



CHAPTER xcvi.iii.

An Act to confer further powers upon the London County Council and upon the corporation of the city of London and metropolitan borough councils and for other purposes. A.D. 1926.

[4th August 1926.]

WHEREAS it is expedient that the London County Council (hereinafter referred to as "the Council") should be empowered to acquire by agreement certain lands for the purpose of enlarging certain open spaces and that such further powers with respect to open spaces as are contained in this Act should be conferred upon the Council and other local authorities :

And whereas the council of the metropolitan borough of Woolwich have agreed to make a contribution towards the expenses incurred by the Council in the acquisition of certain of the said lands and it is expedient that the provisions contained in this Act with respect to such contribution should be made :

And whereas it is expedient that the Council should be empowered to construct the new street partly in the metropolitan borough of Wandsworth in the county of London and partly in the urban district of Barnes in the county of Surrey by this Act authorised and that the financial and other provisions relating thereto which are contained in this Act should be enacted :

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— And whereas the council of the metropolitan borough of Lewisham (hereinafter referred to as "the Lewisham Council") are the owners of certain lands in the said borough and it is expedient that the Lewisham Council should be empowered to utilise the said lands for the erection of and to erect thereon a public hall and shops offices and other buildings and to lease or let such buildings :

And whereas it is expedient that further powers as in this Act contained should be conferred upon the Council the corporation of the city of London and the councils of metropolitan boroughs :

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 an estimate has been prepared by the Council of the expense of constructing the said new street and of acquiring lands therefor or in connection therewith and such estimate amounts to the sum of twenty-eight thousand five hundred pounds :

And whereas an estimate has been prepared by the Lewisham Council of the expense of or in connection with the erection by them of buildings for the purposes referred to in this Act and such estimate amounts to the sum of one hundred and fifty-six thousand five hundred pounds :

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

And whereas in the month of February one thousand nine hundred and twenty-six a plan and section showing the line situation and levels of the new street by this Act authorised and a book of reference to that plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands in or through which the said new street may be made were deposited with the respective clerks of the peace for the counties of London and Surrey and are in this Act respectively referred to as the deposited plan section and book of reference :

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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:—

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PART I.

INTRODUCTORY.

1. This Act may be cited as the London County Council (General Powers) Act 1926. Short title.

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

Act divided into Parts.

Part I.—Introductory.

Part II.—Amendments of London Building Acts.

Part III.—Provisions as to open spaces.

Part IV.—Upper Richmond Road improvement.

Part V.—Extension of time.

Part VI.—Powers to Lewisham Council.

Part VII.—Miscellaneous.

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

“The Council” means the London County Council;

“The county” means the administrative county of London;

“The corporation” means the mayor aldermen and commons of the city of London in common council assembled;

“The Surrey Council” means the county council of the administrative county of Surrey;

“The Wandsworth Council” means the council of the metropolitan borough of Wandsworth;

“The Barnes Council” means the council of the urban district of Barnes;

“The Woolwich Council” means the council of the metropolitan borough of Woolwich;

“The Lewisham Council” means the council of the metropolitan borough of Lewisham;

“The improvement” means the new street by this Act authorised and any part thereof.

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Incorporation of
Lands
Clauses
Acts.

4.—(1) The provisions of the Lands Clauses Acts (other than those with respect to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) so far as the same are applicable for the purposes of and are not inconsistent with or varied by this Act are hereby incorporated with and form part of this Act.

(2) The expression "the promoters of the undertaking" in the Lands Clauses Acts shall mean the Council.

PART II.

AMENDMENTS OF LONDON BUILDING ACTS.

Regulations
as to rein-
forced
concrete
buildings.

5.—(1) The provisions of section 23 (Power to make regulations as to use of reinforced concrete) of the London County Council (*General Powers*) Act 1909 (in this Part of this Act referred to as "the Act of 1909") shall extend to enable the Council subject to the provisions of that section to make and enforce regulations with respect to the conversion of any building or part of a building constructed wholly or partly of reinforced concrete.

(2) Any regulations made under section 23 of the Act of 1909 as amended by this section which relate to the stability of a building or part of a building shall be so described in such regulations.

(3) In order to facilitate the erection of any particular building or part of a building intended to be constructed wholly or partly of reinforced concrete or the conversion of any particular building or part of a building so constructed the Council may in relation to that building or part of a building modify or waive upon and subject to such terms and conditions as they think fit any of the requirements of the regulations made under section 23 of the Act of 1909 as amended by this section.

