CHAPTER ccxxvi.

An Act to authorise the construction of a New Road between Peckham in the County of Surrey and Lewisham in the County of Kent. [18th August 1882.] A.D. 1882.

WHEREAS the construction of a new road between Peckham in the county of Surrey and Lewisham in the county of Kent would be of public and local convenience:

And whereas Edward Kynaston Bridger of Number 37 King William Street in the City of London in this Act referred to as the promoter of the undertaking is willing to undertake the execution of the necessary works and to open the said road for public use on being authorised to acquire the lands in the neighbourhood thereof described in this Act and on having the powers herein-after contained conferred upon him for that purpose:

And whereas plans and sections showing the lines and levels of the roads authorised by this Act and the lands in or through which the same are intended to be made and plans of the land which the promoter of the undertaking is by this Act empowered to acquire and appropriate 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 the said lands have been deposited with the clerks of the peace for the counties of Surrey and Kent and the said plans sections and book of reference are in this Act referred to as the deposited plans sections and book of reference:

And whereas the purposes of this Act cannot be effected 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 Peckham Lewisham and Catford Bridge Road Act 1882. Short title.

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Lands Clauses Acts incorporated. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 (except such of the provisions of those Acts as are varied by or excepted from or inconsistent with this Act) are incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have (subject as herein-after mentioned) the same respective meanings unless there be something in the subject or context repugnant to such construction.

The expression "two justices" shall mean two justices assembled and acting together in petty sessions or a metropolitan police magistrate sitting alone.

The words "streets" includes streets squares courts alleys highways roads thoroughfares or public passages or places.

The expression "the new road" means the new roads by this Act authorised.

And the expression "superior courts" or "court of competent jurisdiction" or any other like expression shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt and not a debt or demand created by a statute.

Power to make new roads.

4. Subject to the provisions of this Act the promoter of the undertaking may make and maintain in the line and according to the levels shown on the deposited plans and sections the new roads herein-after described and may enter upon purchase and take such of the lands delineated on the said plans and described in the deposited book of reference as he may think fit.

The new roads herein-after referred to are:

1. A new road commencing in the parish of St. Giles' Camberwell in the county of Surrey in the public road forming the north-eastern boundary of Peckham Rye Common at the eastern corner of that Common passing under the London Chatham and Dover (Crystal Palace and South London Junction) Railway through an archway about one thousand three hundred yards north-east of Honor Oak Station and over the London Brighton and South Coast Railway and terminating in the parish of St. Mary Lewisham in the county of Kent by a junction with Brockley Lane or Road.
2. A new road wholly in the said parish of St. Mary Lewisham commencing by a junction with the Brockley Lane at or near the point where it turns off to the north-east in the

direction of Ladywell two hundred and ninety yards or thereabouts eastward from the termination of Road No. 1 herein-before described and terminating at a point where the road through Ravensbourne Park joins the road leading over Catford Bridge.

Power to make subsidiary works.

5. Subject to the provisions of this Act and within the limits defined on the deposited plans the promoter of the undertaking may in connexion with the new road and as part and for the purposes thereof make junctions and communications with any existing streets intersected or interfered with by or contiguous to the new road within the limits of deviation shown on the deposited plans and may remove or alter any sewer drain pipes tubes or lamp-posts within the limits shown on the deposited plans as aforesaid.

Width of new road and widening of bridge.

6. The new road including footways except where it will pass under the London Chatham and Dover Railway (Crystal Palace and South London Junction Railway) and over the London Brighton and South Coast Railway shall be constructed and maintained of a not less width throughout than fifty feet. The construction of the new road firstly described in and authorised by this Act shall not be commenced under the powers of this Act on any part of the land numbered on the deposited plans 112 in the parish of St. Mary Lewisham or on any part of the land between the said land so numbered 112 and the bridge over the London Brighton and South Coast Railway numbered on the deposited plans 122 in the same parish until the said bridge shall have been widened to an extent of at least forty feet clear between the parapets thereof.

Level of new road.

