CHAPTER lxvi.

An Act to provide for the removal of obstructions in certain Streets of London. [9th June 1893.]

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WHEREAS there are certain streets in London herein-after mentioned which are maintained sewered and lighted by the local authority out of money raised by rates but certain gates bars rails posts or other obstructions are maintained in the said streets which have the effect of limiting and restricting the traffic through the same:

And whereas the continuance of such gates bars rails posts and other obstructions and the limitations and restrictions thereby imposed upon traffic in the said streets tend to the public inconvenience and it is expedient that provision should be made for their removal:

And whereas an estimate was prepared by the Council as to the amount which they would require to expend on capital account for the purposes of this Act and such estimate amounted to one thousand pounds:

And whereas for the purpose of their contributions under this Act towards the cost of laying down wooden asphalte or other noiseless pavement it is estimated that the Council will require to expend on capital account a further amount not exceeding fifteen thousand pounds:

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

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

1. This Act may be cited as the London Streets (Removal of Gates Bars &c.) Act 1893. Short title.

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Definitions.

2. In this Act the expression "the Council" means the London County Council and the expression "the owner" used with reference to a gate bar rail post or other obstruction means the person or persons for the time being entitled to maintain such gate bar rail post or other obstruction.

Agreements for removal of certain gates bars and obstructions in streets.

3. At any time after the passing of this Act it shall be lawful for the Council on the one hand and the owner of each of the gates bars rails posts or other obstructions mentioned in the schedule to this Act on the other hand to enter into and carry into effect any agreement or agreements as to the removal of such gate bar rail post or other obstruction and for opening the street in which the same is situate to the free and unrestricted use either of traffic of all descriptions at all times or of such classes of traffic and at such times as may be defined in such agreement.

Procedure in default of agreement.

4. If the Council and the owner of any such gate bar rail post or other obstruction fail to make such agreement then it shall be lawful for the Council at any time to serve notice in writing upon the owner of the gate bar rail post or obstruction with respect to which he shall have failed to agree with the Council requiring him within a time therein stated (not to be less than three months after the date of the notice) to take down and remove the gate bar rail post and other obstruction to which the notice relates and to restore and make good the site thereof so that the same shall form part of the footway or roadway of the street:

If on the expiration of the time stated in the notice the owner shall have failed to comply therewith it shall be lawful for the Council by their officers and servants to take down and remove every gate bar rail post and other obstruction to which any such notice relates and to restore and make good the site thereof:

From and after the date of such notice it shall not be lawful for the owner (except with the consent in writing of the Council) to erect any other gate bar rail post or other obstruction for limiting or restricting traffic in the street or any other street in the vicinity or in any way to limit or restrict the use of any such street for traffic of all descriptions When and as soon as any of the said gates bars rails posts and other obstructions shall have been removed under the powers of this Act the site of such gate bar rail post or obstruction shall for all intents and purposes form part of the street in which it was situate and may and shall thenceforth be used repaired maintained lighted cleansed and sewered in the same manner as the rest of the street and other public streets in the district:

Provided that if any lands shall be taken or injuriously affected by anything to be done under or by virtue of this Act without the

consent of the owner thereof compensation shall be made for the same by the Council in the manner provided by the Lands Clauses Consolidation Act 1845 and the Acts amending the same the provisions of which Acts so far as relates to lands taken otherwise than by agreement and to compensation for lands injuriously affected shall be deemed for that purpose to be incorporated with this Act The words "injuriously affected" shall have the same meaning as in the said Act Provided also that no claim for compensation under this Act shall be made after the expiration of six months from the date of the notice served upon such owner under the provisions of this section and duly published.

Notice where owner cannot be found.

5. If the Council are unable to find the owner of any such gate bar rail post or other obstruction it shall be sufficient for the purpose of this Act for the Council to affix the notice in a conspicuous position on such gate bar rail post or other obstruction or near thereto and at any time not less than three months after such notice shall have been so affixed it shall be lawful for the Council to proceed to take down and remove the gate bar rail post or other obstruction in accordance with the provisions of this Act.

As to water and gas mains.

6.—(1) In taking down or removing any gate bar rail post or other obstruction or restoring or making good the site thereof in pursuance of the provisions of this Act no damage shall be done to any main pipe syphon or apparatus of any company supplying water or gas under the powers of any Act of Parliament nor shall any such main pipe syphon or apparatus be in any way interfered with except as herein-after provided and due care shall be taken to so make good or restore any such site as aforesaid as not to expose such main pipe syphon or apparatus to any risk of being injured by the traffic over or near the same.

