CHAPTER cxix.

An Act to confer further powers upon the London County Council and the metropolitan borough councils to make provision with respect to the admission into the London main drainage system of sewage and drainage from the urban districts of Walthamstow and Leyton and for other purposes. [7th August 1925.] A.D. 1925.

WHEREAS it is expedient that the London County Council (hereinafter referred to as "the Council") and the council of the metropolitan borough of Deptford (hereinafter referred to as "the Deptford Council") should be empowered to acquire compulsorily certain lands for the purposes mentioned in this Act and that the other powers by this Act conferred upon the Council should be granted:

And whereas it is expedient that such powers as are by this Act conferred upon the councils of metropolitan boroughs should be granted:

And whereas it is expedient that the provisions contained in this Act with respect to the admission into the London main drainage system of sewage and drainage from the urban districts of Walthamstow and Leyton should be made and that the powers with reference thereto conferred upon the Council and upon the Walthamstow and Leyton Urban District Councils should be granted:

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

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And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas the Deptford Council the Walthamstow Urban District Council and the Leyton Urban District Council have in relation to the promotion of the Bill for this Act (in so far as it confers powers upon them respectively) complied with the requirements of the Borough Funds Acts 1872 and 1903:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and plans showing the lands which may be acquired or used compulsorily under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands have been deposited with the clerks of the peace for the counties of London and Essex and are in this Act respectively referred to as the deposited plans sections and book of reference:

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:—

PART I.

INTRODUCTORY.

Short title.

1. This Act may be cited as the London County Council (General Powers) Act 1925.

Act divided into Parts.

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

Part I.—Introductory.
Part II.—Acquisition of land by the Council.
Part III.—Provision of facilities for recreation.
Part IV.—Powers to Deptford Council.
Part V.—Powers to borough councils.
Part VI.—Walthamstow and Leyton drainage.
Part VII.—Miscellaneous provisions.

Incorporation of

3. The Lands Clauses Acts (so far as the same are applicable for the purposes of and not inconsistent with

or varied by this Act) are hereby incorporated with and form part of this Act with the following exceptions and modification—

Lands Clauses Acts.

(*a*) Sections 127 and 133 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(*b*) The bond required by section 85 of the said Act of 1845 shall be under the seal of the Council or of the borough council or urban district council exercising the powers of that section (as the case may be) and shall be sufficient without the addition of the sureties mentioned in that section.

Interpretation.

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

"The Council" means the London County Council;

"The county" means the administrative county of London;

"The Deptford Council" means the council of the metropolitan borough of Deptford;

"Borough council" means any metropolitan borough council;

"The Lands Clauses Acts" means those Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;

"The arbitrator" means the arbitrator to whom any question of disputed compensation may be referred under the provisions of this Act.

PART II.

ACQUISITION OF LAND BY THE COUNCIL.

Acquisition of land by Council for widening Strand.

5. Subject to the provisions of this Act the Council may enter upon take and use for the purpose of a widening of the Strand all or any of the lands in the county which are hereinafter mentioned and are shown on the deposited plans and described in the deposited book of reference (that is to say):—

(i) Lands in the city of Westminster bounded on the north-west by the Strand on the north-east by Buckingham Street on the south-east by York Place and on the south-west by Villiers Street;

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(ii) Lands in the said city bounded on the north-west by the Strand on the north-east by George Court on the south-east by York Place and on the south-west by Buckingham Street:

Provided that the Council shall not acquire compulsorily under or in pursuance of the powers of this Act the interests existing on the twenty-ninth day of July one thousand nine hundred and twenty-four of any lessee or occupier of any of the premises comprised in the lands mentioned in this section whose term or interest remaining unexpired at that date did not exceed ten years.

Power to Council to acquire and let certain lands.

6.—(1) Subject to the provisions of this Act the Council may enter upon take and use all or any of the lands in the county which are hereinafter mentioned and are shown on the deposited plans and described in the deposited book of reference (that is to say):—

Lands in the city of Westminster known as Nos. 5 6 7 8 9 10 11 and 12 Houghton Street.

(2) The Council may lease or grant the use of the lands acquired by them under the powers of this section to the Senate of the University of London or to the governors of a school of that university for the purposes of university education on such terms and conditions as the Council may think fit.

Limitation of time for purchase of lands.

7. The powers of the Council for the compulsory purchase of lands under this Part of this Act shall cease on the thirty-first day of December one thousand nine hundred and twenty-eight.

Power to certain persons to grant easements &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Part of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable shall extend and apply to such grants and to such easements rights and privileges as aforesaid.

Correction of errors in deposited

9. If there is any omission mis-statement or wrong description of any lands referred to in this Part of this

Act or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the Council after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to a metropolitan police magistrate for the correction thereof and if it appears to the magistrate that the omission mis-statement or wrong description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county and shall be kept by such clerk of the peace with the other documents to which it relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

plans relating to this Part of Act.

10. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into any lands and buildings by this Part of this Act authorised to be taken and used for the purpose of surveying and valuing the same without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to Council to enter upon property for survey and valuation.

11. For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Part of this Act the following provisions shall apply and have effect (that is to say) :—

Compensation payable by Council in case of recently created interest.

(1) The arbitrator shall not take into account any building erected or any improvement or alteration made or any interest in land created after the twenty-ninth day of July one thousand nine hundred and twenty-four and before the date of the passing of this Act if in the opinion of the arbitrator the erection of the building or the making of the improvement or alteration or the creation of the interest in respect of which

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the claim is made was not reasonably necessary and was carried out with a view to obtaining or increasing compensation under this Act:

(2) Subject as is hereinafter in this section provided the arbitrator shall not take into account—

(*a*) any building erected after the date of the passing of this Act or any improvement or alteration of any premises (other than any improvement or alteration reasonably necessary for properly maintaining such premises) made after that date which in the opinion of the arbitrator materially enhances the value of such premises; or

(*b*) any interest in land greater than that of a quarterly tenant created after the date of the passing of this Act:

(3) If at any time after the date of the passing of this Act and before the expiration of the period limited by this Part of this Act for the compulsory purchase of lands any person being the owner of or having any estate or interest in any premises which are liable to be acquired compulsorily under the powers of this Part of this Act gives notice in writing to the Council of his intention to erect any building upon or to make any improvement or alteration of or to create any such new interest as aforesaid in those premises (such intended building improvement alteration or new interest being specifically described in the notice) and the Council do not within one month after receiving any such notice serve upon such person notice to sell and convey or release his estate or interest in the said premises but serve such notice at any time after the expiration of the said period of one month—

(*a*) subsection (2) of this section shall not apply with respect to the building improvement alteration or new interest described as aforesaid; and

(*b*) subsection (1) of this section shall apply with respect to the said building improvement alteration or new interest as if the same had been erected made or created

after the said twenty-ninth day of July and before the date of the passing of this Act : A.D. 1925.

(4) The Council shall forthwith after the passing of this Act send by post or deliver a copy of this section to all persons named in the deposited book of reference having an interest greater than that of a yearly tenant in any lands which are liable to be acquired compulsorily under the powers of this Part of this Act.

Leasing and exchange of lands.

12.—(1) The Council may grant leases of or let for a term of years or from year to year or for any shorter period all or any lands and buildings or structures thereon acquired for the purposes of this Part of this Act until the said lands and buildings or structures are required for those purposes and the Council may exchange all or any lands buildings or structures so acquired and not required for the said purposes.

(2) The Council may execute and do any deed act or thing requisite or proper for effectuating any such leasing letting or exchange.

As to sale of ground rents.

13. The Council may sell and dispose of the ground rents to be reserved by any leases or agreed to be reserved by any agreements for leases of any lands acquired by them under this Part of this Act and not required for the purposes thereof and also the fee simple in reversion in such lands and in the buildings or structures thereon either together or in parcels and either by public auction or by private contract for such sum or sums of money as the Council think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the Council for the benefit of the Council or any party entitled to other property adjoining or held under title derived from the Council.

Council may sell land in the first instance

14. The Council may if they think it expedient so to do sell and dispose of any lands acquired by them under the powers of this Part of this Act and not

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without having previously granted a lease thereof.

required for the purposes thereof without having previously granted or agreed to grant any lease thereof for such sum or sums of money as the Council think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council think fit.

Receipts of Council to be effectual discharges.

15. The receipt of the Council or of any person duly authorised by the Council for any purchase-money rent or money payable to the Council by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt is given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

Power to Council to make agreements with owners of property &c.

16. The Council may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands or property abutting on any portion of the lands which the Council may acquire under the powers of this Part of this Act with respect to the sale by the Council to such person of any such last mentioned lands for such consideration as may be agreed upon between the Council and such person and the Council may accept as satisfaction of the whole or any part of such consideration the grant by such person of any other lands or property required by the Council for the purposes of this Act.

Provisions as to certain premises in Houghton Street.

17.—(1) Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not without the consent in writing of the Financial Times Limited and St. Clement's Press Limited (both of whom are in this section referred to as and included in the expression "the owners") purchase the interest of the owners or either of them in the property numbered on sheet 2 of the said plans 8 in the city of Westminster.

(2) The owners and their successors in title as owners lessees or occupiers of the said property shall not work or use any engines or machinery in or upon the said property so as to cause annoyance from noise vibra-

tion or other similar cause to persons studying or teaching in or engaged in the administration of the institution known as the London School of Economics and Political Science.

(3) The provisions of subsection (2) of this section shall be enforceable by the governing body for the time being of the said institution and any question which may arise as to whether any annoyance is or has been caused within the meaning of that subsection shall be referred to and determined by an arbitrator to be agreed upon between the said governing body on the one hand and the owners or their said successors in title on the other hand or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Surveyors Institution and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

PART III.

PROVISION OF FACILITIES FOR RECREATION.

Power to acquire and lay out lands for purposes of recreation &c.

18. The Council may by agreement purchase or take on lease or accept as gifts lands within or without the county for purposes of sports games or recreation and may for those purposes lay out equip and maintain such lands and erect and maintain buildings thereon.

Power to let lands to athletic clubs &c.

19. The Council may grant leases of or let for a term of years or from year to year or for any shorter period for any such purposes as are referred to in the section of this Act of which the marginal note is "Power to acquire and lay out lands for purposes of recreation &c." all or any lands acquired by them under the powers of this Part of this Act (whether laid out and equipped by them or not) and any such buildings as aforesaid to any person or to any athletic club or other organisation subject to such terms and conditions as the Council may think fit Provided that any lease granted or tenancy agreement entered into under this section shall contain a condition to the effect that any lands leased or let thereunder shall be used either wholly or mainly (according as the Council may in each case determine) by or for the benefit or in the interests of persons working or residing in the county.

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Council may provide rifle ranges lawns courts &c.

20.—(1) The Council may on any land acquired by them under the powers of this Part of this Act—

(*a*) provide lay out set apart and maintain or allow (subject to such conditions as they may think fit) rifle clubs and other associations of a similar character to provide lay out set apart and maintain rifle ranges; and

(*b*) provide lay out set apart and maintain grounds lawns courts or greens for any sport game or recreation.

(2) The Council may provide and maintain apparatus and equipment (including lockers and other conveniences) for use in connection with rifle ranges sports games and recreations on any such land.

Council may provide swimming baths &c.

21. The Council may after consultation with the authority (if any) having power to carry into execution all or any of the Baths and Washhouses Acts 1846 to 1899 in an area in which the land is situate provide set apart and maintain on any land acquired by them under the powers of this Part of this Act swimming baths or pools with the necessary dressing accommodation conveniences and screens together with towels costumes and other things necessary or convenient for persons using such baths or pools.

Power to make charges for use of rifle ranges lawns courts &c.