7. The new road shall be constructed according to levels to be shown on a section to be submitted to the Metropolitan Board of Works for their reasonable approval before the commencement thereof and the promoter shall not commence such construction until the Board shall have signified their approval. Provided that if for 21 days after submission of such section to the Metropolitan Board of Works that Board do not indicate their disapproval of the said section or other directions thereon it shall be deemed to have been approved: And the promoter shall comply with the reasonable requirements of the said Board in the execution of the new road and shall on demand pay to the said Board all costs charges and expenses they may reasonably incur in the examination of the said section and in superintending the execution of the said works.

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Alteration of bridge over London Brighton and South Coast Railway.

8. In order to carry the new road over the Brockley cutting on the London Brighton and South Coast Railway in the parish of Saint Mary Lewisham the promoter of the undertaking may widen and alter the bridge over that railway situate one thousand one hundred and twenty yards or thereabouts measured along that railway southward of the Brockley station and the approaches to that bridge.

Authorising diversion of footpaths, &c.

9. The promoter of the undertaking may alter and divert any cartway and footpaths respectively shown on the deposited plans so far as the same are within the limits of deviation marked upon the said plans and on the completion of such diversion may stop up any portion thereof within the said limits of deviation rendered unnecessary by such deviation and thereupon all rights of way in and over the portion so stopped up shall be extinguished and the site and soil thereof shall vest in the promoter of the undertaking so far as he is the owner of the lands on both sides.

Part only of certain properties may be taken.

10. If in the judgment of the jury arbitrator or other authority assessing or determining the compensation under this Act in respect of the properties numbered on the deposited plans and book of reference 128 and 129 in the parish of Saint Mary Lewisham that portion thereof which is within the limits of deviation marked on the said plans can be severed from the remainder of the said properties without material detriment thereto the promoter of the undertaking may purchase that part only of the said properties without being liable to be required to purchase the whole or any greater portion of any house or building of which such portion may form part the promoter of the undertaking paying for the portion required by him and making compensation for any damage sustained by the owners thereof or other persons interested therein by severance or otherwise.

Opening of certain roads for public use.

11. Nothing in this Act contained shall empower the promoter of the undertaking to purchase or take the roads respectively numbered on the deposited plans and book of reference 1 in the parish of St. Giles Camberwell and 135 in the parish of St. Mary Lewisham but as from the completion of the new road to the reasonable satisfaction of the vestry of the said parish of St. Giles and of the Lewisham district board of works the said existing roads numbered 1 and 135 as aforesaid shall subject to the provisions of this Act become and be dedicated to public use.

Correction of errors in deposited plans and

12. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of

reference the promoter of the undertaking after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matters shall have been misstated or erroneously described and such certificate shall be deposited with the clerks of the peace for the counties of Surrey and Kent and such certificate shall be kept by such clerks of the peace respectively along with the other documents to which it relates and thereupon such plans and book of reference shall be deemed to be corrected according to such certificate and the promoter of the undertaking may proceed with the works in accordance with such certificate.

book of reference.

13. It shall be lawful for the promoter of the undertaking during the construction of the works by this Act authorised and with the consent of the Metropolitan Board of Works and according to such regulations as that Board may prescribe to stop up or cause to be stopped up all or any part of the carriage ways or footways of streets within the limits of deviation shown on the deposited plans which he shall think necessary for the purposes of this Act to be stopped up and for that purpose to put or cause to be put up sufficient palisades bars posts and other erections.

Power to stop up streets during the construction of works.

14. The promoter of the undertaking may in the construction of the new road deviate from the lines thereof to the extent shown upon the deposited plans but not in any case into any land not described in the deposited plans and book of reference and the promoter of the undertaking may deviate from the levels of the new road as marked on the deposited section to any extent not exceeding five feet.

Deviations from lines on plans and sections.

15. The powers of the promoter of the undertaking for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for compulsory purchase of land limited.

16. The new road shall be completed within four years from the passing of this Act and on the expiration of that period the powers by this Act granted to the promoter of the undertaking for constructing the said new road shall cease to be exercised except as to so much thereof as shall then be completed.

Period for completion of works.

17. Nothing in this Act contained shall empower the promoter of the undertaking to enter upon take or use either temporarily or

Land of Christ's Hospital

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not to be taken compulsorily.

permanently any land belonging to the mayor and commonalty and citizens of the City of London governors of the possessions revenues and goods of the hospitals of Edward late King of England the Sixth of Christ Bridewell and St. Thomas the Apostle as governors of Christ's Hospital otherwise than by agreement.

