CHAPTER clxxxiv.

An Act to empower the Corporation of London to improve the Surrey Side Approaches to London Bridge. A.D. 1879.

[24th July 1879.]

WHEREAS it would be of public advantage if the approaches to London Bridge on the Surrey side thereof were improved in manner provided by this Act:

And whereas the mayor and commonalty and citizens of the city of London (in this Act referred to as "the Corporation") are seised of or entitled to certain messuages, lands, tenements, and hereditaments in the city of London and in the counties of Surrey, Kent, and Essex (which are commonly called "the Bridge House estates"), in trust for the maintenance and support of London Bridge, and by the Blackfriars Bridge Act, 1863, and the Blackfriars and Southwark Bridges Act, 1867, the Bridge House estates are made liable to the maintenance and support of Blackfriars Bridge and Southwark Bridge: 26 & 27 Vict. c. lxii. 30 & 31 Vict. c. iii.

And whereas it is expedient that power should be conferred on the Corporation to execute the works necessary for improving the said approaches, and to raise the necessary moneys on the credit of the said Bridge House estates:

And whereas it is expedient that the Corporation on the one hand and the District Board of Works for the district of St. Saviour and the District Board of Works for the district of St. Olave, or either of them, on the other hand should be empowered to enter into and carry into effect agreements such as are by this Act authorised with respect to the improvements of the said approaches and to contributions by them respectively towards the expenses of such improvements, and that for such purposes such powers as are in this Act contained should be conferred upon them respectively:

And whereas it is expedient that the Corporation on the one hand and the South-eastern Railway Company and the London, Brighton,

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and South Coast Railway Company, or either of them, on the other hand should be empowered to enter into and carry into effect agreements such as are by this Act authorised with respect to the alteration of the approach to the London Bridge Station of the South-eastern Railway Company, and that for such purposes such powers as are in this Act contained should be conferred upon them respectively:

And whereas plans and sections showing the lines and levels of the works authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Surrey, and are in this Act referred to as "the deposited plans and sections and books of reference":

And whereas the purposes of this Act cannot be effected 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:

Short title.

1. This Act may be cited for all purposes as the London Bridge Approaches Act, 1879.

Corporation to execute Act by Common Council.

2. This Act shall be carried into execution by the Corporation, acting by the mayor, aldermen, and commons of the city of London in Common Council assembled.

Interpretation of terms.

3. In this Act—

The expression "the Bridge House estates" shall mean the messuages, lands, tenements, and hereditaments situate in the city of London and in the counties of Surrey, Kent, and Essex, of or to which the mayor and commonalty and citizens are seised or entitled in trust for the maintenance and support of London Bridge:

The expression "the bridge" shall mean London Bridge:

In any enactment extended and applied to or incorporated with this Act for the purposes of this Act and in this Act, the expression 'justice" shall be construed to mean any police or stipendiary magistrate acting in and for the district in which the matter referred to him arises; and the expression "superior courts" or "court of competent jurisdiction," or any other like term, shall have effect as if the debt or demand with respect to which it is used were

a common simple contract debt, and not a debt or demand created by statute. A.D. 1879.

Incorporating 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18.

4. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, are, so far as the provisions thereof are applicable, incorporated with and form part of this Act.

Correction of errors, in deposited plans, &c.

5. If any omission, mis-statement, or erroneous description is found to have been made of any lands, or of any owners, lessees, or occupiers of any lands, described or intended to be described in the deposited plans or books of reference, the Corporation may apply to two justices for the correction thereof, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by the proposed correction, and if it appear to such justices that the omission, mis-statement, or erroneous description arose from mistake they shall certify the same accordingly, stating the particulars of the omission, mis-statement, or erroneous description, and such certificate shall be deposited with the clerk of the peace for the county of Surrey, and shall be kept by him along with the other documents to which it relates, and subject and according to the same provisions as apply to those other documents, and thereupon the deposited plans or books of reference shall be deemed to be corrected according to the certificate, and the Corporation may enter upon, take, and use those lands accordingly.

Power to take and use certain lands.

6. Subject to the provisions of this Act, the Corporation may enter upon, take, and use for the purposes of this Act all or any of the lands delineated on the deposited plans and described in the deposited books of reference.

Power to appropriate lands belonging to Corporation.

7. The Corporation may appropriate and use for any purpose of this Act any lands belonging to the Corporation at the passing of this Act.

Power to take easements, &c. by agreement.

8. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Corporation any easement, right, or privilege (not being an easement of water), required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts with reference to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Sale of superfluous lands.

9. The Corporation may from time to time sell and dispose of all or any part of the lands purchased or acquired by them under the authority of this Act, and which shall not be required for the actual

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site of the works authorised by this Act for all the estate and interest of the Corporation therein, either with or without having first demised and leased the same on building leases, and may convey the lands so sold or disposed of accordingly.

Period for compulsory purchase of lands.

10. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to execute works according to deposited plans, &c.

11. The Corporation may, subject to the provisions of this Act and in the line or course and within the limits of deviation and according to the levels shown on the deposited plans and sections, construct the works necessary for improving the approaches to the bridge on the Surrey side thereof, and may in connexion with and for the purposes of such improvements alter and interfere with any roads, sewers, drains, pipes, and other property so far as may be necessary or expedient in carrying into execution the before-mentioned improvements.