22. The Council may subject to such terms and conditions as to payment or otherwise as they may in any case determine grant the use of any rifle range or of any ground lawn court or green for any sport game or recreation or of any swimming bath or pool or of any buildings apparatus equipment lockers dressing accommodation conveniences screens towels costumes and things provided erected laid out set apart or maintained under the provisions of this Part of this Act to any person working or residing in the county or to any athletic club or other organisation existing wholly or mainly for the benefit of persons working or residing in the county.

Power to employ persons for purposes of this Part of Act.

23. The Council may do all such acts and employ such persons as may be required for any of the purposes of this Part of this Act.

Power to make bye-

24.—(1) The Council may make and enforce bye-laws or regulations with respect to any rifle ranges

grounds lawns courts greens swimming baths or pools buildings apparatus equipment lockers dressing accommodation conveniences screens towels costumes and things provided erected laid out set apart or maintained as aforesaid and for regulating the use thereof and the conduct of persons using the same or resorting thereto. A.D. 1925. laws or regulations.

(2) The provisions of the Metropolis Management Act 1855 respecting the making contents confirmation approval publication and evidence of byelaws and proceedings before justices and recovery of penalties thereunder shall extend and apply to byelaws made under this section and such byelaws shall be deemed byelaws within the Metropolis Management Act 1855 and Acts amending the same except that the penalty imposed by such byelaws for each breach of the same may be a sum not exceeding five pounds.

Appointment of constables.

25. The Council may from time to time authorise in writing any of their officers to enforce or secure compliance with any byelaws made under this Part of this Act and may procure any such officers to be sworn in as constables but any officer so authorised shall not act as a constable unless in uniform or provided with a warrant.

Arrest of transient offenders.

26. Any constable or any officer of the Council authorised in writing to enforce or secure compliance with byelaws made under this Part of this Act and any person called to the assistance of such constable or officer may without other warrant than this Act seize and detain any person committing or having committed any offence against any such byelaw whose name or residence is unknown to and cannot be ascertained by such constable or officer and take him to a police station or before a justice to be dealt with according to law Provided that any officer of the Council acting under this Part of this Act and not being a constable in uniform shall have with him a written authority from the Council to act and shall produce the same if required.

Penalties under byelaws to be paid to Council.

27. All penalties which may be recovered under any of the byelaws made by the Council under this Part of this Act shall notwithstanding anything contained in the Metropolitan Police Courts Act 1839 or any other

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Power to dispose of lands not required.

28. If any lands acquired by the Council under the powers of this Part of this Act shall cease to be required for the purposes of this Part of this Act the Council may sell exchange or otherwise dispose of or deal with such lands.

Restrictions upon user of certain lands for purposes of recreation &c.

29. Notwithstanding anything contained in this Part of this Act any land without the county purchased or taken on lease by the Council under the powers of the section of this Act of which the marginal note is "Power to acquire and lay out lands for purposes of recreation &c." which at the date of such purchase or taking on lease—

(*a*) is comprised in a town planning scheme approved by order of the Minister of Health under the Town Planning Act 1925; or

(*b*) is proposed to be comprised in any such town planning scheme for the preparation or adoption of which a resolution shall before the said date have been passed by any local authority or local authorities;

shall not be used for any such purposes as are referred to in the said section of this Act except (inter alia) on such conditions for preventing interference with the objects of that scheme as may be agreed between the Council on the one hand and (as respects any such scheme as is referred to in the foregoing head (*a*)) the responsible authority within the meaning of the said Act or (as respects any such intended scheme as is referred to in the foregoing head (*b*)) the local authority or local authorities by whom the resolution was passed on the other hand or in either case as (failing agreement) may on the application of either party be determined by the Minister of Health Provided that this section shall cease to apply with respect to any lands proposed to be comprised in any such intended scheme as is referred to in the foregoing head (*b*) if the Minister of Health refuses to approve such scheme or does not approve it within a period of two years after the passing of the resolution or if such lands are not comprised in the scheme as prepared by the local authority or local authorities or as approved by the said Minister.

Part IV.

Powers to Deptford Council.

Power to Deptford Council to acquire lands.

30. Subject to the provisions of this Act the Deptford Council may enter upon take and use for purposes of the Baths and Washhouses Acts 1846 to 1896 and the Cleansing of Persons Act 1897 the lands in the metropolitan borough of Deptford comprising the premises known as No. 25 Clyde Street Deptford which are shown on the deposited plans and described in the deposited book of reference.

Application of certain provisions of this Act to Deptford Council.

31. The provisions of the sections of Part II. (Acquisition of land by the Council) of this Act of which the marginal notes are respectively as follows:—

"Limitation of time for purchase of lands";

"Power to certain persons to grant easements &c. by agreement";

"Correction of errors in deposited plans relating to this Part of Act";

"Power to Council to enter upon property for survey and valuation";

"Compensation payable by Council in case of recently created interest";

"Leasing and exchange of lands";

"As to sale of ground rents";

"Council may sell land in the first instance without having previously granted a lease thereof";

"Receipts of Council to be effectual discharges"; and

"Power to Council to make agreements with owners of property &c.";

shall extend and apply to the Deptford Council and the lands to be acquired by them under this Act as if the Deptford Council and the town clerk of the metropolitan borough of Deptford were named in the said provisions in place of the Council and the clerk of the Council respectively and as if in the said section of this Act of which the marginal note is "Compensation payable by Council in case of recently created interest" the twenty-first day of October were substituted for the twenty-ninth day of July.

Capital expenditure

32. The Deptford Council may expend on capital account for the purposes of this Part of this Act such

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and borrowing by Deptford Council.

amount as may be necessary for those purposes and may for those purposes borrow under and subject in all respects to the provisions of the Baths and Washhouses Acts 1846 to 1896 such sums of money as may be requisite.

PART V.

POWERS TO BOROUGH COUNCILS.

Enclosure of unenclosed land adjoining streets.

33.—(1) If any land (other than land forming part of any park common heath garden walk recreation ground pleasure ground or open space vested in or under the control and management of the Council or any other authority for the benefit of the public) adjoining a street in any metropolitan borough is allowed to remain unfenced or if the fences of any such land are allowed to be or remain out of repair and such land is owing to the absence or inadequate repair of any such fence a source of danger to passengers or is used for any immoral or indecent purpose or for any purpose causing inconvenience or annoyance to the public the borough council may serve upon the owner or occupier of such land notice in writing requiring him to fence such land or to repair the fences of such land to the reasonable satisfaction of the borough council and if within twenty-eight days from the service of any such notice or from the date of any such confirmation thereof (with or without variation) as is hereinafter mentioned such owner or occupier shall not have complied with the requirements thereof the borough council may cause the land to be fenced or may cause the fences to be repaired in such manner as they think fit and the reasonable expenses thereby incurred shall be recoverable from such owner or occupier summarily as a civil debt.

(2) Any owner or occupier aggrieved by the requirements of a notice served by a borough council under this section may appeal to a metropolitan police magistrate provided that such appeal is made within fourteen days from the date of the receipt of the notice.

(3) The magistrate may after considering any representations made by the borough council confirm with or without variation or annul the requirements.

(4) For the purpose of complying with the requirements of any notice given under the provisions of this

section it shall be lawful for the owner of any land (not being the occupier thereof) notwithstanding anything to the contrary contained in any lease under-lease or agreement of or relating to such land to enter on such land or any part thereof and carry out all such works and do all such things as may be necessary to comply with any such requirement.

(5) The provisions of sections 121 127 and 128 of the Public Health (London) Act 1891 shall apply and have effect for the purposes of this section as if they were expressly re-enacted in and in terms made applicable to this section.

(6) For the purposes of this section the expression "street" shall have the meaning assigned to that expression by section 141 of the Public Health (London) Act 1891.

Power to borough councils to contribute to expenses of paving &c.

34.—(1) Any borough council if they think fit may at any time resolve to bear or contribute the whole or a portion of the expenses incurred or to be incurred under the provisions of the Metropolis Management Acts 1855 to 1893 as amended or extended by any other enactment in respect of the sewering of any street in their borough not repairable by the borough council or the inhabitants at large or the paving flagging or repairing of the carriageway or footway of any such street.

(2) Any expenses borne or contributed by a borough council under this section shall be deemed to be expenses incurred by that council under the Metropolis Management Acts 1855 to 1893.

PART VI.

WALTHAMSTOW AND LEYTON DRAINAGE.

Interpretation of expressions in this Part of Act.

35. In and for the purposes of this Part of this Act—

"The Walthamstow district" means the urban district of Walthamstow in the county of Essex;

"The Walthamstow Council" means the Walthamstow Urban District Council;

"The Leyton district" means the urban district of Leyton in the said county of Essex;

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"The Leyton Council" means the Leyton Urban District Council;

"The district councils" means the Walthamstow Council and the Leyton Council and "district council" means the Walthamstow Council or the Leyton Council according as the context may require;

"The district" means the Walthamstow district or the Leyton district according as the context may require;

"The Hackney Council" means the council of the metropolitan borough of Hackney;

"The Walthamstow sewer" means the sewer by this Part of this Act authorised to be constructed by the Walthamstow Council;

"The Leyton sewer" means the sewer by this Part of this Act authorised to be constructed by the Leyton Council;

"The sewers" means the Walthamstow sewer and the Leyton sewer;

"The London main drainage system" means the metropolitan main drainage system;

"Financial year" means the twelve months ending on the thirty-first day of March in any year;

"Total rateable value" means except so far as is otherwise stated—

(*a*) as respects the administrative county of London the total rateable value of that county on the sixth day of April in the financial year with reference to which the expression is used as ascertained in accordance with the provisions of the Valuation (Metropolis) Act 1869;

(*b*) as respects the Walthamstow district and the Leyton district respectively the net annual value of the district (according to the basis or standard for the county rate of the county of Essex) on the sixth day of April in the financial year with reference to which the expression is used or (as respects any financial year in which the said basis or standard shall not have been allowed and confirmed on or before the sixth day of

April) on any later date on which the said basis or standard shall be allowed and confirmed

with the addition in each case of the annual value on which contributions in lieu of rates are made by or on behalf of the Crown in respect of property held by or on behalf of the Crown in the administrative county of London or the said districts which is not for the time being comprised in such total rateable value or in such net annual value as aforesaid.

Power to Walthamstow Council to construct sewer.

36. Subject to the provisions of this Act the Walthamstow Council may make maintain repair and renew in the line or situation and according to the levels shown on the deposited plans and sections the work hereinafter described (that is to say) :—

A sewer commencing in the Walthamstow district in the sewage works of the Walthamstow Council and terminating in the metropolitan borough of Hackney by a junction with the Hackney to Abbey Mills sewer of the Council in the North Mill Fields recreation ground.

Power to Leyton Council to construct sewer.

37. Subject to the provisions of this Act the Leyton Council may make maintain repair and renew in the line or situation and according to the levels shown on the deposited plans and sections the work hereinafter described (that is to say) :—

A sewer commencing in the Leyton district in the sewage works of the Leyton Council and terminating in the metropolitan borough of Hackney by a junction with the Hackney to Abbey Mills sewer of the Council in Gainsborough Road.

Limits of deviation.

38. In the construction of the sewers the district councils may deviate from the lines or situations thereof respectively as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent downwards and not exceeding five feet upwards Provided that where in any street no limit of deviation is shown on one or both of the sides thereof on the said plan the boundary of such street shall be deemed to be the limit of deviation on that side or those sides.

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Power to construct and use storm overflows.

39.—(1) The Walthamstow Council may in constructing the Walthamstow sewer construct maintain repair and renew a storm overflow from that sewer with all necessary works and appliances connected therewith for discharging into the Dagenham Brook where the said sewer is constructed across over or under the said brook.

(2) The Leyton Council may in constructing the Leyton sewer construct maintain repair and renew a storm overflow from that sewer with all necessary works and appliances connected therewith for discharging into the River Lee where the said sewer is constructed across over or under the said river.