For protection of Edward Yates.

18. Nothing in this Act contained shall empower the promoter of the undertaking to purchase or to take any part of the land belonging or reputed to belong to Edward Yates and numbered on the deposited plan and book of reference 112 in the parish of St. Mary Lewisham lying on the south side of the site of the new road as delineated on the deposited plan which shall be beyond the distance of one hundred and twenty-five feet from the centre of the said road and the said Edward Yates may retain for the purpose of obtaining access from the new road to the remaining portion of the said piece of land numbered 112 a strip of land not less than forty feet wide extending from the southern boundary of the said new road in a direction parallel to the western boundary of the said piece of land numbered 112 and at a mean distance of eighty feet from the said western boundary.

For protection of the pipes of the Lambeth Waterworks Company.

19. It shall be lawful for the promoter of the undertaking for the purpose of constructing the roads by this Act authorised to raise sink or otherwise alter the position of any of the watercourses or water pipes belonging to any of the houses adjoining or near to the new roads and also the mains and other pipes laid down by the Lambeth Waterworks Company (herein-after called the water company) so as the same respectively be done with as little detriment and inconvenience to such company or inhabitants as the circumstances will admit and be done under the superintendence of the water company or of their surveyor or engineer if he think fit to attend after receiving not less than forty-eight hours' notice for that purpose:

(*a.*) Provided always that it shall not be lawful for the promoter of the undertaking to remove or displace any of the mains or pipes (other than private service pipes) syphons plugs or other works belonging to the water company or to do anything to impede the passage of water into or through such mains or pipes until good and sufficient mains or pipes syphons plugs and all other works necessary or proper for continuing the supply of water as efficiently as the same was supplied by the mains or pipes proposed to be removed or displaced shall at the expense of the promoter of the undertaking have been first made and laid down in lieu thereof and be ready for use in a

position as little varying from that of the pipes or mains proposed to be removed or displaced as may be consistent with the construction of the new roads and to the satisfaction of the surveyor or engineer of the water company or in case of disagreement between such surveyor or engineer and the promoter of the undertaking as a justice shall direct:

(*b.*) It shall not be lawful for the promoter of the undertaking to lay down any such pipes contrary to the regulations of any Act of Parliament relating to the water company or to cause any road to be lowered without leaving a covering of not less than 18 inches from the surface of the road over such mains or pipes:

(*c.*) The promoter of the undertaking shall make good all damage done to the property of the water company by the disturbance thereof and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with the mains pipes or works of the water company or with the private service pipes of any person supplied by them with water:

(*d.*) If by any such operations as aforesaid the promoter of the undertaking shall interrupt the supply of water he shall fully compensate the water company for any damage or loss which may be sustained by them in consequence of such interruption such compensation if not paid on demand may be recovered with full costs of suit by the water company by proceeding in any court of competent jurisdiction.

For protection of London Chatham and Dover Railway Company.

20. Any works for the construction of the new road No. 1 where the same passes under the London Chatham and Dover (Crystal Palace and South London Junction) Railway or between the works of that railway shall be done under the superintendence and to the reasonable satisfaction of the principal engineer having the charge of such railway and works respectively and according to plans to be reasonably approved by him before any such works are begun and he may appoint and employ such necessary inspectors and watchmen as he may think proper to superintend the execution of the works and to secure the safety of such railway or works and the costs of all such works as well as of the superintendence thereof as before provided for shall be borne and defrayed by the promoter and such works shall be carried out so as not to cause any injury to that railway or works or any interruption of the passage or conduct of traffic over or at that railway and if any injury owing to or by reason of the construction or repair of any of the works hereby authorised shall arise to that railway or works or any inter-

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ruption to the traffic thereon the promoter shall make full compensation in respect thereof to the London Chatham and Dover Railway Company.

For protection of the Brighton Railway Company.

