Education directed a public inquiry to be held with a view to satisfying themselves whether the concurrence of the said Borough Council ought to be dispensed with and generally as to the propriety of the proposed Order and such public inquiry has been duly held:

SCHEDULE.

EDUCATION ACTS 1870–1903
AND
BOARD OF EDUCATION ACT 1899.

THE LONDON COUNTY COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts. *London County Council.*

WHEREAS the London County Council require to purchase certain lands for the purpose of providing Elementary Education within the meaning of the Education Acts 1870–1903 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereto:

And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870–1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required:

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused such inquiry as is hereinafter referred to to be made in the district wherein the said lands are situate as to the propriety of the proposed Order:

And whereas the said lands are intended to be used for the site of a new Public Elementary School to be provided by the London County Council and the Council of the Metropolitan Borough of Wandsworth in which Borough the said lands are situated do not concur in the proposed compulsory acquisition:

And whereas the Board of Education directed a public inquiry to be held with a view to satisfying themselves whether the concurrence of the said Borough Council ought to be dispensed with and generally as to the propriety of the proposed Order and such public inquiry has been duly held:

A.D. 1905.

London County Council.

And whereas the report in writing of Claud Schuster Esq. being the person appointed by the said Board for the purpose of holding the said inquiry has been duly made to the Board of Education and has been considered by them and the Board are satisfied that the concurrence of the said Borough Council should be dispensed with and that the Order asked for may properly be made:

Now therefore the said Board of Education do hereby order that the London County Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereto the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this 14th day of April 1905.

(L.S.)

H. W. Simpkinson
One of the Assistant Secretaries of the Board of Education.

The SCHEDULE herein-before referred to.

Plan No. 21.

Metropolitan Borough of Wandsworth.

Land houses and premises known as Nos. 1 and 3 Hotham Road and Nos. 11 13 and 15 Charlwood Road and containing 45,885 square feet or thereabouts as the same are shown in the Plan No. 21 and distinguished thereon by the Nos. 1 to 5 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Robert John Pettiward - - - -			
John Franks Beale - - - - -			
Clarence D'Oyley Hutchins - - -			
James Booker Wright - - - -			
Penelope May - - - -			
John Henry Keeling - - - -			
John Alexr. Brown, Jas. Harrop Dransfield } Trustees of the late George Thomas Congreve - -			

Printed by Eyre and Spottiswoode,
for
Rowland Bailey, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
Wyman and Sons, Ltd., Fetter Lane, E.C.; or
Oliver and Boyd, Edinburgh; or
E. Ponsonby, 116, Grafton Street, Dublin.

A.D. 1905.

London County Council.

And whereas the report in writing of Claud Schuster Esq. being the person appointed by the said Board for the purpose of holding the said inquiry has been duly made to the Board of Education and has been considered by them and the Board are satisfied that the concurrence of the said Borough Council should be dispensed with and that the Order asked for may properly be made:

Now therefore the said Board of Education do hereby order that the London County Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereto the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this 14th day of April 1905.

(L.S.)

H. W. Simpkinson
One of the Assistant Secretaries of the Board of Education.

The SCHEDULE herein-before referred to.

Plan No. 21.

Metropolitan Borough of Wandsworth.

Land houses and premises known as Nos. 1 and 3 Hotham Road and Nos. 11 13 and 15 Charlwood Road and containing 45,885 square feet or thereabouts as the same are shown in the Plan No. 21 and distinguished thereon by the Nos. 1 to 5 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Robert John Pettiward - - - -			
John Franks Beale - - - - -			
Clarence D'Oyley Hutchins - - -			
James Booker Wright - - - -			
Penelope May - - - -			
John Henry Keeling - - - -			
John Alexr. Brown, Jas. Harrop Dransfield } Trustees of the late George Thomas Congreve - -			

Printed by Eyre and Spottiswoode,
for
Rowland Bailey, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
Wyman and Sons, Ltd., Fetter Lane, E.C.; or
Oliver and Boyd, Edinburgh; or
E. Ponsonby, 116, Grafton Street, Dublin.