(3) The said storm overflows may be used for the outflow of storm water from the sewers.

Power to utilise subsoil of streets.

40. The district councils may for the purposes of the sewers and the works in connection therewith appropriate and use without payment the subsoil and under surface of any street within the limits of deviation shown on the deposited plans.

Power to break up streets &c.

41.—(1) The district councils during and for the purposes of the construction maintenance repair and renewal of the sewers and the works in connection therewith may break up and also temporarily stop up divert and interfere with any street within the limits of deviation shown on the deposited plans and may for any reasonable time prevent all persons other than those bonâ fide going to or from any premises in the street from passing along and using the same.

(2) The district councils shall respectively provide reasonable access for foot passengers and vehicles bonâ fide going to or from any such premises.

Period for completion of sewers.

42. If the sewers are not completed within the period of five years from the passing of this Act then on the expiration of that period the powers of the district councils under this Part of this Act for the construction of the same respectively shall cease except so far as the same are then completed.

Power to district councils to acquire lands.

43. Subject to the provisions of this Act the district councils may respectively enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference

which they may require for the purposes of the sewers and the works in connection therewith.

Correction of errors in deposited plans and book of reference relating to land to be acquired by district councils.

44. If there be any omission mis-statement or wrong description of any lands referred to in this Part of this Act or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the Walthamstow Council or the Leyton Council (as the case may be) after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county of Essex (as respects lands in that county) or to a metropolitan police magistrate (as respects lands in the administrative county of London) for the correction thereof and if it appear to the justices or magistrate that the omission mis-statement or wrong description arose from mistake they or he shall certify the same accordingly and they or he shall in their or his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerks of the peace for the counties of Essex and London and duplicates thereof shall also be deposited with the clerks of the district councils and such certificate and duplicates respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Walthamstow Council or the Leyton Council (as the case may be) to take the lands and execute the works in accordance with such certificate.

Owners may be required to sell parts only of certain lands and buildings.

45. And whereas in the construction of the sewers or otherwise in the exercise by the district councils of the powers of this Part of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the district councils respectively and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(1) The owner of and persons interested in any of the properties whereof the whole or part is

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described in the First Schedule to this Act and whereof a portion only is required for the purposes of either of the district councils or each or any of those persons are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the district council by whom the notice was served that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the district council such portion only without the district council being obliged or compellable to purchase the whole the district council paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

(3) If within such twenty-one days the owner shall by notice in writing to the district council allege that such portion cannot be so severed the arbitrator shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the district council have compulsory powers of purchase) can be so severed:

(4) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the district council the portion so determined to be severable without the district council being obliged or compellable to purchase the whole the dis-

trict council paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbitrator :

(5) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :

(6) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the district council may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :

(7) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the district council in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the arbitrator shall having regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the

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provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

District councils may acquire easements only in certain cases.

46.—(1) The district councils may respectively in lieu of acquiring any lands for the purposes of the sewers or the works in connection therewith respectively acquire such easements only as they may require in such lands for those purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which either of the district councils have acquired easements only under the provisions of this section the district council shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

Persons under disability may grant easements &c.

47. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may subject to the provisions of those Acts and of this Act grant to the district councils or either of them any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect 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.

Power to district councils to enter upon property for survey and valuation.

48. The district councils and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Walthamstow Council or the clerk of the Leyton Council (as the case may require) may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into any lands and buildings by this Part of this

Act authorised to be taken and used by the district councils respectively as aforesaid for the purpose of surveying and valuing the same without being deemed trespassers and without being subject or liable to any fine penalty or punishment for entering or continuing upon any part of the said lands and buildings.

Compensation payable by district councils in case of recently created interest.

49. The provisions of the section of Part II. (Acquisition of land by the Council) of this Act of which the marginal note is "Compensation payable by Council in case of recently created interest" shall extend and apply to the district councils respectively and the lands to be acquired by them under this Act as if the Walthamstow Council or the Leyton Council (as the case may be) were named in the said provisions in place of the Council and as if the tenth day of November were substituted in the said section for the twenty-ninth day of July.

Period for compulsory purchase of lands.

50. The powers of the district councils for the compulsory purchase of lands for the purposes of this Part of this Act shall cease on the thirty-first day of December one thousand nine hundred and twenty-eight.

District councils may exchange or let lands.

51. The district councils may respectively exchange let or otherwise dispose of any buildings or lands or any part thereof acquired by them under this Part of this Act and not required for the purposes thereof and may execute and do any deed act or thing requisite or proper for effectuating any such exchange letting or other disposition.

District councils may sell land.

52. The district councils may respectively if they think it expedient so to do sell and dispose of any lands acquired by them under the powers of this Part of this Act and not required for the purposes thereof for such sum or sums of money as they may think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the district council think fit.

As to consideration for sale &c. of land.

53. Notwithstanding anything in the sections of this Act of which the marginal notes are respectively "District councils may exchange or let lands" and

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" District councils may sell land " the district councils shall not without the consent of the Minister of Health sell exchange let or otherwise dispose of any lands acquired by them under the powers of this Act and not required for the purposes thereof or any interests in such lands at a price or rent or for a consideration of a value less than the current market value of such lands or interests.

Proceeds of sale of surplus lands.

54. So long as any lands remain to be acquired by the district councils under the authority of this Act they may (so far as they consider necessary) apply any capital moneys received by them respectively on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the district councils shall apply the same in or towards the extinguishment of any loans raised by them respectively for the purposes of this Part of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by the Public Health Act 1875 except to such extent and upon such terms as may be approved by the Minister of Health.

District councils to exercise powers of constructing sewers &c.

55.—(1) In exercising the powers conferred by this Part of this Act the Walthamstow Council and the Leyton Council respectively shall with all due diligence complete in all respects to the satisfaction of the Council the Walthamstow sewer and the Leyton sewer and shall contemporaneously with such construction—

(*a*) construct storm overflows from the sewers where they respectively pass across over or under the Dagenham Brook and the River Lee; and

(*b*) construct such junctions and connections as may in the opinion of the Council be required for the purpose of linking up the sewers with the sewerage systems of the Walthamstow district and the Leyton district respectively and with the London main drainage system; and

(*c*) construct and erect all such buildings walls banks outlets roads paths and other works and conveniences as may in the opinion of the Council be necessary or proper for the purposes of or in connection with the sewers; and

(*d*) provide all such works and appliances at their respective sewage works and at the said junctions and elsewhere as may in the opinion of the Council be necessary or proper for controlling excluding gauging and continuously recording the quantity of sewage and drainage delivered into the sewers from the said districts respectively and by means of the sewers into the London main drainage system.

(2) The Walthamstow Council and the Leyton Council shall respectively at their own expense and to the satisfaction of the Council—

(*a*) at all times maintain in good repair order and condition cleanse flush and ventilate and when necessary renew the Walthamstow sewer and the Leyton sewer and all such storm overflows junctions connections buildings walls banks outlets roads paths and other works and conveniences as are referred to in paragraphs (*a*) (*b*) and (*c*) of subsection (1) of this section; and

(*b*) at all times maintain in good order and keep under continuous supervision and when necessary renew all works and appliances provided by them pursuant to paragraph (*d*) of the said subsection (1) and from time to time provide and thereafter maintain and keep as aforesaid all such further or other works and appliances as the Council may for the time being deem necessary or proper for any such purpose as is referred to in the said paragraph (*d*).

(3) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the size of the sewers respectively shall not exceed four feet in internal diameter.

District councils to furnish records.

56. The Council shall be furnished once in every fortnight by and at the expense of the district councils respectively with all such records as the Council may require of the quantity of sewage and drainage discharged by means of the sewers into the London main drainage system.

Vesting of sewers.

57. The Walthamstow sewer and the works in connection therewith shall be vested in the Walthamstow Council and the Leyton sewer and the works in connection therewith shall be vested in the Leyton Council.

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Discharge of sewage and drainage from Walthamstow district and Leyton district into London main drainage system.

58.—(1) Subject to the provisions of this Part of this Act the Walthamstow Council on the completion of the Walthamstow sewer and the Leyton Council on the completion of the Leyton sewer shall have the right to discharge and the Council shall receive into the London main drainage system sewage and drainage from the Walthamstow district and the Leyton district respectively for conveyance to and treatment and disposal at the outfall works of the Council Provided that the quantity of sewage and drainage so discharged from the Walthamstow district or the Leyton district shall not in any period of twenty-four consecutive hours exceed fifty gallons per head of the population for the time being of the district and that of that maximum quantity not more than one-twelfth shall be allowed to enter the Walthamstow sewer or the Leyton sewer so as to be delivered into the London main drainage system within any one hour.

(2) If at any time the Council on the one hand and the Walthamstow Council or the Leyton Council on the other hand shall be unable to agree as to the number of persons constituting the population for the time being of the Walthamstow district or the Leyton district (as the case may be) such number shall be determined by arbitration as hereinafter provided.

(3) (*a*) Before any sewage or drainage is discharged into the London main drainage system from the Walthamstow district or the Leyton district by means of the sewers or either of them the district councils shall to the satisfaction of the Council provide and erect such automatic apparatus as may be approved by the Council for preventing the admission into the London main drainage system of such sewage and drainage which shall—

(i) immediately shut off the flow in the Walthamstow sewer and the Leyton sewer respectively when the level of the sewage and drainage in the Hackney to Abbey Mills sewer of the Council in Gainsborough Road in the metropolitan borough of Hackney at the junction chamber opposite Daintry Street (hereinafter referred to as " the gauge point ") reaches the height of eight feet six inches above Ordnance datum; and

(ii) continue such shutting off until the level of the sewage and drainage in the said Hackney to Abbey Mills sewer at the gauge point falls to the height of six feet above Ordnance datum;

or in either case such lower height as the chief engineer or other duly authorised officer of the Council may consider necessary.

(*b*) The automatic apparatus referred to in paragraph (*a*) of this subsection shall be provided and erected so as to shut off the said flow at the sewage works of the district councils respectively or (in the event of any connection being made with the Walthamstow sewer or the Leyton sewer outside the county of London below the the said respective sewage works) at any point on the Walthamstow sewer or Leyton sewer (as the case may be) below such connection but not being at or below the storm overflow constructed on that sewer pursuant to the section of this Act of which the marginal note is "Power to construct and use storm overflows."

(*c*) The automatic apparatus to be provided and erected as aforesaid and all machinery pipes and cables necessary for the efficient working thereof shall be provided and maintained to the satisfaction of the Council at the joint expense of the Walthamstow Council and the Leyton Council.

(4) Subject and without prejudice to the provisions of subsection (3) of this section the admission of sewage and drainage from the said districts or either of them into the London main drainage system shall be entirely prevented at such times as the chief engineer or other duly authorised officer of the Council may consider necessary in any case of emergency or having regard to the conditions for the time being prevailing in the London main drainage system and the Walthamstow Council or the Leyton Council (as the case may be) shall on the requirement of the said chief engineer or other officer take all such steps as may be necessary for that purpose.

(5) Neither of the district councils shall without the consent in writing of the Council at any time—

(*a*) make or permit to be made any communication with the Walthamstow sewer or the Leyton sewer (other than the connections at the sewage works of their respective districts or at the

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junctions of the sewers with the London main drainage system); or

(*b*) permit the sewage or drainage of any land or premises outside their respective districts to drain into the sewerage system of the Walthamstow district or the Leyton district.

Prohibiting the making of communications with sewers.

59. Notwithstanding anything contained in any other enactment the owner or occupier of any premises in any area in or through which the sewers or either of them or any part or parts thereof respectively shall be constructed shall not without the consent of the Council and the Walthamstow Council or the Leyton Council (as the case may be) make or cause to be made any communication with the Walthamstow sewer or the Leyton sewer Provided that nothing in this section shall prejudice or affect the operation of the section of this Act of which the marginal note is "Reception of sewage from metropolitan borough of Hackney into the sewers."

