CHAPTER lxiii.

An Act to make provision with respect to the superannuation of certain members of the staff of the London County Council to extend the time limited for the construction of certain authorised works to make further provisions with respect to matters of local government and for other purposes. [18th August 1911.]

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WHEREAS the London County Council (in this Act called "the Council") in pursuance of powers conferred upon them by Part IV. of the London Council (General Powers) Act 1891 and Acts amending or extending the same have made a scheme and established a superannuation and provident fund for the benefit of persons in their employment:

54 & 55 Vict. c. ccvi.

And whereas the School Board for London (Superannuation Scheme) Act 1902 (hereinafter referred to as "the Act of 1902") prescribed a superannuation scheme for certain officers and servants of the late School Board for London and required such officers and servants to contribute to a fund known as the "officers' fund":

2 Edw. 7. c. xxxvi.

And whereas by virtue of the Education Act 1902 as applied to the Council by the Education (London) Act 1903 the liabilities of the said Board under the Act of 1902 together with the moneys and securities belonging to the officers' fund were transferred to the Council as the successors of the board:

And whereas the Act of 1902 was amended by the London County Council (General Powers) Act 1907 with respect to the officers' fund:

7 Edw. 7. c. clxxv.

And whereas it is expedient to repeal the Act of 1902 and the provisions of the said Act of 1907 relative to the officers'

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fund and to transfer the moneys and securities belonging to the officers' fund to the superannuation and provident fund of the Council and to make provision as contained in this Act with respect to the merger of the officers' fund in the superannuation and provident fund of the Council:

And whereas it is expedient that powers should be conferred as proposed in this Act with regard to the payment by the Council of travelling expenses incurred by committees and sub-committees of the Council:

And whereas it is expedient that the Council should be authorised to provide or contribute to the provision of public lavatories sanitary conveniences and street refuges on the Victoria Embankment:

And whereas it is expedient that the Council should be empowered to contribute a sum of one thousand pounds to the purchase of certain lands in the urban district of Willesden in the county of Middlesex known as the King Edward VII. Recreation Ground:

And whereas it is expedient that the other provisions contained in this Act should be made:

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say):—

PART I.

INTRODUCTORY.

Short title.

1. This Act may be cited as the London County Council (General Powers) Act 1911.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Introductory.
Part II.—Superannuation.
Part III.—Extension of Time.
Part IV.—Miscellaneous and Financial Provisions.

Interpretation.

3. In this Act unless the subject or context otherwise requires—

"The Act of 1902" means the School Board for London (Superannuation Scheme) Act 1902;

"Council's fund" means the superannuation and provident fund established in pursuance of Part IV. of the London Council (General Powers) Act 1891 and Acts amending or extending the same;

"Officers' fund" means the superannuation fund for the benefit of the members of the non-teaching staff of the late School Board for London to which the provisions of the Act of 1902 apply.

PART II.

SUPERANNUATION.

Merger of officers' fund in Council's fund.

4. As from the thirty-first day of December one thousand nine hundred and eleven (hereinafter called "the date of transfer") all the moneys and securities belonging to or forming the officers' fund shall be transferred to and become part of the Council's fund and all persons who at the date of transfer were contributors to the officers' fund shall make to the Council's fund contributions not less than those which they are by the Act of 1902 required to make to the officers' fund.

Benefits to be granted from Council's fund.

5.—(1) As from the date of transfer the Council shall discharge by payments from the Council's fund all liabilities under the Act of 1902 as amended by section 77 of the London County Council (General Powers) Act 1907 in respect of superannuation allowances or other payments then being made or ordered by the Council to be made.

(2) The Council shall take such steps as may be necessary to secure to persons contributing to the officers' fund at the date of transfer such superannuation allowances and other benefits from the Council's fund as will ensure that such persons shall not be placed in a worse position by reason of the passing of this Act Provided that in the case of any contributor to the officers' fund who did not elect to come under the complementary scheme which the Council on the twenty-third day of March one thousand nine hundred and nine resolved to frame for the purpose of admitting as contributors to the Council's fund persons contributing to the officers' fund the superannuation allowance to which such contributor may become entitled shall (unless otherwise agreed between the Council and such contributor) be calculated on a scale equivalent to 50 per centum of the full scale prescribed in section 7 of the Act of 1902.

