Short title.

2. This Act may be cited as the Patents, Designs, and Trade Marks (Temporary Rules) Act, 1914.

Duration.

3. This Act and the rules made thereunder shall continue in force during the continuance of the present state of war in Europe, and for a period of six months thereafter and no longer.

CHAPTER 28.

An Act to enable the London County Council to acquire certain lands and execute certain improvements in the City of Westminster, and for other purposes in connexion therewith. [7th August 1914.]

WHEREAS with a view to enhancing the dignity of the approach to the Mall from Charing Cross and the East it is expedient that the London County Council (in this Act referred to as the Council) should be empowered to acquire the lands and execute the improvements by this Act authorised, and to exercise in connexion therewith the powers in this Act set forth:

And whereas it is expedient that the Council and the mayor, aldermen, and councillors of the city of Westminster (in this Act referred to as the Westminster City Council) should be empowered to enter into and carry into effect agreements with reference to the execution of such improvements as aforesaid:

And whereas it is expedient to confer on the Council such powers as are hereinafter set forth with regard to the raising of money for the purposes of this Act:

And whereas it is expedient that such provision as hereinafter appears should be made for contributions by the Commissioners of Works and by the Westminster City Council to the cost incurred under this Act:

And whereas estimates have been prepared by the Council as to the amount which they will require to expend on capital account for the purposes of this Act, and such estimates (calculated to cover the original cost of purchasing lands and executing the improvements without any allowance in respect of returns from resale or letting of lands which will be ultimately available for that purpose or from such contributions as aforesaid) amount to two hundred and fifteen thousand pounds:

And whereas there have been deposited with the clerk of the peace for the county of London plans and sections describing the lines and levels of the lands which may be acquired for the purposes of this Act, and of the improvements by this Act authorised, and also 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, (which plans, sections, and book of reference, are respectively referred to in this Act as the deposited plans, sections, and book of reference):

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

Be it therefore 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:

Power to Council to take lands.

1.—(1) Subject to the provisions of this Act the Council may enter upon, take, and use all or any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purpose of securing the erection thereon of buildings of a suitable design, or for the purposes of the improvements authorised by this Act, or for providing substituted sites or facilities for any person whose land may be acquired by the Council under this Act, or otherwise for the purposes of this Act.

(2) The Council may also purchase by agreement any other lands which they may think it desirable to purchase in order to provide such substituted sites or facilities as aforesaid.

Incorporation of Lands Clauses Acts.

2.—(1) The Lands Clauses Acts shall, subject to the provisions of this Act, be incorporated with this Act, with the following exceptions and modifications:—

(*a*) The provisions relating to the sale of superfluous land and section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (relating to land tax and poor rate), shall not be incorporated with this Act: 8 & 9 Vict. c. 18.

(*b*) In the construction of the Acts incorporated with this Act the Council shall be deemed to be the promoters of the undertaking, and this Act shall be deemed to be the special Act:

(*c*) All claims for compensation made upon the Council under this Act, or any Act incorporated with this Act, shall, if the person claiming has no greater interest in the land in respect of which compensation is claimed than as tenant from year to year or as a leaseholder for any term of which not more than eighteen months remain unexpired at the time at which the claim is made, be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act, 1845:

(*d*) In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement, alteration, or building made or erected, or for or in respect of any

interest in the lands created, after the twenty-ninth day of July nineteen hundred and thirteen, if, in the opinion of such court or person, the improvement, alteration, or building, or the creation of the interest in respect of which the claim is made, was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

(2) The powers of the Council for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Power to Council to make improvements.

3.—(1) Subject to the provisions of this Act the Council may, in the lines or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections make and execute the following improvements (in this Act referred to as the improvements), namely :—

(*a*) A widening of Spring Gardens on the northern side thereof between the centre line of the existing Mall Approach and a point one and a half chains or thereabouts westward thereof.

(*b*) A widening of the Mall Approach on the north-western side thereof between Spring Gardens and Charing Cross.

(*c*) A widening of Charing Cross on the southern side thereof between the centre line of the existing Mall Approach and a point one and a half chains or thereabouts westward thereof.

For protection of Canadian Pacific Railway Company.

4. Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not, without the consent of the Canadian Pacific Railway Company, enter upon, take, or use any of the lands, buildings, or premises belonging to or in the occupation of that Company, being the premises known as numbers 62, 63, 64, 65, and 66, Charing Cross.

Buildings to be erected on lands acquired.

5. With a view to the erection of buildings of a suitable design upon the lands acquired by the Council under this Act and not required by them for the purposes of the improvements, the Council shall, within a reasonable time after the passing of this Act, lease, sell, or exchange the said lands in accordance with the powers conferred upon them by this Act and by the enactments incorporated therewith, and upon any such lease, sale, or exchange shall take all due steps to secure the erection upon the said lands of buildings or other structures in accordance with designs, sections, and specifications submitted to and approved by the Commissioners of Works.

Power to make agreements as to improvements.

6. The Council and the Westminster City Council may enter into and carry into effect agreements with respect to the execution of the improvements.