As to improvement of approaches.

12. The works for the improvement of the said approaches shall comprise the lowering the levels of Borough High Street in the parishes of St. Saviour and St. Olave, Southwark, from London Bridge to or near Denman Street, and also so much of Duke Street in the said parishes, or one of them, as is situate between High Street, Southwark, and a point about forty feet eastward from the commencement of the wall dividing Duke Street from the Railway approach.

Corporation to provide access to certain steamboat pier.

13. During the execution of the works by this Act authorised, and as soon as the same are completed, the Corporation shall provide at their own expense, and to the satisfaction of the Conservators of the River Thames, such steps, bridges, gangways, or other structures as may be necessary to afford access to the steamboat landing at the southern end of London Bridge equally convenient with that existing at the passing of this Act.

Period for completing works.

14. The works by this Act authorised shall be completed within three years from the passing of this Act, and on the expiration of that period the powers by this Act given to the Corporation for executing the works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Protecting sewers, &c. under jurisdiction of Metropolitan Board of Works, &c.

15. Where any of the intended works to be done under or by virtue of this Act shall or may pass over or under or by the side of or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or of any vestry or district board consti-

tuted under the Metropolis Management Act, 1855, and the Metropolis Management Amendment Act, 1862, or with any sewers or works to be made or executed by the said boards or vestry, or either of them, or shall or may in any way affect the sewage or drainage of the districts under their or either of their control, the Corporation shall not commence such works until they have given to the said Metropolitan Board, or to the district board or vestry, as the case may be, fourteen days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such board or vestry, as the case may be, for the time being, with a plan and sections showing the course and inclination thereof, and any other particulars relating thereto, which may, in the opinion of the Corporation, be necessary, and until such board or vestry respectively have signified their approval of the same, unless such board or vestry, as the case may be, do not signify their approval, disapproval, or other directions within fourteen days after service of the said plans, sections, and particulars as aforesaid; and the Corporation shall comply with and conform to all reasonable directions and regulations of the said Metropolitan Board and the respective boards or vestries in the execution of the said works, and shall provide by new altered or substituted works in such manner as such boards or vestries shall reasonably require for the proper protection of and for preventing any injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works or any part thereof, and shall save harmless the said Metropolitan Board, district board, and vestry respectively against all and every the expense to be occasioned thereby; and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board, district board, or vestry, as the case may be, at the reasonable costs, charges, and expenses in all respects of the Corporation; and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Corporation under the provisions of this Act the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Metropolitan Board, district boards, and vestries respectively, and be maintained by them, as the case may be, as any sewers or works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested in the said Metropolitan Board, district boards, and vestries, or any or either of them, or of their successors, but all such rights and authorities shall be as valid and effectual as if this Act had not been passed.

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18 & 19 Vict. c. 120.
25 & 26 Vict. c. 102.

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As to interference with gas or water mains and pipes.

16. Before the Corporation alter the position of any gas or water main or pipe laid down or used in any street or public place affected by this Act by any gas or water company to whom the same belongs they shall give notice of their intention, specifying the time at which they will begin to make such alteration (such notice to be given seven days at least before the commencement of the work for effecting such alteration), and such work shall be done under the superintendence of the engineer of the company to whom such main or pipe belongs, unless such engineer refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the work, and the Corporation shall execute such work to the reasonable satisfaction of the engineer of such company, but at the sole cost and expense of the Corporation.

Authorising agreements with St. Saviour and St. Olave District Boards.

17. The Corporation on the one hand and the District Board of Works for the district of St. Saviour or the District Board of Works for the district of St. Olave on the other hand may from time to time enter into and carry into effect agreements with reference to all or any of the matters following; (that is to say,)

The lowering the levels of all or any streets or street and the works connected therewith by this Act authorised situate within their respective districts;

The contribution of funds by either of such boards towards the lowering of the levels of all or any streets or street and the works connected therewith by this Act authorised situate within their respective districts:

The said boards, for the purpose of giving effect on their part to any such agreement, may contribute any sum they may think necessary, and may themselves, subject to the provisions of this Act, execute such works or any part thereof;

In case of any such agreement between the Corporation and any such district board, such board may, for the purpose of paying any expenses from time to time payable by them in pursuance thereof, raise the sums they may require by borrowing or by means of rates, in every respect as if such expenses were expenses of such board incurred in the execution by them of the Metropolis Management Act, 1855, and the Acts amending the same.

Authorising agreements with South-eastern and London, Brighton, and South Coast Railway Companies.

18. The Corporation on the one hand and the South-eastern Railway Company, or the London, Brighton, and South Coast Railway Company, on the other hand, may from time to time enter into and carry into effect agreements with respect to the alteration of the approach from Duke Street to the London Bridge Station of the South-eastern Railway Company.

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Protecting the South Eastern Railway Company.