Reception of sewage from metropolitan borough of Hackney into the sewers.

60.—(1) Before commencing the construction of the Walthamstow sewer or the Leyton sewer (as the case may be) the Walthamstow Council and the Leyton Council shall respectively give to the Hackney Council notice in writing of the dimensions of which they propose to construct such sewer in order to accommodate the sewage and drainage from the district and if at any time within two months after the receipt of any such notice the Hackney Council give to the district council by whom the same was given notice in writing requiring them to construct the Walthamstow sewer or the Leyton sewer (as the case may be) or any section thereof of such larger dimensions as may be specified in the notice given by the Hackney Council the district council shall in the event of their deciding to construct the Walthamstow sewer or the Leyton sewer and subject as hereinafter provided comply with the requirement of such last-mentioned notice and the Hackney Council shall pay to the district council the extra cost reasonably incurred by the district council in constructing the Walthamstow sewer or the Leyton sewer (as the case may be) of such larger dimensions In case of difference between the Hackney Council and the district council as to the amount to be paid under this subsection such difference shall be determined by arbitration as hereinafter provided.

(2) If the Hackney Council shall give any such notice as is referred to in subsection (1) of this section with respect to the sewers or one of them the district councils respectively or the district council (as the case may be) on being required in writing by the Hackney Council at any time after the completion of such sewers or sewer so to do shall subject as hereinafter provided permit the discharge into such sewers or sewer (as the case may be) of the sewage from any sewer drain or premises situate within so much of the metropolitan borough of Hackney as is shown by the colour pink on the plan signed by the Right Honourable Viscount FitzAlan of Derwent the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have respectively been deposited in the Parliament Office of the House of Lords in the Private Bill Office of the House of Commons with the town clerk of the metropolitan borough of Hackney with the clerk of the Leyton Council and with the clerk of the Walthamstow Council) upon such terms and conditions as failing agreement between the Hackney Council and the district council shall be determined by arbitration as hereinafter provided and by means of a connection to be made by and at the expense of the Hackney Council under the superintendence (if given) and to the reasonable satisfaction of the district council Provided that the district councils shall not be liable to any claim or demand by the Hackney Council or by any other party arising out of any stoppage of or interference with the discharge into the sewers or either of them of sewage from any sewer drain or premises within the said area of the said metropolitan borough which may be rendered necessary for purposes and during the time of repair or reconstruction or from any cause beyond the control of the district councils.

(3) Any matter which under the provisions of this section is to be determined by arbitration shall be referred to and determined by an engineer to be appointed failing agreement between the parties in difference by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

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(4) Provided that notwithstanding anything contained in the foregoing provisions of this section the said provisions shall not be carried into effect except with the consent in each case of the Council.

District councils to prevent admission into sewers of matters other than sewage &c. and to dispose of surplus sewage &c.

61. The district councils shall respectively at their own expense—

(*a*) take all necessary precautions for preventing the admission into the sewers or either of them from their respective districts of any liquid or solid matters other than the sewage and drainage from the sewerage systems of their respective districts; and

(*b*) make provision for the disposal of all sewage and drainage from their said respective districts in excess of the quantity which they may under the provisions of this Part of this Act discharge into the sewers and by means thereof into the London main drainage system.

Restriction on admission of surface water drainage.

62. The district councils shall not permit to pass into the Walthamstow sewer or the Leyton sewer any surface water received as such at their respective sewage works.

Power of entry and inspection.

63.—(1) It shall be lawful for any duly authorised officer or servant of the Council with or without workmen and servants at any time to enter upon and inspect the Walthamstow sewer and the Leyton sewer or either of them and the works apparatus and appliances connected therewith respectively or any part thereof and the sewage works of the district councils or either of them and all or any sewers drains works apparatus and appliances in connection therewith (whether within or without the district) for the purpose of ascertaining whether any default in compliance with any of the provisions of this Part of this Act is being committed and the Council may for that purpose on giving to the district council not less than seven clear days' notice in writing of their intention in that behalf break up or open any street within the district re-instating the same to the reasonable satisfaction of the district council as soon as may be after such inspection at the expense of the district council if any default be discovered but otherwise at the expense of the Council.

(2) The Council may make surveys and plans of the sewers or either of them and the works connected there-

with respectively or any part thereof and any of such sewage works sewers drains works apparatus and appliances as aforesaid and shall for all or any of those purposes have free of charge the assistance and co-operation of any officers workmen or servants usually employed in or about the same by the district council and the free use of any plant or tackle belonging to the district council and commonly used in connection therewith and may require any works to be done by and at the expense of the district council to provide for a reasonable temporary diversion of sewage and drainage and for the removal of deposit and debris from the sewers or either of them in order to facilitate or permit of such inspection.

For protection of Hackney Council.

64. Notwithstanding anything in this Part of this Act contained or shown upon the deposited plans and sections the following provisions for the protection of the Hackney Council shall unless otherwise agreed in writing between the Hackney Council and the Walthamstow Council or the Leyton Council as the case may be apply and have effect (that is to say) :—

(1) All works to be executed by the Walthamstow Council or the Leyton Council in the exercise of any of the powers of this Act in across or in any way affecting any road or bridge or approach thereto vested in or repairable by the Hackney Council shall be constructed and laid under the superintendence (if given) and to the reasonable satisfaction of the Hackney Council and in accordance with plans and sections to be submitted to and reasonably approved of by the Hackney Council in writing before the commencement of the work or in case of difference between the Walthamstow Council or the Leyton Council and the Hackney Council to be settled by an arbitrator to be appointed as hereinafter provided Provided that if the Hackney Council shall not express their approval or disapproval of such plans and sections within twenty-eight days after the same shall have been submitted to them they shall be deemed to have approved thereof :

(2) The Walthamstow Council and the Leyton Council shall give to the Hackney Council not

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less than seven clear days' notice in writing before commencing to execute any works affecting any such road bridge or approach and all works shall be so executed as not unnecessarily to stop or unreasonably to interfere with the traffic on any such road bridge or approach:

(3) When the Walthamstow Council or the Leyton Council open up any such road bridge or approach they shall with all convenient speed complete the work on account of which they open or break up such road bridge or approach and subject to the making and maintenance of the said work they shall fill in the ground and to the reasonable satisfaction of the Hackney Council make good the surface and restore the portion of the road to as good a condition in all respects as that in which it was prior to its being opened or broken up and shall forthwith clear away all surplus material paving or metalling or rubbish occasioned thereby and shall in the meantime cause the place where the road is opened or broken up to be fenced and watched and to be properly lighted at night The said making good and restoration shall include the application of a sufficient layer of surface metalling of the same specification as that employed by the Hackney Council for the particular road including the use of a steam or other roller until the surface of such road has been made uniform with the unbroken surface adjoining the same:

(4) The Walthamstow Council and the Leyton Council shall make full compensation to the Hackney Council for any loss damage or penalty which they may incur in consequence of the exercise of any of the powers of this Part of this Act in across or in any way affecting any such road bridge or approach or any sewer drain pipe or other work of the Hackney Council:

(5) The Walthamstow Council and the Leyton Council shall not interfere with or in any way affect any works constructed or laid by the Hackney Council under the Electricity (Sup-

ply) Acts 1882 to 1922 or under the Hackney Electric Lighting Order 1893 or the Hackney Electricity Act 1906 except in accordance with the provisions of section 15 of the Electric Lighting Act 1882:

(6) Any dispute or difference arising under this section between the Hackney Council and the Walthamstow Council or the Leyton Council (other than a difference as to the construction or meaning of the said section) shall be referred to and settled by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party to the difference and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

For further protection of Hackney Council.

65.—(1) If in consequence of any diversion of vehicular traffic resulting from the stopping up or diversion under the powers of this Part of this Act of any street in the metropolitan borough of Hackney the cost of the maintenance and repair of any other street into which such traffic is so diverted is increased the district council by whom the street is stopped up or diverted shall repay to the Hackney Council the amount reasonably expended by them in defraying the additional cost.

(2) Any dispute or difference arising under this section between the Hackney Council and the Walthamstow Council or the Leyton Council (other than a difference as to the construction or meaning of the said section) shall be determined by arbitration.

District councils to make payments in respect of discharged capital outlay on London main drainage system.

66.—(1) On the date or respective dates on which sewage and drainage shall first be received into the London main drainage system from the Walthamstow district and the Leyton district respectively (which date or dates is or are in relation to the district councils respectively in this section referred to as "the date of reception") the Walthamstow Council and the Leyton Council shall become and be deemed to be indebted to the Council in respect of moneys borrowed by the Council and the Metropolitan Commissioners of Sewers and the Metropolitan Board of Works or any of them for purposes of or connected with the London main drainage

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system or otherwise provided to meet capital expenditure for those purposes and in each case repaid or set aside for repayment before the date of reception (including a proper proportion of the amount to be repaid or set aside during the financial year which includes the date of reception) in sums (in this section respectively referred to as "the ascertained sum") to be ascertained as follows (that is to say):—

(*a*) The comptroller or other the proper officer for the time being of the Council shall certify in writing under his hand the total amount of all moneys so borrowed or otherwise provided and repaid or set aside for repayment as aforesaid;

(*b*) The amount so certified shall be multiplied by the number of pounds represented by the total rateable value of the Walthamstow district or the Leyton district (as the case may be):

(*c*) The product of such multiplication shall be divided by the number of pounds represented by the aggregate amount of—

(i) the total rateable value of the Walthamstow district and the Leyton district;

(ii) the total rateable value of the administrative county of London; and

(iii) the total annual value of all areas outside the said administrative county (other than the Walthamstow district and the Leyton district) from which sewage and drainage is for the time being discharged into the London main drainage system according to the basis on which contributions for the financial year which includes the date of reception are made in respect of such areas respectively to the current expenses of the London main drainage system:

(*d*) The sums in which the Walthamstow Council and the Leyton Council are respectively to become and be deemed to be indebted to the Council as aforesaid shall be one equal third part of the result of such division.

(2) For the purposes of subsection (1) of this section the financial year with reference to which the expression "total rateable value" is used shall be the financial

year which includes the date of reception and any alterations made on appeal or otherwise in any of the said total rateable values or in the said total annual value after the sixth day of April in that financial year or after the date of reception (whichever shall be the later) shall not be taken into account nor shall any adjustment be made in respect of any such alteration.

(3) The ascertained sum shall be certified in writing by the comptroller or other the proper officer of the Council and a copy of such certificate shall be sent by him to the Walthamstow Council and the Leyton Council respectively and such certificate shall be conclusive as to the amount of the indebtedness of the district council to which the same relates.

(4) The ascertained sum with interest at the rate of four and three-quarters per centum per annum on so much thereof as shall for the time being remain unpaid shall be paid to the Council by the Walthamstow Council and the Leyton Council respectively in one hundred equal half-yearly instalments of principal and interest combined on the first day of March and the first day of September in each year and the first of such instalments shall become due and be paid on such of the said half yearly days as shall next follow the date of reception Provided that in the event of such first instalment becoming so payable by either of the district councils within a period of less than six months from the date of reception such instalment shall in the case of that council be reduced so that the amount in respect of interest included therein shall represent interest calculated for such less period only Provided also that the Council on the one hand and the district councils or either of them on the other hand may at any time enter into and carry into effect an agreement or arrangement for the payment by the district council to the Council of a sum in gross by way of composition for and in full satisfaction and discharge of all or any of the instalments which but for such agreement or arrangement would after the date of such payment be payable under the provisions of this section or of any part or parts of such instalments or any of them.