(2) No interruption in the supply of water or gas through any main or pipe of any such company shall be in any way occasioned by anything done pursuant to the provisions of this Act and if any such interruption shall take place the Council shall pay to the company owning such main or pipe the cost of remedying such interruption and any damages costs and expenses to which the company may be put or penalty which may be adjudged against any such company by reason of any such interruption and the amount of such costs damages expenses and penalties may be recovered from the Council in any court of competent jurisdiction.

(3) If in the execution of any of the powers of this Act it is necessary to alter or interfere with any main pipe syphon or apparatus belonging to any such water or gas company the Council shall not alter or interfere with the same otherwise than in

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accordance with such provisions for the protection thereof as shall be agreed between the Council and such company or as in default of agreement shall be determined by an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers.

Agreements for removal of certain other gates and bars.

7. At any time after the passing of this Act and notwithstanding an Act passed in the fifty-third year of His late Majesty King George III. intituled "An Act for making a more convenient com- "munication from Marylebone Park and the northern parts of the "Metropolis in the Parish of Saint Marylebone to Charing Cross "within the liberty of Westminster and for making a more con- "venient Sewage for the same" it shall be lawful for the Council and the Commissioners of Woods to enter into and carry into effect any agreement or agreements as to the removal of the gates and posts across the two entrances to Park Crescent from Marylebone Road and the entrance to Harley Street from Marylebone Road in the parish of Saint Marylebone or any of them or as to opening the street in which the same is situate to the free and unrestricted use either of traffic of all descriptions at all times or of such classes of traffic and at such times as may be defined in such agreement Any such agreement may provide for the retention and preservation of the gates and railings at the entrances to Park Crescent or either of them :

Provided always that no such agreement shall limit any existing rights of the public under the said Act and that from and after the date of any such agreement the provisions of the said Act as to the maintenance of the gates and posts the subject of such agreement and of the lodges erected near or adjoining the same and of porters to attend the same shall cease and determine.

As to laying certain wooden or noiseless pavement.

8. Before the removal under the powers of this Act of the gates and posts in Wyndham Place Bryanston Square the vestry of Saint Marylebone shall lay down a wooden asphalte or other noiseless pavement in Wyndham Place south of Crawford Street.

Before the removal under the powers of this Act of the gates and posts in Bryanston Place the vestry of Saint Marylebone shall lay down a wooden asphalte or other noiseless pavement in Bryanston Place between Seymour Place and Bryanston Square.

Before the removal under the powers of this Act of the gates and posts in Devonshire Place the vestry of Saint Marylebone shall lay down a wooden asphalte or other noiseless pavement in Devonshire Place between the Marylebone Road and Devonshire Street :

Provided that the said vestry shall not be compelled under this section to lay down such noiseless pavement in Devonshire Place if

within three months from the passing of this Act a majority of the occupiers of houses therein express their desire in writing to the said vestry that the character of the material of the road should remain unaltered.

Before the removal under the powers of this Act of the gates posts and rails in Doughty Street the vestry of Saint Pancras shall lay down a wooden asphalte or other noiseless pavement in that part of Doughty Street which is south of Guilford Street to the parish boundary.

Before the removal under the powers of this Act of the gates posts and rails on the eastern side of Oakley Square the vestry of Saint Pancras shall lay down a wooden asphalte or other noiseless pavement along the south-eastern side of Oakley Square situate between Crowndale Road and Seymour Street.

Before the removal under the powers of this Act of the gates and posts in Heathcote Street the vestry of Saint Pancras shall properly make up with macadamised material the roadway on the east side of Mecklenburgh Square.

It shall be lawful for the Council on the one hand and the said vestries or either of them on the other hand to enter into and carry into effect any agreement as to the laying down and maintenance of the wooden asphalte or other noiseless pavement between the points herein-before mentioned and the manner in which the costs and expenses of laying down such pavement shall be provided And the Council shall contribute one half of the cost of laying down such pavements respectively.

Money to be raised on capital account.

9.—(1) The Council may expend on capital account for the purposes of this Act such money as they may from time to time think fit not exceeding sixteen thousand pounds and in order to raise or provide the money required for that purpose the Council may create and issue Consolidated Stock or resort to the Consolidated Loans Fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of money for capital purposes by the Council:

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

(2) The Council shall make provision for the redemption of such stock or the repayment of any money borrowed or expended on capital account for the purposes of this Act within a period of not exceeding sixty years from the date of the expenditure of such money in accordance with the provisions in relation to redemption

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and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account.

As to payments under this Act.

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

The SCHEDULE referred to in the foregoing Act.

Describing Nature and Situation of Obstruction and Parish in which it is Situate.

Parishes of Camberwell and Deptford.

Wagner Street Whitepost Lane (part only in Camberwell Parish)—
Posts across eastern end.

Parish of Chelsea.