Improvements to form public streets, repair &c.

7.—(1) When the improvements are completed a certificate thereof shall be issued under the seal of the Council, and any copy of such certificate certified under the hand of the clerk of the Council shall in all proceedings and for all purposes be admissible and received as evidence that the certificate has been duly made, and from the date of the certificate so much of the improvements as has been laid out as carriageway or footway shall form part of the street and may be used by the public accordingly.

(2) Subject to the provisions of this Act so much of the land acquired by the Council for the improvements as is thrown into and used for the carriageway or footway of any street shall on the completion of the improvements (subject to the enjoyment by the Westminster City Council of all such rights in such lands as are usually enjoyed in respect of a street by the road authority) be and remain vested in the Council, and the maintenance, repair, paving, cleansing, and lighting of so much of the improvements as has been laid out as aforesaid shall be under the care, management, control, and jurisdiction of the Westminster City Council in the same manner as other highways under the care, management, control, and jurisdiction of the said City Council.

Period for completion of improvements.

8. If the improvements are not completed within five years from the passing of this Act, then on the expiration of that period the powers of the Council under this Act for the execution of the same respectively shall cease, except so far as the same are then completed.

Money to be raised on capital account.

9. 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 two hundred and fifteen thousand pounds, 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: 2 & 3 Geo. 5. c. cv.

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

Contributions of Commissioners of Works and Westminster City Council.

10.—(1) The Commissioners of Works and the Westminster City Council shall each contribute towards the net cost incurred by the Council in the execution of this Act a sum amounting to one-third of such cost or thirty-eight thousand three hundred and thirty-three pounds, whichever is less.

(2) The contribution of the Commissioners of Works under this section shall be defrayed out of moneys provided by Parliament and out of other moneys at the disposal of the Commissioners in such proportions as the Commissioners, with the consent of the Treasury, may determine.

(3) The Westminster City Council may, subject in all respects to the provisions of sections one hundred and eighty-three to one hundred and eighty-nine of the Metropolis Management Act, 1855, as amended by any subsequent Act, borrow the requisite moneys for the purposes of their contribution under this section.

18 & 19 Vict. c. 120.

(4) The Council shall cause a separate account to be kept of all receipts and expenditure under this Act and shall furnish copies of the account to the Commissioners of Works and the Westminster City Council.

Incorporation of certain provisions of Improvements Acts.

11. The sections of the Acts specified in the first column of the Schedule to this Act of which the numbers and marginal notes are respectively set forth in the second and third columns of that schedule, are hereby incorporated with and form part of this Act, and the said sections shall, so far as applicable, extend and apply to the improvements and to the lands authorised to be acquired under this Act and to the Council in respect thereof as fully and effectually as if such sections had been re-enacted with the necessary modifications in this Act with reference thereto:

Provided that—

(*a*) for the purposes of the incorporated sections forty-eight and forty-nine of the London County Council (Tramways and Improvements) Act, 1901, the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies; and

1 Edw. 7. c. cclxxi.

(*b*) for the purpose of the incorporated sections fifty-two, fifty-four, and fifty-five of the same Act the purposes of this Act shall be deemed to be the improvements; and

(*c*) the incorporated section sixty-six of the same Act shall have effect as though the Commissioners of Works were included therein as a party empowered to enter into and carry into effect the agreements referred to in that section.

As to payments under this Act,

12. 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 deemed to be incurred in the execution of this Act.

51 & 52 Vict. c. 41.

Short title.

13. This Act may be cited as the Mall Approach (Improvement) Act, 1914.

SCHEDULE.

Section 11.

ENACTMENTS INCORPORATED.

Act.	Number of Section.	Marginal Note.
London County Council (Tramways and Improvements) Act, 1901 (1 Edw. 7. c. cclxxi).	29	Streets may be raised or lowered.
	30	Deviation from line and levels.
	32	Carriageway, footway, sewers, and other works.
	33	Directing how pavement shall be laid and made.
	34	Sewers or drains to be arched over or filled up
	35	Power to alter steps, areas, pipes, &c.
	38	Power to sell materials.
	41	Power to certain persons to grant easements, &c., by agreement.
	42	Correction of errors, &c., in deposited plans and book of reference.
	43	Power to Council to enter upon property for survey and valuation.
	44	Costs of arbitration, &c., in certain cases.
	48	Alteration of position of water, gas, and other pipes.
	49	For protection of gas and water companies.
	50	Alteration of electric lines.
	52	Power to lease surplus lands.
	54	Council may sell land in the first instance without having previously granted a lease thereof.
	55	Council may let or exchange lands.
	57	Receipts of Council to be effectual discharges.
	58	Power to Council to make agreements with owners of property, &c.
	66	Agreements for closing accounts in cases of joint works.
London County Council (Tramways and Improvements) Act, 1907 (7 Edw. 7. c. cxliv).	21	Power to make subsidiary works, stop-up streets, &c.
	32	Council to dispose of lands within a certain period.
	33	As to sale of ground rents.
	40	Power to stop-up ways temporarily.