21. In constructing and maintaining the works by this Act authorised where they are intended to pass over the London Brighton and South Coast Railway (herein-after called the Brighton Railway) the promoter (which term includes for the purpose of this section his sequels in title) shall be subject to the following conditions (videlicet):

(1.) All works over or affecting the Brighton Railway or the lands and property of the Brighton Railway Company shall be executed and for ever after maintained at the expense of the promoter under the superintendence and to the satisfaction of the engineer for the time being of the Brighton Railway Company and according to plans and specifications previously submitted to the said engineer and approved by him in writing: Provided that if the said engineer shall not have expressed his approval or disapproval of the said plans and specifications within one month after the same shall have been submitted to him he shall be deemed to have approved thereof;

(2.) The said works shall be constructed and maintained so that the traffic upon the said railway shall not be in anywise impeded or interfered with;

(3.) If by reason of the construction and maintenance of the said works or any of them the Brighton Railway or the works connected therewith shall be injured or the traffic thereon impeded the promoter shall compensate the Brighton Railway Company for all costs to which they may be put in repairing the said damage and shall also pay by way of liquidated damages to the Brighton Railway Company ten pounds for every hour during which such traffic shall be impeded;

(4.) The promoter shall also indemnify the Brighton Railway Company for any damage or compensation which may be recovered against them by reason of the interruption of the traffic on their said railway or by reason of any accident on the said railway which interruption or accident shall have been occasioned by the acts or defaults of the promoter or any of his contractors or servants;

(5.) The promoter shall not acquire any estate or interest in the land and property of the Brighton Railway Company other than an easement or right of constructing or maintaining therein the works by this Act authorised or in exercising the powers conferred by this Act and the Brighton Railway

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Company shall grant such easement and the amount to be paid for the acquisition of such easement shall be settled in the manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase of lands otherwise than by agreement;

(6.) Any difference which may arise between the engineer of the promoter and the engineer of the Brighton Railway Company concerning the said plans or specifications or concerning the execution or maintenance of the said works shall be from time to time settled by an umpire to be agreed on by the said two engineers or in default of such agreement to be appointed by the Board of Trade upon the application of either party and the provisions of the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration shall so far as they are applicable apply to any such arbitration.

8 & 9 Vict. c. 20.

For protection of sewers of Metropolitan and other Boards. 18 & 19 Vict. c. 120.

22. When any of the intended works to be done under or by virtue of this Act shall or may pass over under or by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board of Works or of any vestry or district board constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said board vestry or district board or either of them or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control the promoter shall not commence such work until he shall have given to the said Metropolitan Board or to the district board or vestry as the case may be twenty-one days' previous notice in writing of his intention to commence the same by leaving such notice at the principal office of such board or vestry as the case may be for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same (unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-one days after the service of the said plans sections and particulars as aforesaid) and the promoter shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the district board or vestry in the execution of the said works and shall provide by new altered or substituted works in such manner as such board or vestry respectively may deem necessary for the proper protection

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of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works or any part thereof and shall save harmless the said Metropolitan Board district board and vestry respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the said Metropolitan Board district board or vestry as the case may be at the costs charges and expenses in all respects of the promoter and all costs charges or expenses which the said Metropolitan Board district board or vestry may be put to by reason of the works of the promoter whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such boards or vestry by the promoter on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the cost charges or expenses of the promoter under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the said Metropolitan Board district board and vestry respectively as the case may be as any sewers or works now are or hereafter may be and nothing in this Act shall extend to prejudice alter diminish or take away any of the rights powers or authorities vested or to be vested in the said Metropolitan Board district board and vestry or any or either of them or of their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

Prescribing character of buildings to be erected on road.

23. It shall not be lawful for the promoter of the undertaking or his sequels in title to erect or permit to be erected on any part of the land within the limits marked on the deposited plans with reference to the road secondly described in and authorised by this Act and acquired by him or them under the powers of this Act or otherwise any building the cost of which shall be less than five hundred pounds or use or permit any such building to be used as a public house or shop.

New road not to be connected with Ravensbourne Park Road until completed.

24. The said new road secondly described shall not be opened so as to communicate with Ravensbourne Park Road until it shall have been formed and completed so as to be fit for traffic.

For the protection of the Lewisham

25. For the protection of the board of works for the Lewisham district (in this section called "the district board") and the owners of land abutting on Ravensbourne Park Road and on the Circular

Road the following provisions shall notwithstanding anything in this Act contained apply and have effect that is to say:

District Board of Works.

