CHAPTER lxxvi.

An Act to confer further powers upon the London County Council with regard to parks and open spaces and other matters to confer various powers upon metropolitan borough councils and for other purposes. A.D. 1915.

[29th July 1915.]

WHEREAS it is expedient that the London County Council (herein-after referred to as "the Council") should be empowered to set apart provide and maintain in parks gardens and open spaces belonging to or controlled by them grounds for the playing of games and rifle-ranges and to provide apparatus and equipment for such games and rifle-ranges and to charge for the use of such grounds rifle-ranges apparatus and equipment and for any special facilities afforded in connexion therewith:

And whereas in pursuance of certain powers vested in the Council with respect to such parks gardens and open spaces as aforesaid the Council have recently in view of the present war granted permission to certain rifle-clubs to provide rifle-ranges in such parks gardens and open spaces but doubts exist as to whether the said powers of the Council in fact authorise them to grant such permission and it is expedient that such doubts should be removed by the provisions in that behalf contained in this Act:

And whereas it is expedient that similar powers of providing or allowing the provision of rifle-ranges in parks gardens recreation grounds open spaces and other premises belonging to or controlled by the metropolitan borough councils should be conferred on such councils:

And whereas the Council acting as the local authority under the Lunacy Acts 1890 to 1911 have established in the administrative

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county of London (herein-after referred to as "the county") an asylum known as the Maudsley Hospital for the special treatment of incipient mental diseases:

And whereas it is expedient that the Council should be empowered to receive maintain and treat as voluntary boarders in the said asylum persons desiring treatment for incipient insanity or mental infirmity and that the Council should be authorised to defray the whole or part of the expenses of maintaining and treating such persons:

And whereas in consequence of the provision made by the Council for the residence of medical officers at the said asylum it is unnecessary that the medical superintendent of the said asylum should reside thereat and it is expedient that the provisions in that behalf contained in this Act should be enacted:

And whereas the Corporation of Arts and Sciences as the owners of the building and premises in the county known as the Royal Albert Hall use and claim to be entitled to use the said hall for public music and dancing stage plays exhibitions and public entertainments without being licensed for those purposes and without complying with the regulations and requirements for the safety of persons resorting thereto to which other places in the county used for similar purposes are subject:

And whereas it is expedient with a view to preventing loss of life among and injury to the large audiences accommodated in the said hall that the provisions relating thereto contained in this Act should be enacted:

And whereas the councils of certain of the metropolitan boroughs have established superannuation funds for their officers and servants under the provisions of special Acts and it is expedient that such councils and any other metropolitan borough councils who may hereafter establish similar funds should be enabled to use such funds in the manner provided by this Act:

And whereas the Council and the council of the metropolitan borough of Wandsworth (herein-after referred to as "the Wandsworth Council") have entered into certain agreements whereby the Wandsworth Council have agreed to pave with wood portions of the street known as Southcroft Road in the metropolitan borough of Wandsworth which street is not a new street within the meaning of the Metropolis Management Act 1855:

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And whereas it is expedient that provision should be made as in this Act set forth for the apportionment of the costs of such paving between the owners of lands abutting on the said street and the Wandsworth Council:

And whereas it is expedient that the Wandsworth Council should be empowered and required to contribute to the costs charges and expenses incidental to the preparing applying for obtaining and passing of this Act:

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

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

And whereas in relation to the promotion of the Bill for this Act so far as regards the application for powers to be conferred upon the Wandsworth Council the requirements of the Borough Funds Acts 1872 and 1903 have been observed:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Part I.

Introductory.

Short title.

1. This Act may be cited as the London County Council (Parks &c.) Act 1915.

Division of Act into Parts.

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

Part I.—Introductory.

Part II.—Parks and Open Spaces.

Part III.—Maudsley Hospital.

Part IV.—Miscellaneous and Financial.

Interpretation.

3. 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;

"Borough council" means any metropolitan borough council;

"The Wandsworth Council" means the council of the metropolitan borough of Wandsworth.

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Part II.

Parks and Open Spaces.

Provision of rifle-ranges grounds and apparatus for games in parks and open spaces.

4.—(1) The Council may in any park garden or open space belonging to or controlled by them set apart provide lay out and maintain such rifle-ranges lawn tennis courts croquet lawns and bowling greens as they may think fit and may provide apparatus and equipment for use in connexion therewith and lockers and other conveniences for the purposes aforesaid and in connexion with other games and recreations in such parks gardens and open spaces.

(2) For the removal of doubts it is hereby enacted that the Council shall have and shall be deemed as from the first day of November one thousand nine hundred and fourteen to have had power to allow (subject to such conditions as they may think fit) rifle-clubs and others to set apart provide lay out and maintain rifle-ranges in any such parks gardens and open spaces as aforesaid.

(3) The Council may do all such acts and employ such persons as may be required for any of the purposes referred to in this section and may make such reasonable charges as they may think fit for the use of such rifle-ranges courts lawns and greens (so far as the same are specially laid out and maintained for the purpose) and of such apparatus equipment lockers and conveniences and may make and enforce conditions byelaws or regulations with respect to such rifle-ranges courts lawns greens apparatus equipment lockers and conveniences and for regulating the use thereof and the conduct of persons using the same or resorting thereto.