19. For the protection of the South-eastern Railway Company (in this section called "the South-eastern Company") the following provisions shall have effect:

1. The Corporation shall not purchase and take any part or parts of the Railway approach to the London Bridge Station of the South-eastern Company, but they may purchase and take and the South-eastern Company may and shall sell and grant accordingly a perpetual easement or right of using such part or parts of the said Railway approach for the purpose for which but for this enactment the Corporation might purchase and take the same:

2. The Corporation shall not enter upon or interfere with the said Railway approach, or execute any works whatever under, over, or affecting the same, until the Corporation shall have delivered to the South-eastern Company plans, sections, elevations, and specifications of such intended works, and then only to the reasonable satisfaction for the time being of the principal engineer for the time being of the South-eastern Company:

3. In constructing the works by this Act authorised through or over the said Railway approach, the Corporation shall not deviate eastward from the centre line shown on the deposited plans where the said works cross the said Railway approach without the previous consent in writing of the South-eastern Company under their common seal, and such works shall be constructed in such a manner as not to permanently lessen the width of the said Railway approach or to increase the steepness thereof, or otherwise permanently to interfere injuriously with the said Railway approach and the free passage of the public over the same to and from the London Bridge Station of the South-eastern Company:

4. If any dispute arise between the Corporation and the South-eastern Company respecting the matters and provisions contained in this section, or any of them, such dispute shall be settled by an arbitrator to be agreed upon between the parties, or, in case of difference, to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London, the costs of such arbitration to be in the discretion of the arbitrator:

5. Nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the rights, privileges, or powers of the South-eastern Company otherwise than is by this Act expressly provided.

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Power to raise money on the credit of the Bridge House estates.

20. The Corporation may from time to time raise for the purposes of this Act any sum or sums of money, not exceeding in the whole twenty-five thousand pounds, on the credit of the Bridge House estates, and of the estates and revenues of the Corporation, subject, however, to any charges to which the same are subject previous to the time of the raising of such sum or sums respectively.

Application of surplus rents and profits of Bridge House estates.

21. The Corporation shall apply the surplus rents and profits of the Bridge House estates as follows; first, in payment of interest accruing due in respect of subsisting charges thereon; secondly, in payment of interest on money borrowed under this Act; thirdly, in payment of the principal of subsisting charges on the Bridge House estates; and, lastly, in discharge of principal money borrowed under this Act.

Money may be borrowed in substitution of sums paid off.

22. Whenever and as often as it may be considered expedient or become necessary to call in or pay off any portion of the moneys raised by the Corporation under the authority of this Act, the Corporation may from time to time in manner aforesaid raise other moneys required for the purpose of paying off the moneys which it may have become expedient or necessary to call in or pay off; provided that the total amount borrowed under the authority of this Act and remaining unpaid shall not at any one and the same period of time exceed in the whole the sum of twenty-five thousand pounds.

Form of bond.

23. All moneys raised under the authority of this Act shall be secured by bonds under the common seal of the Corporation in such form as the Corporation may from time to time deem expedient, and shall be assignable by indorsement.

Persons paying money to Corporation not to be liable for misapplication thereof.

24. Any person paying to the Corporation or to any person appointed by them to receive the same any sum of money by virtue of this Act shall not be answerable or accountable for the non-application or misapplication thereof.

Chamberlain to keep accounts of receipts and disbursements.

25. The Chamberlain of the city of London shall at all times provide and keep one or more book or books in which all moneys received by virtue of this Act shall from time to time as the same is paid be entered and set down in a separate account, and wherein all the moneys paid and disbursed out of the moneys so received shall from time to time be entered and set down, and such entry shall express the time when the occasion for which and the names of the persons to whom the same shall be paid.

Chamberlain to lay annual account before Parliament.

26. The Chamberlain of the city of London shall yearly lay before each House of Parliament a true account of the receipts and application of all moneys which may be received by virtue of this Act.

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Saving unexercised borrowing powers under 30 & 31 Vict. c. iii.

27. Nothing in this Act contained shall prejudice, alter, or affect the right of the mayor, aldermen, and commons of the city of London in Common Council assembled to exercise the powers conferred upon them by the Blackfriars and Southwark Bridges Act, 1867, in relation to the borrowing of moneys, in so far as the said powers have not been exercised, or to borrow such part of the moneys thereby authorised to be borrowed as may not have been raised at the time of the passing of this Act.

Power to Corporation to appoint committee to carry Act into execution.

28. The Corporation from time to time may appoint a committee to manage and transact all or any of the matters or purposes which the Corporation are by this Act empowered to do, execute, or perform, and such committee shall have such or so many of the powers and authorities and discretion by this Act given to and reposed in the Corporation as the Corporation shall think fit or proper to delegate to such committee.

Acts to be done by two justices may be done by any justice under this Act.

29. Where by this Act or by any Act extended or applied to or incorporated with this Act any act, matter, or thing is required, directed, or authorised to be done by two justices, such act, matter, or thing may be done by any justice as defined by this Act sitting alone in the court or other public place in which he usually exercises jurisdiction as such justice.

Expenses of Act.

30. All the costs, charges, and expenses of and incidental to the applying for, obtaining, and passing of this Act, and of carrying the same into execution, shall be paid out of the rents and profits or the moneys raised on the credit of the Bridge House estates.

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