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Prescribing maximum allowances.

6. No superannuation allowance shall be granted to any person under the provisions of this Part of this Act in excess of the maximum allowance which could have been granted to such person under the provisions of the Superannuation (Metropolis) Act 1866 but in computing the time of service of any such person for the purpose of calculating the allowance to be made to him the period during which he contributed to the officers' fund may be included.

New or amended schemes.

7. For the purpose of giving effect to the provisions of this Part of this Act the Council may amend any existing scheme made under Part IV. of the London Council (General Powers) Act 1891 or any other Act amending or extending the same or may make and may amend a new scheme and may make such annual or other payments to the Council's fund as they think desirable and may exercise all or any of the powers conferred upon the Council with respect to superannuation by Part IV. of the London Council (General Powers) Act 1891 as amended or extended by any other Act.

Allowances not assignable.

8. Superannuation allowances granted under or in pursuance of the provisions of this Part of this Act shall not be assignable or chargeable with the debts or other liabilities of the persons to whom the same are granted.

Repeal of certain existing enactments.

9. As from the date of transfer the Act of 1902 and section 77 of the London County Council (General Powers) Act 1907 are hereby repealed.

Administration of teachers' fund.

10. The balance at the date of transfer of the teachers' fund referred to in the Act of 1902 shall be administered until the determination of all the existing interests therein in the same manner as immediately before such date.

PART III.

EXTENSION OF TIME.

Extension of time for completion of works at Westminster.

11. The time limited by the London County Council (Improvements) Act 1900 as extended by the London County Council (General Powers) Act 1907 and the London County Council (General Powers) Act 1909 for the construction of the Thames Embankment extension and improvements at Westminster described in and authorised by the said Act of 1900

is hereby further extended till the sixth day of August one thousand nine hundred and thirteen. A.D. 1911.

Extension of time for reconstruction of Catford Bridge.

12. The time limited by the London County Council (General Powers) Act 1906 for the reconstruction of Catford Bridge in the parish and metropolitan borough of Lewisham authorised by that Act is hereby extended till the fourth day of August one thousand nine hundred and thirteen.

PART IV.

MISCELLANEOUS AND FINANCIAL PROVISIONS.

Power to Council to provide public conveniences &c. on Victoria Embankment and provisions with respect thereto.

13.—(1) The Council may provide and maintain or may contribute towards the cost of providing and maintaining lavatories sanitary conveniences and street refuges for the use of the public in on or under any part of the Victoria Embankment or any lands belonging to the Council abutting thereon and may make and enforce byelaws with respect to the management of such lavatories and sanitary conveniences and as to the conduct of persons using the same.

(2) The Council may charge such fees for the use of such lavatories or sanitary conveniences as they may think proper.

(3) The provisions of section 114 of the Public Health (London) Act 1891 shall apply to all byelaws made by the Council under this section.

(4) The Council and any other person may enter into and carry into effect agreements with reference to the provision maintenance and use of any such lavatories sanitary conveniences and street refuges.

(5) Nothing in this section shall authorise the Council except with the consent of the Metropolitan District Railway Company or the London Electric Railway Company as the case may be to provide lavatories sanitary conveniences and street refuges in on or under any part of the Victoria Embankment or any lands belonging to the Council abutting thereon so as to affect or interfere with the structure of the railways tunnels stations and works which may belong to the said companies respectively and be in existence at the passing of this Act or be authorised in the present session of Parliament or so as to interfere with or render less convenient the means of access to or from any station on those railways or either of them.

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(6) All works carried out under the provisions of this section shall be executed in such a manner as not to prejudicially affect the structure of the Charing Cross Bridge or the columns or foundations thereof or other property of the South Eastern and Chatham Railway Companies Managing Committee and South Eastern Railway Company or interfere with the Widenings Nos. 1 and 2 authorised by the South Eastern and London Chatham and Dover Railway Companies Act 1900 or with the repair of such bridge or widenings by the managing committee or South Eastern Railway Company.