Half-yearly contribu-

67.—(1) From and after the date or respective dates on which sewage and drainage shall first be

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tions by district councils.

received into the London main drainage system from the Walthamstow district and the Leyton district respectively the Walthamstow Council and the Leyton Council shall in respect of each financial year respectively pay to the Council by equal half-yearly payments for receiving conveying treating and disposing of such sewage and drainage such a sum as shall bear to the total rateable value of the Walthamstow district or the Leyton district (as the case may be) the proportion which that part of the total cost (as hereinafter defined) in respect of that financial year of the London main drainage system which is charged upon the administrative county of London bears to the total rateable value of that county Provided that in the case of the first of such half-yearly payments the necessary apportionment shall be made in respect of any period less than half a year.

(2) The amount of the total rateable values referred to in subsection (1) of this section shall be subject to adjustment in respect of any alterations duly made therein.

(3) The Council shall twice in each financial year by notice in writing delivered as soon as reasonably practicable to the respective clerks of the district councils inform each of the district councils of the amount of the half-yearly payment to be made by such district council next after the date of the notice and such district council shall on or before the date named in that behalf in such notice (not being earlier than six weeks from the receipt by them of the notice) pay to the Council the amount stated in such notice.

(4) For the purposes of this section the total cost in respect of any financial year of the London main drainage system shall be deemed to be the aggregate of the following amounts (that is to say)—

(*a*) the amount paid or applied by the Council in respect of that financial year for interest on and the repayment or redemption by means of a sinking or redemption fund or otherwise of all moneys borrowed and all stock issued by the Metropolitan Board of Works or the Council (whether before or after the passing of this Act) for the purposes of and connected with the London main drainage system;

(*b*) the net expenses (hereinafter referred to as "the cost of maintenance") incurred by the Council in respect of the management maintenance and working of the said system in that financial year; and

(*c*) such a sum (not exceeding five per centum of the cost of maintenance) in respect of administrative expenses not comprised in the cost of maintenance as the Council may from time to time determine:

Provided that notwithstanding anything contained in this subsection the sums payable by the district councils respectively under this section in respect of any financial year shall be calculated in the first instance on the basis of the estimated cost of the London main drainage system for that financial year and shall be paid by the district councils respectively as if they had been calculated on the basis of the ascertained cost of the said system for that financial year subject to an allowance being made or an additional sum being charged (as the case may require) when the actual cost is ascertained.

Power to Council to examine valuation in Walthamstow and Leyton districts.

68.—(1) It shall be lawful for the Council from time to time to take such steps as they may deem expedient for examining the valuation of the property within the Walthamstow district and the Leyton district or either of them.

(2) If for any reason the Council shall be dissatisfied with the amount of the valuation of either of the said districts in any financial year according to the basis or standard for the county rate of the county of Essex they may agree with the district council what the amount of the total rateable value of the district shall be deemed to be for the purposes of this Part of this Act and if in any case the Council and either of the district councils shall be unable to agree upon such amount then if the Council so require the said amount shall be determined by arbitration as hereinafter provided Provided that any agreement between the Council and either of the district councils entered into or the award of any arbitrator made under this section shall be binding on both parties for the financial year in respect of which the agreement or award is made.

(3) The district council shall from time to time as and when required by the Council furnish to them free

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of charge a properly certified copy of the valuation list or lists for the time being in force for the purposes of the poor rate in the parish or parishes comprised in the districts and of every addition to and alteration made in the said valuation list or lists.

Provisions in case of default.

69. In case default be made in the payment of any sum payable by the Walthamstow Council or the Leyton Council under the provisions of this Part of this Act such sum with interest thereon at the rate of four and three-quarters per centum per annum from the date at which such payment became due shall be deemed to be a debt due to the Council from the district council in default.

Remedies in case of default.

70. Where any moneys due and payable under this Part of this Act to the Council remain unpaid for a period of six months after the same shall have become due then in addition to any other remedy in that behalf the Council may empower persons appointed by them for that purpose to raise by means of a rate levied on the district of the district council in default and having the like incidents and consequences and to be assessed upon the like property and to be made levied and collected in the like manner and with the like powers and authorities as the general district rate is made levied and collected by the district council such sum as will be sufficient to produce the unpaid amount with interest thereon at the rate of four and three-quarters per centum per annum from the date on which the same became due and all expenses incurred by the Council by reason or in consequence of the non-payment thereof and the expenses of levying and collecting such rate and any person so empowered by the Council shall have the like powers of assessing making levying and collecting rates and of issuing precepts and of requiring officers of the district council in default to account and of taking copies of or making extracts from any valuation list or rate for the relief of the poor within the district of the district council or any book relating to the same as the district council have under any Act or otherwise.

District councils to indemnify Council.

71. Each of the district councils shall at all times keep the Council effectually indemnified against—

(*a*) all rates taxes charges duties assessments and impositions whatsoever which may be levied

charged or imposed upon the Walthamstow sewer or the Leyton sewer (as the case may be) or the works lands or buildings occupied or used exclusively in connection therewith or upon the owners or occupiers in respect thereof; and

(*b*) all actions proceedings penalties costs damages expenses claims and demands which may be instituted against or incurred by or made against the Council in respect of anything done or omitted or suffered by the Council in or about the construction or maintenance of the sewers or either of them or of the said works or in respect of the character or composition of the sewage or drainage from the district conveyed by the sewers or either of them or otherwise in respect of any matter (not attributable to any default of the Council or to any act or default of any body or person other than the Council or the district council) referred to in or arising out of the provisions of this Part of this Act.

As to capital expenditure by district councils.

72. All moneys required by the district councils or either of them for expenditure on capital account for the purposes of this Part of this Act (including any contribution to be made by them towards the costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and passing of this Act) shall be deemed to be required for the purpose of defraying expenses chargeable on the district fund of the district and the provisions of the Public Health Act 1875 relating to the borrowing of moneys required for the purposes of that Act shall apply accordingly.

Arbitration.

73. Any matter (other than a matter to which the Lands Clauses Acts apply) which is by this Part of this Act required to be determined by arbitration shall (except so far as is by or under the provisions of this Part of this Act otherwise provided) be referred to and determined by an arbitrator to be agreed upon by the parties in difference or failing such agreement to be appointed on the application of either of the said parties by the Minister of Health and the decision of such arbitrator shall be final Subject to the foregoing provisions of this section the provisions of the Arbitration

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As to responsibilities of Council and district councils.

74. Nothing in this Part of this Act shall impose on the Council any responsibility for the internal drainage system of any part of the Walthamstow district or the Leyton district and the approval by the Council of any works executed by a district council under the provisions of this Part of this Act shall not relieve the district council from any of their obligations or responsibilities under this Part of this Act.

As to district councils' expenses.

75. All expenses incurred by the district councils in or in connection with the exercise of the powers of this Part of this Act (other than expenses properly chargeable to capital account) shall be defrayed by them out of the district funds and general district rates of their respective districts.

Power to vary provisions of this Part of Act by agreement.

76. Notwithstanding anything contained in this Part of this Act the Council on the one hand and the district councils or either of them on the other hand may from time to time enter into and carry into effect agreements (which shall have the same force as if effect had been given thereto in this Act) for varying any of the provisions of this Part of this Act so far as they relate only to the rights or obligations of the parties to any such agreement but no such variation shall be made which would affect prejudicially the rights or interests of any person other than the parties to such agreement.

For protection of Havering and Dagenham Commissioners of Sewers.

77. For the protection of the commissioners of sewers for the levels of Havering Dagenham Ripple Barking East Ham Leyton and Walthamstow in the county of Essex (in this section referred to as "the commissioners") the following provisions shall unless otherwise agreed in writing between the commissioners and the district council apply and have effect (that is to say):—

(1) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Walthamstow sewer shall not be constructed otherwise than in accordance with such plans sections specifications and particulars as are hereinafter referred to:

(2) Neither of the district councils shall without the consent of the commissioners construct in connection with either of the sewers any storm overflow for discharging into any river sewer drain watercourse channel or work (all of which are in this section included in the expression "the commissioners' works") belonging to or under the control or jurisdiction of the commissioners other than the storm overflow by this Part of this Act authorised for discharging from the Walthamstow sewer into the Dagenham Brook:

(3) Where any work to be executed under or by virtue of this Part of this Act (including the said storm overflow for discharging into the Dagenham brook) will pass over under or by the side of or so as to interfere with any of the commissioners' works (each work so to be executed being in this section referred to as "the intended work") the district council shall not commence the intended work until they shall have given to the commissioners twenty-eight clear days' notice in writing of their intention to commence the same by leaving such notice at the office of the clerk of the commissioners with plans sections specifications and particulars of the construction of the intended work nor until such plans sections specifications and particulars shall have been approved by the commissioners or settled by arbitration as hereinafter provided Provided that if the commissioners fail to signify their approval or disapproval of such plans sections specifications and particulars within twenty-eight clear days after service of the said notice and delivery of the said plans sections specifications and particulars as aforesaid they shall be deemed to have approved thereof:

(4) The district council shall comply with and conform to all reasonable directions of the commissioners in the execution of the intended work so far as it affects or may affect any of the commissioners' works and shall provide such new altered or substituted works and in such

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manner as the commissioners may reasonably require and shall maintain the intended work and any such new altered or substituted work so as to protect properly and to prevent injury or impediment to the commissioners' works:

(5) The intended work shall be executed under the superintendence (if given) and to the reasonable satisfaction of the surveyor engineer or other officer of the commissioners All reasonable costs charges and expenses to which the commissioners may be put whether in the examination or approval of plans sections specifications or particulars or in superintendence by the commissioners under the provisions of this section shall be paid to the commissioners by the district council:

(6) When any new altered or substituted work as aforesaid or any works or defence connected therewith shall be completed the same shall be as fully and completely vested in and under the jurisdiction and control of the commissioners as any of the commissioners' works now is or hereafter may be:

(7) Notwithstanding anything contained in this Act the commissioners and their officers and servants shall have access at all reasonable times to and along all or any of the commissioners' works and the district council shall so far as is reasonably practicable allow the commissioners and such officers and servants to enter at all reasonable times on any works by this Part of this Act authorised or on any lands acquired by the district council under this Act for the purpose of obtaining such access:

(8) Notwithstanding anything contained in this Act neither of the district councils shall discharge or cause or permit to flow or pass (otherwise than by means of the authorised storm overflow referred to in subsection (2) of this section) any liquid or solid matter into any of the commissioners' works which they could not lawfully have so discharged or caused or permitted to flow or pass if this Act had not been passed:

(9) The Walthamstow Council shall from time to time as and when required in writing by the commissioners so to do cleanse and scour to the reasonable satisfaction of the commissioners so much of the Dagenham brook as is situate within the Walthamstow district and as extends from the southern boundary thereof to the sewage works of the Leyton Council in the Leyton district and if and whenever the Walthamstow Council fail to comply with any such requirements the commissioners may themselves cleanse and scour the said brook within the said limits and shall have power to recover from the Walthamstow Council the expenses reasonably incurred in so doing:

(10) If any dispute or difference shall arise between the commissioners and the district council under the provisions of this section the matter in dispute or difference shall be referred to and determined by an arbitrator to be appointed (failing agreement between the commissioners and the district council) by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such determination:

(11) Except as is by this Act expressly provided nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the commissioners but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

For protection of Lee Conservancy Board.