(1.) In this section "the New Road No. 1" means the new road in the parish of St. Mary Lewisham firstly by this Act authorised to be constructed. "The New Road No. 2" means the road in the same parish secondly by this Act authorised to be constructed. "Ravensbourne Park Road" means the road in Ravensbourne Park in the said parish and numbered 135 on the deposited plans. "The Circular Road" means the circular road in Ravensbourne Park. "The plan" means a plan signed in triplicate by the Right Honourable the Earl of Redesdale, the Chairman of Committees of the House of Lords which plan is deposited as to one copy in the office of the Clerk of the Parliaments as to another copy at the office of the clerk to the district board and as to the remaining copy with the promoter.

(2.) It shall not be lawful to make any deviation from the levels of any existing street or to alter the approaches to the bridge over the London Brighton and South Coast Railway or to deviate from the levels of the new road as marked on the deposited section or to alter any sewer drain pipes tubes or lamp posts vested in or under the control of the district board except in such manner and to such extent as shall be previously approved by the district board.

(3.) The owners of the land coloured green on the plan and thereon shown as abutting on the New Road No. 2 shall as from the time when that road is commenced to be formed be liable to pave and repair the same and also Ravensbourne Park Road and the Circular Road and in the event of the said owners failing to keep such roads or any of them in good order and repair to the satisfaction of the district board then the district board may repair such roads or any of them and the expenses of the same (to be certified by the surveyor of the district board) shall be apportionable upon the said owners by the district board and recoverable by them in the same manner and with the like incidents in all respects as is prescribed by section 100 of the Metropolis Management Act 1855 and section 81 of the Metropolis Management Amendment Act 1862 as though the road repaired were a court passage or public place not being a thoroughfare and the said owners shall on demand pay to the district board the amount of the estimated expenses of paving and repairing such road (such amount to be determined by the surveyor for the time being

25 & 26 Vict. c. 102.

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of such district board) and in case such estimated expenses exceed the actual expenses of such paving and repairing then the difference between such estimated expenses and such actual expenses shall be repaid by the district board to the owners by whom such sum of money has been paid and in case the said estimated expenses be less than the actual expenses of such paving and repairing then the said owners shall on demand pay to the district board such further sum of money as together with the sum already paid amounts to such actual expenses and such estimated expenses shall be apportioned by the district board on such owners and shall be recoverable either before the work shall be commenced or during its progress or after its completion and any such amount shall be recoverable from the present or any future owner of the land or premises and in the manner provided for the recovery of expenses from owners by district boards under the provisions of the Metropolis Management Act 1855 or any of the Acts amending the same and the owners of land abutting on the Ravensbourne Park Road and on the Circular Road respectively shall be deemed to be exonerated from all liability in respect of the expenses of paving the last-mentioned roads when they are respectively taken over by the district board and such expenses shall fall exclusively on the owners of the land so shown as abutting on the New Road No. 2 and shall be recoverable from them in all respects as though they were the owners of the land abutting on Ravensbourne Park Road and the Circular Road. For the purpose of this section the expression "owner" has the meaning assigned to that term in section 250 of the Metropolis Management Act 1855 and the word "pave" has the meaning assigned thereto in section 112 of the Metropolis Management Amendment Act 1862.

(4.) From and after the commencement of the formation of the New Road No. 1 that road shall be paved and repaired by and at the cost of the owners of the lands abutting thereon and in the event of such owners failing to keep the said road in good order and repair to the satisfaction of the district board they may repair the same and the expenses incurred by them in so doing shall be apportionable and recoverable in the manner and with the like incidents as are mentioned in the preceding subsection in relation to the apportionment and recovery of the expenses of the repairs by them of the New Road No. 2.

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(5.) When and so soon as the district board in their absolute discretion shall think fit to take over as new streets the New Road and Ravensbourne Park Road and the Circular Road respectively or any of them or any part thereof respectively each road or part of a road so taken over shall notwithstanding anything in this Act contained be deemed a new street within the meaning of the Metropolis Local Management Amendment Act 1862 and may be paved by the district board accordingly subject nevertheless to the before-mentioned liability of the owners of land so shown as abutting on the New Road No. 2 to pay the expenses of paving Ravensbourne Park Road and the Circular Road.