(7) Nothing in this section shall authorise the Council to provide and maintain any such lavatories or sanitary conveniences in on or under any part of the Victoria Embankment to the south of the land vested in the respective trustees of the societies of the Inner Temple and the Middle Temple or in any way to interfere with the access to their private landing place without the consent in writing of the treasurers for the time being of the two societies respectively.

(8) Nothing in this section shall authorise the Council to provide or maintain any such lavatories or sanitary conveniences in on or under the approach road mentioned in section 60 (Provision as to the land belonging to the Duke of Norfolk) of the Thames Embankment Act 1862 and leading from the Victoria Embankment to Surrey Street Norfolk Street and Arundel Street respectively or in on or under any part of the two pieces of land coloured green on the plan marked A signed in quadruplicate by the Right Honourable the Earl of Donoughmore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (one copy of which plan has been deposited in the Office of the Clerk of the Parliaments in the House of Lords and one copy in the Private Bill Office of the House of Commons) without the consent in writing of the Duke of Norfolk which expression the Duke of Norfolk shall have the same meaning as in section 60 of the Thames Embankment Act 1862.

(9) The provisions contained in this section shall not extend so as to enable the Council to provide or contribute towards the cost of providing any lavatory or sanitary convenience within one hundred yards of any land or building vested in or held in trust for or on behalf of the Crown without the consent of the Commissioners of Works first had and obtained for that purpose

which consent those commissioners are hereby authorised to give subject to such terms and conditions as they may think fit to impose.

Power to metropolitan borough councils to repair footways in streets not repairable by them.

14. The provisions of section 3 of the Metropolis Management Amendment Act 1890 shall extend and apply to the footway or footways of any such carriage road as is referred to in that section and it shall be lawful for any metropolitan borough council to execute any necessary works of repair upon any such footway or footways or any part thereof and to pay apportion and recover the expenses of and incident to such repair in the same manner and subject to the same conditions as are provided by the said section with reference to works of repair of a carriage road and the expenses of and incident to such repair.

Issue of notices under section 122 of Children Act 1908.

15. Any notice which may be given by the Council (as a local education authority) under the provisions of section 122 (Cleansing of verminous children) of the Children Act 1908 shall be deemed to be lawfully given and to be valid if issued upon the signed authority of the clerk of the Council or of any person duly authorised by him.

Contribution towards public open space provided by Willesden District Council.

16. The Council may if they think fit contribute any sum not exceeding one thousand pounds towards the cost of the acquisition by the Willesden Urban District Council of certain lands in the urban district of Willesden and county of Middlesex known as the King Edward VII. Recreation Ground.

Travelling expenses of committees and sub-committees of Council.

17. It shall be lawful for the Council to pay the reasonable travelling expenses incurred by any committee or sub-committee of the Council in the performance of duties entrusted to such committee or sub-committee in pursuance of a resolution of the Council Provided that no expenses shall be paid under this section in respect of attendance at the county hall or at other offices of the Council used in connection therewith and expenses paid under this section shall not exceed in amount the expenses which would have been reasonably incurred if the committee or sub-committee as the case may be had travelled from or to the said county hall to or from the place visited.

Crown rights.

18. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

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Money to be raised by Council on capital account.

19.—(1) The Council may expend on capital account for the purposes of this Part of this Act such money as may from time to time be necessary and in order to raise or provide the money required for those purposes the Council may create and issue consolidated stock or resort to the consolidated loans fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of money for capital purposes by the Council:

Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand nine hundred and twelve.

(2) The Council in accordance with the provisions of the Acts relating to the raising and expenditure of money by the Council on capital account shall make provision for the redemption of stock or the repayment of money borrowed or expended on capital account for the purposes of this Act within such term not exceeding in any case sixty years as the Council with the consent of the Treasury may determine.

As to payments under this Act.

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 incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Council in like manner.

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