78. Notwithstanding anything contained in this Act the following provisions for the protection and benefit of the Lee Conservancy Board (in this section called "the board") shall except so far as may be otherwise agreed in writing between the district councils or either of them on the one hand and the board on the other hand under their respective common seals apply and have effect (that is to say):—

(1) The district council shall not enter upon take or use any of the land of the board without their consent in writing under their common

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seal but the district council may purchase and take and the board shall sell and grant accordingly an easement or right of using the lands of the board to such extent as may be necessary for the construction and maintenance of the sewers subject to the provisions of this section The consideration to be paid by the district council to the board for the acquisition of such easements or rights as aforesaid shall in default of agreement be determined in accordance with the provisions of the Lands Clauses Acts for the determination of disputed compensation as if such easements or rights were lands within the meaning of those Acts Notwithstanding anything contained in this subsection the district council may after the service of their notice to treat and pending the settlement of the consideration to be paid by them for any easements or rights to be acquired from the board enter upon the property of the board for the purpose of executing and execute the works authorised by this Part of this Act but the district council shall give to the board not less than one month's notice of their intention to enter and shall pay to the board interest at the rate of five per centum per annum on the amount of the consideration from the date of entry to the date of payment:

(2) The Walthamstow sewer (which expression shall for the purposes of this section include any covering thereof) shall be constructed and maintained only subject to the following conditions:—

(*a*) Where it passes under the Lee Navigation and the towing path thereof the sewer shall be constructed in such manner and of such materials as shall be reasonably required by the board;

(*b*) No part of the sewer where it passes under the said navigation and towing path shall be at a greater height than ten feet six inches above Ordnance datum;

(*c*) No part of the towing path shall be obstructed in the construction or mainten-

ance of the sewer and no part of the navigation shall be obstructed unless it is reasonably necessary and at all times the navigation for a width of forty feet measured from either bank shall be left unobstructed:

(3) The Leyton sewer (which expression shall for the purpose of this section include any covering thereof) shall be constructed and maintained subject only to the following conditions:—

(*a*) The sewer where it passes under the Lee Navigation and the towing path thereof and for a distance of one hundred feet on the east side of the navigation measured from the face of the towing path wall and for a distance of twenty feet on the west side of the navigation measured from the face of the navigation wall on that side shall be constructed and maintained in such manner and of such materials as shall be reasonably required by the board and so as to cause no avoidable obstruction of the navigation and no delay to vessels thereon;

(*b*) No part of the sewer where it passes under the navigation and the towing path and for the distances mentioned in paragraph (*a*) of this subsection shall be at a greater height than ten feet six inches above Ordnance datum;

(*c*) The sewer where it passes under the Waterworks river and the old River Lee shall be constructed and maintained so that no part thereof shall in either case be above the level of the bed of the river as shown on the deposited sections;

(*d*) If any disturbance is caused to the walls of either of the said rivers which shall be reasonably attributable to the construction of the sewer it shall be made good by the Leyton Council:

(4) At least twenty-eight days before commencing such part of any sewer or any works in connection therewith by this Part of this Act authorised (which part of a sewer and works are hereinafter referred to as "the said

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works ") as shall be situate in or under lands of the board or under the said navigation or towing path or any river or stream belonging to or under the control of the board or in the case of the Leyton sewer in or under the land situate within the distances from the navigation mentioned in subsection (3) hereof the district council shall deliver to the board notice in writing of their intention to construct the said works and such notice shall be accompanied by plans sections and specifications showing the nature and extent of the said works and the said works shall be constructed and maintained in conformity only with plans sections and specifications reasonably approved by the board and to their reasonable satisfaction For the purposes of this subsection the said plans sections and specifications shall be deemed to have been approved by the board if they have not made any requirements in relation thereto before the expiration of the said period of twenty-eight days :

(5) Where the construction or maintenance of either of the sewers involves any interference with the said navigation the district council by whom it is made or maintained shall to the reasonable satisfaction of the board do such things as may be necessary for the protection of the navigation and of the vessels thereon and shall cause the obstruction to be sufficiently watched and sufficiently lighted at nights and shall provide such assistance as may be necessary to enable vessels to pass by the works in safety :

(6) Each of the sewers so far as it is situate under or affects the said navigation or any river or stream belonging to or under the control of the board shall be maintained by and at the expense of the district council by whom it is constructed to the reasonable satisfaction of the board :

(7) The sewers shall as far as possible be so constructed and maintained as not to cause any loss of water in the said navigation or in any river or stream belonging to or under the

control of the board and so as not to cause the flooding thereof or of any of the board's property and in the event of any injury being caused to the board's property by the construction or maintenance of the sewers or by the failure thereof such injury shall be made good by the board at the expense of the district council by whom the sewer is made:

(8) The district council shall indemnify the board against the board's liability for any claim or demand which may be made against them by any person in consequence of the obstruction or damage to or interference with the said navigation or any river or stream belonging to or under the control of the board owing to the construction maintenance or failure of the said works:

(9) If any part of the Leyton sewer shall be constructed in or under the lands No. 18 on the deposited plans relating to that sewer the board and their successors in title and their lessees with their consent shall notwithstanding anything in any other Act prohibiting the erection of buildings over sewers be at liberty to erect a building upon the said lands over the said sewer Provided that no building shall be erected under the powers of this subsection unless three months' notice to commence the work shall be given to the district council and the district council are afforded all reasonable facilities for carrying out any necessary protective works for the safety of the sewer:

(10) Any dispute or difference which may arise between the board on the one hand and the Council or the district council on the other hand with reference to the provisions of this section or as to the works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed failing agreement by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration:

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(11) Except as by this Act expressly provided nothing contained in this Act shall alter or affect the rights powers and authorities of the board.

For protection of Metropolitan Water Board.

79. For the protection of the Metropolitan Water Board (in this section referred to as " the board ") the following provisions shall unless otherwise agreed in writing between the board on the one hand and the district council on the other hand have effect (that is to say) :—

(1) Notwithstanding anything contained in this Part of this Act or shown on the deposited plans the district council shall not without the consent of the board enter upon take or use any property of the board but the district council may acquire and the board shall if so required grant to the district council such easements or rights in over or affecting such property as may be reasonably required by the district council for the purposes of the works authorised by this Part of this Act upon the lands of the board The consideration to be paid by the district council to the board for the acquisition of such easements or rights as aforesaid shall in default of agreement be determined in accordance with the provisions of the Lands Clauses Acts for the determination of cases of disputed compensation as if such easements or rights were lands within the meaning of those Acts Notwithstanding anything contained in this subsection the district council may pending the settlement of the consideration to be paid by them for any easements or rights to be acquired from the board enter upon the property of the board for the purpose of executing and subject to the provisions hereinafter contained execute the works authorised by this Part of this Act :

(2) (*a*) So much of the Walthamstow sewer as passes under the board's open aqueduct between Copper Mills and Lea Bridge and for a distance of one hundred feet on either side thereof shall be constructed in such manner and of such materials as the board may reasonably

require and no part of such sewer or any works connected therewith shall be at a less distance than two feet below the level of the bed of the said aqueduct;

(*b*) Before commencing to construct any part of the Walthamstow sewer referred to in the last preceding subsection the district council shall provide and fix suitable troughing or other apparatus and carry out such works as may be necessary for diverting the flow of the said aqueduct to the satisfaction of the board and such diversion shall be maintained by the district council until the completion of the construction of the said sewer;

(*c*) So much of the Leyton sewer as passes under the board's forty-two inch forty-eight inch and forty-two inch mains between Lea Bridge and Old Ford shall be constructed at a depth of not less than two feet below the lowest part of any of the said mains unless otherwise agreed and in no case at a less depth than one foot below the lowest part of the lowest of the said mains;

(*d*) The district council shall substitute steel mains encased in concrete for the said forty-two inch forty-eight inch and forty-two inch iron mains where the Leyton sewer passes under the said mains and for a distance of thirty feet on either side of the said sewer:

(3) At least twenty-eight days before commencing such part of any sewer or any works in connection therewith by this Part of this Act authorised (hereinafter referred to as "the said works") as shall be situate under or in proximity to any works mains pipes valves hydrants syphons plugs and other works or apparatus (in this section referred to as "the apparatus") of the board the district council shall deliver to the board a plan section and description of the said part of the said works describing the proposed manner of executing the same and showing as far as reasonably practicable the position of and extent to which it is proposed to cross or interfere with the apparatus of the board and describing the pro-

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posed manner of executing any intended works for protecting such apparatus (in this section referred to as " works of protection "):

(4) The board so far as may be reasonable may require any alteration of or addition to the said works or works of protection or the substitution of other proper works of protection and apparatus in place of existing apparatus at points at which such works of protection are to be provided including the reasonable substitution of steel pipes encased in concrete for any mains or pipes which are crossed or otherwise affected by the said works and the board shall within twenty-eight days of the receipt of such plan section and description give notice in writing to the district council stating whether they approve of the manner of executing the said works of protection or what their requirements are in regard thereto or in regard to any substituted works of protection or apparatus:

(5) The district council shall execute the said works and works of protection in strict accordance with the said plan section and description as approved or settled as hereinafter provided and not otherwise For the purposes of this subsection the said plan section and description shall be deemed to have been approved by the board if they have not made any requirements in relation thereto in accordance with the provisions of the last foregoing subsection of this section:

(6) The district council shall not without the consent in writing of the board or in any manner other than the board shall approve remove raise sink or otherwise alter the position of any apparatus of the board or do anything which may impede the passage of water into or through any apparatus until such good and sufficient apparatus (hereinafter referred to as " substituted apparatus ") as the board may reasonably consider necessary for continuing the supply of water has been first provided laid down and made ready for use:

(7) All the said works and works of protection to be executed or provided under this section under or in connection with the apparatus of the board shall be so executed and provided by and at the expense of the district council but to the reasonable satisfaction and under the superintendence of the engineer of the board (if after reasonable notice he shall choose to attend) and the reasonable costs charges and expenses of such superintendence shall on demand be paid by the district council to the board:

(8) Not less than twenty-eight days before commencing the construction of any part of the said works involving any crossing or alteration of or interference with any apparatus of the Board the district council shall give notice of their intention to commence such construction and shall state in such notice the place and time at which they propose so to commence and if within fourteen days after such notice the board shall give notice to the district council of their intention themselves to lay down any substituted apparatus and execute any other works of protection as provided by this section it shall be lawful for the board instead of the district council to lay down such apparatus and execute such works and the costs reasonably incurred by them in so doing shall on demand be repaid to the board by the district council Provided that if the Board fail with all reasonable despatch to lay down such substituted apparatus and to execute any such works after such notice the same may be laid down and executed by the district council:

(9) The district council in executing any substituted works or in removing raising sinking or otherwise altering the position of any apparatus of the board shall make good all damage done by them to any such apparatus or other property of the board and shall make full compensation to the board for any loss or damage which they may sustain by reason of any interference with such apparatus or property:

(10) The district council shall not without the consent of the board raise sink or otherwise

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alter the position of any apparatus of the board so as to leave over such apparatus a covering of less than three feet or more than five feet:

(11) If any interruption in the supply of water by the board shall without their written authority be in any way occasioned by reason of any act or omission of the district council or of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the district council shall forfeit and pay to the board for the use and benefit of the board such sum as shall be equal to the aggregate loss or damage which the board may sustain or incur by reason of such interruption:

(12) The board may if they deem fit employ watchmen or inspectors to watch the works whereby any apparatus of the board will be interfered with or affected during the construction of the said works and the reasonable expenses thereof shall be borne by the district council and be paid by them on demand to the board:

(13) The reasonable expense of all repairs or renewals of any apparatus of the board or any works in connection therewith which may at any time hereafter be rendered necessary by or in consequence of the acts or defaults of the district council their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of subsidence resulting from the said works shall be borne by the district council and paid by them on demand to the board:

(14) It shall be lawful for the board their engineers workmen or others in their employ at all reasonable times when it may be necessary to enter upon the works of the district council or on any street road or footway temporarily stopped up by the district council at any point or place at which any apparatus of the board is situate and to do all such works in and upon such works street road or footway as may be necessary for repairing maintaining removing or replacing or extending such apparatus:

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(15) If any difference shall arise between the board and the district council with respect to any matters under this section (other than a difference as to the construction or meaning of the said section) the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to arbitration.

For protection of Gas Light and Coke Company.

