CHAPTER lii.

An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Acts 1870 to 1893 to enable the School Board for Croydon to put in force the Lands Clauses Acts. A.D. 1895.

[27th June 1895.]

WHEREAS the Education Department have made a Provisional Order under the authority of the Elementary Education Acts 1870 to 1893 on behalf of the School Board for Croydon and it is requisite that the same should be confirmed by Parliament: 33 & 34 Vict. c. 75, &c.

Be it therefore 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:—

Confirmation of Order.

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

Saving with respect to houses of labouring class.

2.—(1.) The School Board for Croydon shall not under the powers of this Act purchase or acquire ten or more houses included in the schedule to this Order which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(*a.*) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable

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accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(*b.*) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme under this section or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the School Board acquire or appropriate any house or houses for the purposes of this Act or of the Order hereby confirmed in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the Court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the School Board may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public

Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the School Board for the purposes of any scheme under this section in the same manner in all respects as if the School Board were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7.) The School Board may subject to such approval as aforesaid on any lands belonging to them or purchased or acquired under this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid.

(8.) All lands on which any buildings have been erected or provided by the School Board in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment.

(9.) The Local Government Board may at any time dispense with all or any of the requirements of sub-section six subject to such conditions if any as they may see fit.

(10.) The School Board shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Definition of labouring class.

3. For the purposes of section two of this Act the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Short title.

4. This Act may be cited as the Education Department Provisional Order Confirmation (Croydon) Act 1895.

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THE SCHOOL BOARD FOR CROYDON COUNTY OF SURREY.

Provisional Order for putting in force the Lands Clauses Acts.

WHEREAS the School Board for the borough of Croydon in the county of Surrey require to purchase certain pieces of land for the purposes of the Elementary Education Acts 1870 to 1893 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 hereunder written:

And whereas the said Board have made due publication of the notices and have duly served the same according to the requirements of the Elementary Education Act 1870 and have presented a petition to the Education Department praying that an Order may be made authorising the said School Board 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 Elementary Education Act to be stated therein and the same hath been supported by such evidence as the said Education Department required:

And whereas the said Department 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 inquiry to be made in the district of the said Board wherein the said lands are situate as to the propriety of the proposed Order:

Now therefore the said Department having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Board be authorised to put in force with reference to the pieces of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

SCHEDULE TO THE FOREGOING ORDER.

Site No. 1. Plan No. 1.

That parcel of land situate on the south side of the roadway known as Dering Place in the borough of Croydon with the dwelling-houses outbuildings and gardens thereon numbered and known as 7 8 9 10 11 12 17 18 Dering Place and Myrtle Cottage with laundry buildings and gardens thereto in Dering Place and the two cottages Nos. 1 and 2 Park Place Dering Place in rear of the aforesaid dwelling-houses with the gardens and outbuildings belonging thereto and the additional slip of garden ground marked Park Place on the said plan the whole frontage to Dering Place being about 197 feet and containing in all an area of 2,746 square yards more or less The names of the owners or reputed owners and occupiers of the said piece or parcel of land and hereditaments are as follows—Thomas Gurney White Henry Spice Richard Ward Dominico A. Tonelli owners or reputed owners and Dominico A. Tonelli George Finch H. Graham A. J. Mullaby Henry Brown Mrs. Wellman Matthew Coleman Thomas Banstead Ernest Morgan Alfred Bridges occupiers.

Site No. 2. Plan No. 2.

All that parcel of land situate on the south side of the road leading from Park Lane to Smith's Yard with the sheds standing thereon which land and sheds are at present in the occupation of Messrs. Packham & Co. mineral water manufacturers and which parcel of land has a frontage of 42 feet to the aforesaid road and is immediately in the rear of the office of the Croydon School Board in Katharine Street and contains an area of 189 square yards more or less Together with all buildings outbuildings or sheds thereon The names of the owner or reputed owner lessees and occupiers of the said piece or parcel of land and hereditaments are as follows—Miss Robinson owner or reputed owner Packham & Co. Limited lessees and occupiers.

Site No. 3. Plan No. 3.

That parcel of land situate in rear of the dwelling-houses on the south side of the roadway known as Cherry Orchard Road and numbered respectively 62 64 66 68 70 72 74 76 78 80 82 and 84 with the gardens and outbuildings thereon having a length on its northern boundary of 148 feet or thereabouts and on the southern boundary a length of 135 feet or thereabouts and containing an area of 260 square yards or thereabouts Also that parcel of land now used as a private passage to the Board Schools from the Cherry Orchard Road and having a frontage thereto of five feet or thereabouts a length of 148 feet and an area of 90 yards or thereabouts and containing in all an area of 340 square

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yards more or less Together with all and singular the messuages tenements outbuildings or sheds standing or being thereon with their appurtenances The names of the owners or reputed owners lessees and occupiers of the said piéce or parcel of land and hereditaments are as follows—Mrs. Caroline Perry Mr. William Thomas Bance Miss Emma Bance Mrs. E. S. Brookes owners or reputed owners Page and Overton Limited lessees Isaac Foster Joseph Hall Frederick Strike Frederick Payne Mrs. Emma Harvey Mrs. Eliza Giles William Charles Albert Bance Edward Charles Baxter John Brooker Jonathan Burrows Mrs. Harvey Mrs. Ede occupiers.

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