(4) The provisions of sections 14 to 19 of the London Council (General Powers) Act 1890 shall extend and apply to any byelaws made in pursuance of this section.

Powers to borough councils with respect to provision of rifle-ranges.

5.—(1) Any borough council may set apart provide lay out and maintain or allow (subject to such conditions as they may think fit) rifle-clubs and others to set apart provide lay out and maintain rifle-ranges in any park garden recreation ground open space or other premises belonging to or controlled by them and may provide apparatus and equipment (including lockers and other conveniences) for use in connexion therewith and may do all such acts and employ such persons as may be required for any of the said purposes and may make such reasonable charges

as they may think fit for the use of such rifle-ranges apparatus and equipment and may make and enforce conditions byelaws or regulations with respect to such rifle-ranges apparatus and equipment and for regulating the use thereof and the conduct of persons using the same.

(2) The provisions of the Metropolis Management Act 1855 respecting the making confirmation approval publication and evidence of byelaws shall extend and apply to any bye-laws made in pursuance of this section.

PART III.

MAUDSLEY HOSPITAL.

Visiting committee of Council may receive boarders at Maudsley Hospital.

6.—(1) The visiting committee of the Council may if they think fit receive and lodge as a boarder and maintain and treat at the Maudsley Hospital on such terms and conditions as to payment and otherwise as they may determine any person suffering from incipient insanity or mental infirmity who is desirous of voluntarily submitting himself to treatment therefor.

(2) The Council may if they think fit defray the whole or any part of the expenses of the maintenance and treatment in the said hospital of any such person as a voluntary boarder.

(3) Rules made under subsection (1) of section 338 of the Lunacy Act 1890 may prescribe the books entries reports notices and other documents to be kept and made in respect of boarders in the said hospital.

(4) A voluntary boarder in the said hospital shall be at liberty to leave the said hospital on giving twenty-four hours' notice of his intention to do so.

As to medical superintendent of Maudsley Hospital.

7. Notwithstanding anything contained in section 276 of the Lunacy Act 1890 the medical superintendent of the Maudsley Hospital shall not be required to reside therein so long as arrangements approved by the Board of Control are made for his residence elsewhere.

PART IV.

MISCELLANEOUS AND FINANCIAL.

Royal Albert Hall to be subject to certain existing enactments.

8. Section 11 of the Metropolis Management and Building Acts Amendment Act 1878 and section 45 of the Metropolitan Board of Works (Various Powers) Act 1882 shall notwithstanding anything contained in those Acts or in any royal charter relating to the building and premises in the county known as the Royal

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Albert Hall extend and apply to the said hall and to the Corporation of the Hall of Arts and Sciences or any person claiming through or under them in respect thereof as if the said hall were a house or place of public resort to which those sections or either of them apply.

Investment of superannuation funds of borough councils.

9.—(1) Where any borough council are empowered or required by special Act of Parliament to establish and administer a superannuation fund (in this section referred to as "the superannuation fund") for their officers and servants or any of them the borough council may in addition to any other mode of investment authorised by such special Act use for the purpose of any statutory borrowing power (as defined by this section) possessed by them any moneys forming part of the superannuation fund and not required for the time being to meet payments under the special Act but subject to the following conditions:—

(A) The moneys so used shall be repaid to the superannuation fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan under the statutory borrowing power would be repayable:

(B) Interest shall be paid to the superannuation fund on any moneys so used and for the time being not repaid to the fund Such interest shall be calculated at a rate per centum per annum to be determined by the borough council and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:

(C) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the particulars of the exercise of the power by such use shall be entered accordingly in the mortgage register kept by the borough council.

(2) In this section the expression "statutory borrowing power" means any power whether or not coupled with a duty

of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department or of the Council made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

As to paving of Southcroft Road.

10. It shall be lawful for the Wandsworth Council to exercise with respect to the street known as and being Southcroft Road in the metropolitan borough of Wandsworth the like powers as are exerciseable by them under section 105 of the Metropolis Management Act 1855 and section 77 of the Metropolis Management Amendment Act 1862 with respect to new streets Provided that notwithstanding anything in the said sections the amount to be paid to the Wandsworth Council by and to be apportioned among the owners of houses in the said street or of the land bounding or abutting on the same in respect of the paving of the said street shall be such sum not exceeding two-thirds of the expenses of such paving as the Wandsworth Council may determine and that the balance of such expenses shall be defrayed by the Wandsworth Council out of the general rate authorised to be levied by them.

Application of penalties under Act.

11. Notwithstanding anything contained in the Metropolitan Police Courts Act 1839 or in any other Act every penalty recovered under or in pursuance of this Act or any byelaw or regulation made thereunder shall be paid to the authority taking the proceedings leading to the recovery of the penalty.

Crown rights.

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

As to payments under Act.

13.—(1) All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general or special county purposes within the meaning of the Local Government Act 1888 as the Council may decide and the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act

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shall be paid by the Council in like manner Provided that so much of the said last-mentioned costs charges and expenses as may be incurred in connexion with the provisions contained in the section of this Act of which the marginal note is "As to paving of Southcroft Road" shall be paid by the Wandsworth Council out of the general rate authorised to be levied by them.

(2) Any moneys expended by any borough council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be paid out of the general rate authorised to be levied by such borough council.

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