80. For the protection of the Gas Light and Coke Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the district council apply and have effect (that is to say):—

(1) At least twenty-eight days before commencing so much of the Walthamstow sewer or the Leyton sewer or any works in connection therewith respectively by this Part of this Act authorised (hereinafter referred to as "the said works") as shall be situate under or in proximity to any mains pipes or other works or apparatus (in this section referred to as "the apparatus") of the company the district council shall deliver to the company a plan section and description of the said portion of the said works describing the proposed manner of executing the same and showing as far as reasonably practicable the manner in which the district council propose to cross or interfere with the apparatus of the company and particulars describing any works which the district council propose to execute for protecting such apparatus (in this section referred to as "protective works") and the manner in which such protective works are to be executed:

(2) The company may within twenty-eight days of the receipt of any such plans and sections as aforesaid require any reasonable alteration of or the execution of any reasonable protective works to safeguard the apparatus of the company which may be necessary in consequence of

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the construction of the sewers or any reasonable alteration of or addition to any protective works proposed by the district council including the substitution (if and where reasonably necessary) of steel pipes encased in concrete for any part of the apparatus which is or may be interfered with or affected by any works of the district council:

(3) The district council shall not commence to execute any such portion as aforesaid of their said works or any protective works until a plan section and description and particulars thereof and any requirement of the company under the foregoing provisions of this section relating thereto have been agreed between the district council and the company or settled as hereinafter provided in this section and the district council shall carry out any such works strictly in accordance with such plans sections particulars and requirements as so agreed or settled.

For the purposes of this subsection any plan section and description and particulars of works shall be deemed to have been agreed between the district council and the company if the company have not made any requirement in relation thereto in accordance with the provisions of the last foregoing subsection of this section:

(4) The district council shall not without the previous consent in writing of the company or in any manner other than the company shall approve remove raise sink or otherwise alter the position of any of the apparatus of the company or do anything which may impede the passage of gas into or through any apparatus until such good and sufficient substituted apparatus (hereinafter referred to as "substituted apparatus") as may be reasonably necessary for continuing the supply of gas has been first provided laid down and made ready for use to the reasonable satisfaction of the company:

(5) All the said works of the district council and protective works to be executed or provided

under this section under or in connection with the apparatus of the company shall be so executed or provided by and at the expense of the district council but to the reasonable satisfaction and under the superintendence of the engineer of the company (if after reasonable notice he shall choose to attend) and the reasonable costs charges and expenses of such superintendence shall on demand be paid by the district council to the company:

(6) Not less than twenty-eight days before commencing the construction of any part of any works authorised by this Part of this Act which will cross or be in proximity to or involve the alteration of or interference with any apparatus of the company the district council shall give notice of their intention to commence such construction and shall state in such notice the place and time at which they propose so to commence and if within fourteen days after such notice the company shall give notice to the district council of their intention themselves to lay down any substituted apparatus and execute any protective works or any works to be executed in pursuance of any such requirement of the company as aforesaid as provided by this section it shall be lawful for the company instead of the district council to lay down such apparatus and execute such works and the reasonable costs incurred by them in so doing shall on demand be repaid to the company by the district council Provided that if the company fail after giving such notice to lay down such substituted apparatus or to execute any such works with all reasonable despatch the same may be laid down and executed by the district council:

(7) The district council in executing any substituted or protective works or any works to be executed in pursuance of any such requirement of the company as aforesaid and in removing raising sinking or otherwise altering the position of any apparatus of the company shall make good all damage done by them to any such apparatus or other property of the company and shall

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make full compensation to the company for any loss or damage which they may sustain by reason of any interference with such apparatus or property :

(8) The district council shall not without the consent of the company raise sink or otherwise alter the position of any apparatus of the company or execute any works of the district council in such manner as to leave over such apparatus a covering of less than two feet or more than five feet or as to make the access to such apparatus unreasonably inconvenient :

(9) The company may if they deem fit employ watchmen or inspectors to watch any works of the district council whereby any apparatus of the company will be or be likely to be interfered with or affected during the construction of the said works and the reasonable expenses thereof shall be borne by the district council and be paid by them on demand to the company :

(10) The expense of all repairs or renewals of any apparatus of the company or any works in connection therewith which may during the construction of the said works or within twelve months after the completion thereof be rendered necessary by or in consequence of the acts or defaults of the district council their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of subsidence resulting from the said works shall be borne by the district council and paid by them on demand to the company :

(11) The company their engineers workmen or others in their employ may at all reasonable times enter upon any works carried out by the district council under the powers of this Act or on any street road or footway temporarily stopped up by the district council under this Part of this Act in which any apparatus of the company is situate and do all such works as the company may consider necessary for repairing maintaining removing or replacing or extending such apparatus :

(12) If any difference shall arise between the company and the district council with respect to any matters under this section (other than a difference as to the construction or meaning of the said section) the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of London and North Eastern Railway Company.

81. The following provisions for the protection of the London and North Eastern Railway Company (hereinafter referred to as "the company") shall unless otherwise agreed between the district council and the company apply and have effect (that is to say):—

(1) The sewers (which together with all works connected therewith are in this section referred to as "the authorised works") where the same shall be carried under or across any railways sidings or other property of the company or under or across any road or bridge maintained by or at the expense of the company (all of which are in this section referred to as "the works of the company") shall for the entire length under or across the works of the company be constructed according to plans sections and specifications (both in regard to temporary and permanent works) to be previously submitted to and reasonably approved by the engineer of the company Provided that if for one month after such plans sections and specifications shall have been submitted to such engineer he shall have failed to give notice to the district council of his objections thereto he shall be deemed to have approved thereof and the authorised works and all maintenance repairs and renewals thereof shall be done and executed by the district council to the reasonable satisfaction and in all respects under the superintendence of the said engineer (if after reasonable notice he shall choose to attend) and at such times as he shall reasonably approve and in all things at the expense of the district

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council and whenever any such works maintenance repairs or renewals are constructed they shall be so constructed executed and maintained that the works of the company shall not be injured nor the traffic upon the said railways or sidings in any way interrupted:

(2) Before the commencement of the authorised works under or within a distance of fifty feet from the works of the company any temporary works which may in the opinion of the engineer of the company be reasonably necessary to ensure the stability of the works of the company may and shall be carried out by the company and the reasonable expense thereof shall be repaid to them by the district council:

(3) During the construction of the authorised works under across or within a distance of fifty feet from the works of the company the engineer of the company and his assistants shall have free access to the authorised works and every facility shall be afforded him or his assistants for inspecting them and if any further temporary or permanent works are in the opinion of the said engineer reasonably required to ensure the stability of the works of the company such further works shall be carried out by the company at the expense of the district council and pending the completion of such further works (which shall be proceeded with by the company with all reasonable dispatch) the construction of the sewers within the above-named limits shall if required be stopped:

(4) If by reason of any works or operations of the district council or their contractors or workmen under this Part of this Act or the failure leakage or bursting of the sewers the works of the company shall be injured or damaged such injury or damage shall forthwith be made good by the district council at their expense and to the reasonable satisfaction of the said engineer and in the event of their failing so to do or in case of emergency the company may make good the same and recover the reasonable

expense thereof from the district council and if any interruption shall be caused to the traffic on the railways or sidings of the company by reason of any works of the district council under this Part of this Act or of any such failure leakage or bursting as aforesaid the district council shall make good and repay to the company any loss damage or expense which they may sustain or be put to by reason of the construction or failure of the sewers or in respect of the interruption to the traffic on the said railways or sidings:

(5) The district council shall not without the consent in writing of the company under their common seal purchase take enter upon or use temporarily or permanently any lands property or works of the company or any estate right or easement privilege or authority in over or upon the same respectively or alter vary or interfere with the works of the company except that the district council may purchase and the company may and if so required by the district council shall sell and grant to the district council such an easement or right as may be necessary for carrying the authorised works under the works of the company according to the provisions hereinbefore prescribed and for repairing maintaining and renewing the same at such crossing The amount to be paid for the acquisition of such easement shall be ascertained in case of difference in the manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement and the easement or right so to be taken shall be deemed to be land so far as respects the proceedings for the acquisition thereof and also for the purpose of any arbitration:

(6) The district council shall bear and on demand pay to the company the reasonable expense incurred by the company of and in connection with the superintendence by the engineer of the company of the execution of the works of the

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district council and of and in connection with the employment by the company during the construction maintenance repair or renewal of the authorised works under or across the works of the company of a sufficient number of inspectors signalmen or watchmen for inspecting watching and protecting the said railways sidings and property and the conduct of the traffic thereon with reference to and during the construction maintenance repair or renewal of the authorised works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the district council with reference thereto :

(7) If at any time or times the company shall for the purpose of widening or improving their railway or works or of adapting their railways for working by electrical power desire to execute any works or construct any buildings over the sewers they shall be at liberty to do so notwithstanding anything in this or in any other Act contained prohibiting the erection of buildings over sewers and the company shall not be responsible for any injury that may be done to the authorised works by the working or use of the works of the company Provided that no works shall be executed (except in cases of urgency in which cases no notice shall be necessary) or buildings constructed under the powers of this subsection unless three months' notice to commence the execution of the works or the construction of the buildings (as the case may be) shall be given to the district council and the district council are afforded all reasonable facilities for carrying out any necessary protective works for the safety of the sewer affected :

(8) In case of any dispute arising between the district council and the company touching any of the matters referred to in this section (other than a difference as to the construction or meaning of the said section) such difference shall

unless otherwise provided for be determined by an arbitrator to be appointed upon the application of either of the parties in difference by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply thereto.

PART VII.

MISCELLANEOUS PROVISIONS.

Superannuation allowances &c. to officers employed on lunacy and mental deficiency work.

82.—(1) For the removal of doubts it is hereby declared that any superannuation allowance or gratuity granted or purported to have been granted and paid under the Asylums Officers' Superannuation Act 1909 (in this section referred to as "the Act of 1909") before the passing of this Act by the visiting committee appointed by the Council under the Lunacy Act 1890 or by the Council shall be deemed to have been lawfully so granted and paid and may from and after the passing of this Act be paid out of the fund or funds out of which such superannuation allowance or gratuity has before the passing of this Act been paid.

(2) Any officer or servant who—

(*a*) is at the passing of this Act employed in a permanent capacity on the central administrative staff of the Council in the administration of the Lunacy Acts 1890 to 1922 or the Mental Deficiency Act 1913 or partly of the one and partly of the other; and

(*b*) has been treated as an established officer of the first or second class for the purposes of the Act of 1909; and

(*c*) has contributed for superannuation purposes under the Act of 1909;

shall be deemed to have been lawfully so treated and to have been lawfully assigned to the class to which he purports to have been assigned and (subject to the provisions of the Act of 1909) he shall be entitled on retirement to receive a superannuation allowance or grant calculated in accordance with the provisions of the Act of 1909 and based upon the salary in respect of which

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he has contributed or shall have been permitted to contribute before his retirement in respect of work performed by him under any of the Acts referred to in paragraph (*a*) of this subsection.

(3) The Council may if they think fit charge—

(*a*) the salary or wages and emoluments of any officer or servant referred to in subsection (2) of this section; or

(*b*) any superannuation allowance or gratuity granted under that subsection;

either wholly to the fund chargeable with the expenses of the administration of the Lunacy Acts 1890 to 1922 or wholly to the fund chargeable with the expenses of the administration of the Mental Deficiency Act 1913 or partly to one fund and partly to the other in such proportions as the Council may determine regard being had to the work on which the officer or servant is or has been employed.

Confirming agreement relating to Rolls Estate.