Upper Manor Street—
Posts and rails across the northern end.

Lincoln Street—
Rails and wall across the northern end.

Lowndes Square by Harriet Street—
Gate and posts across entrance from Lowndes Square.

Lowndes Street—
Gate and posts at entrance to Cadogan Place.

Lowndes Street—
Gates and posts at northern end of street.

Parish of Greenwich.

Derwent Street—
Bar and posts across western end.

Parish of Saint Paul Deptford.

Brockley Road—
Gate and posts across entrance to Ashby Road.

Wagner Street Whitepost Lane (part only in Deptford Parish)—
Posts across eastern end.

Parish of Hammersmith.

Lime Grove—
Gates posts and rails across middle of street.

Parish of Saint Andrew Holborn.

Warwick Place Bedford Row—
Gate and bars obstructing the carriage-way to and from Brownlow Street.

Featherstone Buildings—
Posts across middle of street.

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PARISH OF ISLINGTON.

Highbury Grange Highbury—
Posts and rails across road and footway.

Saint John's Park Upper Holloway—
Gates and posts across centre of road.

Brandon Road Caledonian Road—
Wooden barrier dividing Blundell Street from Brandon Road.

PARISH OF LEWISHAM.

Willow Walk Sydenham—
Posts across middle of street.

Berryman's Lane Sydenham—
Gates and posts across northern end of street.

PARISH OF PADDINGTON.

Kensington Gardens Square—
Gates and posts across entrance from Princes Square.

Devonport Street—
Gates and posts across entrance to Sussex Place.

Hyde Park Gardens by Sussex Square—
Gates and posts across entrance to Stanhope Street.

Craven Hill Gardens—
Gate and posts across entrance from Leinster Terrace

PARISH OF SAINT GEORGE HANOVER SQUARE.

Eaton Square by Lyall Street—
Gates and posts across street.

Eaton Square by Eaton Place—
Gates and posts across street.

Eaton Square by Upper Eccleston Street—
Gates and posts across street.

Eaton Square by Saint Peter's Church—
Gates and posts across street.

Eaton Terrace—
Gates and posts across street.

Pont Street—
Gate and posts across street at eastern end

Belgrave Road by Gillingham Street—
Gates and posts across street.

Belgrave Road by Denbigh Street—
Gates and posts across street.

Saint George's Road by Elizabeth Bridge—
Gates and posts across street.

Harewood Place by Oxford Street—
Gates and posts across street.

Wilton Place by Knightsbridge—
Gates and posts across street.

PARISH OF SAINT JAMES WESTMINSTER.

Vigo Street Regent Street next Savile Row—
Posts at western end.

PARISH OF SAINT LUKE.

Christopher Street Finsbury Square (part only in Saint Luke's parish)—
Posts rails and wall across entrance from Wilson Street.

PARISH OF SAINT MARYLEBONE.

Wyndham Place Bryanston Square—
Gates and posts across northern end.

Bryanston Place and Seymour Place—
Gates and posts across western end.

Harewood Place and Lisson Grove—
Gate post and rails across street.

Devonshire Place by Marylebone Road—
Gates posts and rails across northern end.

PARISH OF SAINT PANCRAS.

Clifton Road—
Gates posts and rails across entrance to York Road.

Camden Park Road—
Gates and posts across entrance to York Road.

Wrotham Road—
Gates and posts across middle of street.

Saint Paul's Road—
Gates posts and rails across north-eastern end.

Saint Paul's Road—
Gates posts and rails across western end.

Camden Mews—
Gate posts and rail across entrance to Camden Park Road.

Harrington Square—
Gates posts and rails south-eastern entrance to Houghton Place.

Oakley Square—
Gates posts and rails across entrances to Crowndale Road.

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Taviton Street—
Gates posts and rails across southern end.

Endsleigh Street—
Gates posts and rails across southern end.

Doughty Street—
Gates posts and rails.

Heathcote Street—
Gate and posts across entrance to Gray's Inn Road.

Frederick Street Gray's Inn Road—
Gates and posts across eastern end.

PARISH OF SAINT LEONARD SHOREDITCH.

Christopher Street Finsbury Square (part only in Shoreditch parish)—
Posts rails and wall across entrance from Wilson Street.

Vandy Street Worship Street—
Posts at northern end and middle of street.

Union Buildings Union Street—
Posts across southern end of Cæsar Street eastern end of Union Buildings and the middle of Long Street.

PARISH OF STREATHAM.

Beechcroft Road Streatham—
Gate across entrance to Glenbourne Road.

PARISH OF SAINT MARGARET WESTMINSTER.

Little George Street—
Bar and posts across middle of street.

Princes Gardens—
Rails across eastern end.

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