(6.) In order to secure the district board against any default which may be made by any owner of land so shown as abutting on the New Road No. 2 in the payment of the expenses or any portion of the expenses payable by him :

(*a.*) In respect of the repairing of the Ravensbourne Park Road and the Circular Road or either of them herein-after called repairing expenses :

(*b.*) In respect of the making up of the Ravensbourne Park Road and the Circular Road or either of them and herein-after called paving expenses : The promoter shall not less than seven days before any works authorised by this Act shall be commenced deposit with the district board the sum of five hundred pounds in respect of the repairing expenses (herein-after called the repairing fund) and the sum of two thousand pounds in respect of the paving expenses (herein-after called the paving fund).

(7.) If at any time or from time to time any owner of land so shown as abutting on the New Road No. 2 make default in the payment of any repairing expenses or any paving expenses the district board may (without prejudice to their right to recover any such expenses against the owners for the time being of such lands at any subsequent time or times) resort to that one of the said funds so chargeable with the payment of the expenses so unpaid and may recoup themselves thereout the expenses payable by the owner so in default and if at any subsequent time or times the district board recovers from any such owner the said expenses or any part of the said expenses in respect of which such default shall have been made they shall pay the net amount thereof to the fund out of which the same shall have been paid and so from time to time.

(8.) If and when the district board shall have taken over as new streets Ravensbourne Park Road and the Circular Road they

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shall transfer the whole and if and when they take over either of those roads they shall transfer a proportionate part of so much of the repairing fund as shall at such taking over remain in their hands unapplied to the promoter his executors administrators and assigns.

(9.) If and when the land so shown as abutting on the New Road No. 2 shall have been on both sides continuously built on the promoter his executors administrators or assigns may give notice in writing to the district board to transfer to him or them the paving fund and before the expiration of six months from the delivery of such notice the district board shall either resolve to take over Ravensbourne Park Road and the Circular Road or one of them or shall transfer to him or them so much of that fund as shall then remain in the hands of the district board unapplied.

(10.) So long as the said funds or any part thereof shall remain in the hands of the district board unapplied they shall either pay to the promoter his executors administrators or assigns interest on so much thereof respectively as shall remain in their hands unapplied after the rate of three pounds per centum per annum on the 1st day of January and the 1st day of July in every year or they shall invest the said funds or so much thereof respectively as shall so remain in their hands unapplied in or upon any securities in or upon which trustees are for the time being authorised by law to invest trust funds or in or upon any other securities which may be agreed upon by the district board and the promoter his executors administrators or assigns and shall either pay to the promoter his executors administrators or assigns the interest from time to time arising from such securities (first deducting the cost charges and expenses of and incident to the investment and management of the funds respectively) or the district board may in their discretion apply such interest after making such deduction as aforesaid so far as the same will extend in or toward the repairing and maintaining of Ravensbourne Park Road and the Circular Road or either of them.

(11.) Nothing in this Act contained shall impose or be deemed to impose any greater burthen or liability upon the district board than existed prior to the passing of this Act.

(12.) Nothing in this Act contained shall impose or be deemed to impose upon the owners of land abutting on the Ravensbourne Park Road or on the Circular Road any further burthen or liability in respect of the said roads or otherwise than existed prior to the passing of this Act.

Powers of sale and lease of land not to be restricted.

26. Nothing in this Act shall be construed to prevent the promoter of the undertaking from selling any land acquired by him under this Act and not required for the carriage or footway of the new road or from demising any such land on lease or otherwise disposing of the same as he may think fit.

New road when constructed to satisfaction of vestries to be dedicated to the public use.

27. So soon as the new road shall have been constructed to the reasonable satisfaction of the vestry of St. Giles Camberwell so far as it will be situate in that parish and to the reasonable satisfaction of the Lewisham district board of works so far as it will be situate in the parish of St. Mary Lewisham the promoter of the undertaking shall open and dedicate the said new road to the use of the public.

Promoter not exempt from Metropolitan Building Acts. 18 & 19 Vict. c. 122.

28. Nothing in this Act contained shall exempt the promoter of the undertaking or the new road from any of the provisions of the Metropolis Management Act 1855 the Metropolitan Building Act 1855 or any Act amending either of those Acts.

Powers of heirs of promoter.

29. All powers authorities rights and duties by this Act conferred or imposed on the promoter shall pass and belong to and be exercised and discharged by the heirs and assigns of the promoter.

Expenses of Act.

30. All the costs charges and expenses connected with or incidental to the passing of this Act shall be paid by the promoter.

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