83.—(1) The agreement dated the twenty-third day of September one thousand nine hundred and twenty-four and made between the Honourable Eleanor Georgiana Lady Shelley-Rolls (as tenant for life under the Settled Land Acts of the Rolls Estate in the metropolitan borough of Southwark) of the first part Charles Plumptre Johnson Francis James Popham and Edward Middelton Johnson of the second part and the Council of the third part of which a copy is set out in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto and on the successors in title of the said party of the first part and effect may and shall be given thereto accordingly and the parties to the said agreement are hereby authorised to carry into effect the sales mentioned in the said agreement and such sales shall have the same effect as if they had been sales of settled land under the Settled Land Acts 1882 to 1890 notwithstanding that the completion of the said sales may not take effect until the dates respectively mentioned in the said agreement or that the said agreement may contain any other provisions not in accordance with the provisions of the said Acts.

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(2) Copies (signed by Major Malone the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred) of the plan referred to in the said agreement have been deposited in the Private Bill Office of the House of Commons and in the Parliament Office of the House of Lords.

Money to be raised by Council on capital account.

84. The Council may expend on capital account for the purposes of Part II. (Acquisition of land by the Council) or of Part III. (Provision of facilities for recreation) of this Act such moneys as they may think fit and may borrow or otherwise provide the money required for those purposes in accordance with the provisions of the London County Council (Finance Consolidation) Act 1912.

As to payments under this Act.

85. 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 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 of and incidental to the preparing for obtaining and passing of this Act shall be paid by the Council in like manner Provided that so much of such last mentioned costs charges and expenses as may be incurred in respect of or in connection with the provisions contained in the section of this Act of which the marginal note is "Power to Council to acquire and let certain lands" and in Part IV. (Powers to Deptford Council) and Part VI. (Walthamstow and Leyton drainage) shall be paid as regards the said section of this Act by the Senate of the University of London or the governors of a school of that university as regards the said Part IV. by the Deptford Council out of the general rate authorised to be levied by that council and as regards the said Part VI. as to one-half by the Walthamstow Urban District Council and as to the remaining half by the Leyton Urban District Council out of the district funds of the respective districts of those councils or out of moneys to be borrowed for that purpose by the said urban district councils under this Act.

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Describing properties of which parts may be acquired by the Walthamstow Council or the Leyton Council.

Work.	Area.	Nos. on deposited plans.
The Walthamstow sewer -	Urban district of Leyton Metropolitan borough of Hackney.	3 4. 2 5 7 12 13.
The Leyton sewer - -	Urban district of Leyton Metropolitan borough of Hackney.	4 6 7. 18.

SECOND SCHEDULE.

Stamp.

Ten Shillings.

MEMORANDUM OF AGREEMENT made this twenty-third day of September 1924 between the HONOURABLE ELEANOR GEORGIANA LADY SHELLEY-ROLLS the wife of Sir John Courtown Edward Shelley-Rolls of Avington Park Itchen Abbas in the county of Southampton Baronet (hereinafter called "the Vendor") of the first part CHARLES PLUMPTRE JOHNSON of Park Grange Sevenoaks in the county of Kent Esquire LIEUTENANT-COLONEL FRANCIS JAMES POPHAM of the Carlton Club 94 Pall Mall in the county of London D.S.O. and EDWARD MIDDLETON JOHNSON of Park Grange aforesaid Esquire (hereinafter called "the Trustees") of the second part and THE LONDON COUNTY COUNCIL (hereinafter called "the Council") of the third part.

WHEREAS under the instruments constituting the settlement of the Rolls Estate in the metropolitan borough of Southwark

in the county of London and in the events which have happened the said Rolls Estate is or is claimed by the Vendor so to be limited to uses under which the Vendor is tenant for life in possession and the Trustees are or claim to be the Trustees of such settlement for the purposes of the Settled Land Acts :

And whereas the premises known as Nos. 331 333 335 and 337 Walworth Road in the said borough (parts whereof hereinafter called "the hatched strip" are delineated and coloured red hatched with red lines in the plan hereto annexed) and the premises known as Nos. 341 343 and 345 Walworth Road aforesaid (parts whereof hereinafter called "the unhatched strip" are delineated and coloured red unhatched with red in the same plan) and the fee simple and inheritance thereof free from incumbrances but subject to the leases particulars whereof are contained respectively in Parts I. and II. of the schedule hereto form (or are claimed by the Vendor so to do) part of the said Rolls Estate :

And whereas the Council are desirous of effecting an improvement in the metropolis by widening Walworth Road aforesaid to the extent shown by a red line on the said plan hereto annexed and the Vendor with the approval of the Trustees has agreed to join with the Council in effecting such improvement on the terms hereinafter expressed :

Now it is hereby agreed by and between the Vendor on the one hand and the Council on the other as follows :—

1. The Vendor as tenant for life under the Settled Land Acts shall sell and the Council shall purchase the inheritance in fee simple in possession free from incumbrances of and in the hatched strip and the unhatched strip as to the hatched strip subject to such (if any) of the leases mentioned in Part I. of the schedule hereto as shall not have expired or been determined on the completion of the purchase and as to the unhatched strip subject to the two leases particulars whereof are set out in Part II. of the schedule hereto but with the benefit of the yearly sum of one penny apportioned part of the aggregate rent thereby reserved The purchase moneys shall be paid to the Trustees for the time being of the said settlement for the purposes of the Settled Land Acts who shall not be required to give any covenant for title and such covenants by a tenant for life who conveys shall be subject to the usual qualification.

2. The purchase of the hatched strip shall be completed six calendar months after the date (not earlier than the date on which all the leases mentioned in Part I. of the schedule hereto shall have expired or been determined or acquired by the Council) on which the Vendor shall give to the Council notice in writing (which the Vendor hereby agrees to give accordingly) either that the immediate demolition of the premises Nos. 331 333 335 and 337 Walworth Road aforesaid or such parts thereof as stand on

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the hatched strip has been decided on by the Vendor or that the Vendor intends to grant a new building lease of the said premises Nos. 331 333 335 and 337 Walworth Road (except the hatched strip) or any part thereof.

3. The purchase of the unhatched strip shall be completed on the 25th day of December 1943 and the Council shall acquire the leasehold interests under the two leases mentioned in Part II. of the schedule hereto of and in the unhatched strip subject to the before mentioned apportioned yearly rent and arrange with the lessee under such leases for the demolition by the said 25th day of December 1943 of all buildings or parts of buildings standing on the unhatched strip and the Vendor hereby consents to such demolition.

4. The purchase money for the hatched strip and the unhatched strip shall in each case unless agreed between the Vendor and the Council three calendar months at least before the date hereinbefore appointed for the completion of the purchase thereof be determined in accordance with the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919 or any statutory amendments or re-enactment thereof for the time being in force as if it were a question of disputed compensation by a sole arbitrator either agreed on between the parties or in default of agreement nominated on the request of either party by the President for the time being of the Surveyors' Institution The arbitrator shall as between the parties hereto have all the powers conferred on an arbitrator by section 8 (3) of the Acquisition of Land (Assessment of Compensation) Act 1919 as though the hatched strip and the unhatched strip were being acquired compulsorily.

5. Rents profits and outgoings shall be received and paid by the Vendor to the respective dates of the completion of the said purchases respectively and by the Council from such dates and shall be apportioned if need be.

6. The Vendor will within two calendar months of the completion of the purchase of the hatched strip pull down and demolish to pavement level all buildings or parts of buildings standing on the hatched strip and for this purpose only shall retain possession of the hatched strip but not so as to constitute the Vendor tenant of the Council and the Council will upon the completion of such demolition forthwith throw the hatched strip into the public way and similarly on the completion by the lessee as aforesaid of the demolition of the buildings or parts of buildings standing on the unhatched strip the Council will forthwith throw the unhatched strip into the public way and the Council will in each case make up the same strips respectively as a widening of Walworth Road at their own expense and so as to give the Vendor a frontage for the adjoining land of the Vendor upon the widened street.

7. The Vendor will before commencing the erection of any buildings adjoining the hatched strip and the unhatched strip give seven days previous notice in writing to the Council in order that the new line of frontage may be agreed and set out on the ground in accordance with this agreement.

8. The Council shall on the completion of the purchase of the hatched strip and on the completion of the purchase of the unhatched strip respectively pay the costs of the surveyor for the Vendor and the Trustees of the said settlement according to Ryde's scale and also the costs of the Vendor and the Trustees of the said settlement of title and the conveyance to the Council of the hatched strip and the unhatched strip respectively as allowed by the Lands Clauses Consolidation Act 1845 under the provisions of which Act as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 this agreement is entered into and is to be carried out and the Council shall also pay £25 and £5 5*s*. for the Vendor's and Trustees solicitor's and surveyor's preliminary costs and disbursements up to and including the exchange of this agreement upon the same being exchanged.

9. The Council shall in the next or next following session of Parliament at the sole cost and expense of the Council promote a Bill containing clauses approved by the solicitors of the Vendor and the Trustees providing for the confirmation of this agreement and enabling the Vendor to bind her successors in title and others interested for the time being under the said settlement to carry out this agreement And the Council will use their best endeavours to secure the passing into law of such Bill with clauses so approved as aforesaid either without modification or with such modification only as Parliament may think fit to make therein and as shall be acceptable to the parties hereto.

10. This agreement is subject to the Bill mentioned in the preceding clause hereof containing such clauses as aforesaid being passed into law before the end of the year 1926 and is also subject to such alterations as Parliament may think fit to make herein and if such Bill be not passed into law within the period aforesaid or if Parliament make such alterations in such clauses or in this agreement as shall not be acceptable to the parties hereto then this agreement shall be void and of no effect except that in any case the Council shall pay the surveyor's and solicitor's preliminary costs hereinbefore agreed on.

11. Throughout these presents where the context so admits the expression "the Vendor" shall include her successors in title under the said settlement.

In witness whereof the Vendor and the Trustees have hereunto set their hands and the Council have caused their common seal to be hereunto affixed the day and year first before written.

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The SCHEDULE before referred to.

PART I.

Date of Lease.	Parties.	Property.	Term and Rent.
30th November 1922.	The Hon. Eleanor Georgiana Lady Shelley-Rolls and Alfred Yeates.	331 Walworth Road and 2 Trafalgar Street.	21 years from Ladyday 1922 at £131 p.a.
30th May 1922 -	Ditto and Thomas Sadler	333 Walworth Road.	21 years from Ladyday 1922 at £96 p.a.
12th May 1922 -	Ditto and Farnham John Bamford.	335 Walworth Road.	Ditto ditto.
4th December 1922.	Ditto and Isaac Mohnblatt.	337 Walworth Road.	21 years from Christmas 1922 at £95 p.a.

PART II.

15th March 1907	Rt. Hon. John Allan Baron Llangattock (1) Thomas Henry James (2).	341 343 and 345 Walworth Road and other property	70 years (less 2 days) from 26th June 1921 at £250 p.a.
9th November 1915.	Rt. Hon. John Maclean Baron Llangattock (1) Thomas Henry James (2)	Strip of land adjoining 345 Walworth Road.	75¾ years from 29th September 1915 at £9 p.a.

Signed by the above named the HONOURABLE ELEANOR GEORGIANA LADY SHELLEY-ROLLS in the presence of— } E. G. SHELLEY-ROLLS.

T. O. SMITH
(Chauffeur)
The Hendre
Monmouth.

Signed by the above named CHARLES PLUMTRE JOHNSON in the presence of— } CHAS. P. JOHNSON.

WALTER E. COPPIN
87 Tower Street
Brightlingsea
Yacht Steward.

A.D. 1925.

Signed by the above named Lieutenant - Colonel FRANCIS JAMES POPHAM in the presence of— } FRANCIS J. POPHAM.

A. DOUGLAS
Pinners Hall
London, E.C.
Clerk.

Signed by the above named EDWARD MIDDELTON JOHNSON in the presence of— } EDWD. M. JOHNSON.

WALTER E. COPPIN.

Sealed by Order
MONTAGU H. COX
Deputy Clerk of the Council.

Seal of L.C.C.

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