(4) Any person dissatisfied with the refusal of the Council to modify or waive any of the requirements of any regulation made under section 23 of the Act of 1909 as amended by this section (other than a regulation described as specified in subsection (2) of this section) or with any term or condition which the Council may attach to any such modification or waiver may appeal to the tribunal of appeal as constituted under section 25 (*Tribunal of appeal &c.*) of the Act of 1909 and the

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provisions of that section shall apply with respect to any appeal under this section. A.D. 1926.

(5) Any person failing to comply with any term or condition attached to any such modification or waiver as aforesaid shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further penalty not exceeding twenty pounds for each day on which the offence continues after conviction thereof.

(6) For the purposes of this section a building or part of a building shall be deemed to be converted not only when it is structurally altered but also if and whenever any change which in the opinion of the district surveyor affects or is likely to affect the safety of persons occupying or resorting to or the stability of such building or part of a building is made in the purposes for which the building or part of a building is used.

(7) The Council shall give to the Institution of Civil Engineers the Institution of Structural Engineers the Royal Institute of British Architects and the Surveyors' Institution notice of their intention to apply to the Ministry of Health for allowance of any regulations made under section 23 of the Act of 1909 as amended by this section.

(8) The provisions of section 23 of the Act of 1909 as amended by this section and any regulations in force thereunder shall not apply in the case of the erection or alteration of or the making of an addition to or the doing of other work to in or upon any building in accordance with the provisions of the London Building Acts 1894 to 1908 and nothing in section 23 of the Act of 1909 as amended by this section or any regulations in force thereunder shall take away or prejudice any powers rights privileges or exemptions vested in or enjoyed by any person under the London Building Acts 1894 to 1908 or any of them.

(9) Nothing in any regulations made under section 23 of the Act of 1909 as amended by this section shall apply to any building which conforms with—

(a) the provisions of the London Building Act 1894; or

(b) the provisions of section 22 (Provisions with respect to buildings of iron and steel skeleton construction) of the Act of 1909 or those provisions as varied by any modification or waiver

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made or granted in pursuance of that section or of section 5 (Provisions with respect to buildings of iron and steel skeleton construction) of the London County Council (General Powers) Act 1923.

(10) The provisions of this section and any regulations made thereunder and for the time being in force shall be deemed to form part of Part VI. of the London Building Act 1894.

(11) The powers conferred by subsection (3) of this section shall not be exercisable before the first day of January one thousand nine hundred and twenty seven or the date on which any regulations made under section 23 of the Act of 1909 as amended by this section first come into operation whichever of those dates shall be the earlier.

As to amendment &c. of regulations relating to reinforced concrete buildings.

6. Notwithstanding anything contained in section 24 (This Part of Act and Regulations to form part of Part VI. of London Building Act 1894) of the Act of 1909 or in subsection (10) of the section of this Act of which the marginal note is "Regulations as to reinforced concrete buildings" any regulations referred to in those sections or either of them shall be subject to the provisions of section 32 of the Interpretation Act 1889.

Amendment of section 23 (5) of London County Council (General Powers) Act 1909.

7.—(1) So much of subsection (5) of section 23 of the Act of 1909 as requires the publication in the London Gazette of regulations made under that section shall cease to have effect.

(2) When any regulations made under section 23 of the Act of 1909 as amended by this Part of this Act have been allowed and are open to public inspection and copies thereof can be obtained in accordance with the provisions of that section as so amended the Council shall publish in the London Gazette notice of the making and allowance of such regulations with an intimation as to the place at which the regulations can be inspected and copies thereof can be obtained.

Extension of time for operation of section 26 of London County Council (General Powers) Act 1921.

8. Section 26 (Increase of fees to district surveyors) of the London County Council (General Powers) Act 1921 shall be read and have effect as if the thirty-first day of December one thousand nine hundred and twenty-seven were substituted in paragraph (A) of subsection (4) and in subsection (7) thereof for the thirty-first day of December one thousand nine hundred and twenty-six.

PART III.

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PROVISIONS AS TO OPEN SPACES.

9.—(1) The Council may purchase or acquire by agreement and hold the lands in the metropolitan borough of Woolwich adjoining the open space vested in the Council and known as Jackwood which are delineated and coloured red on the plan marked "A" signed in triplicate by the Right Honourable the Lord Redesdale the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have been deposited in the Private Bill Office of the House of Commons in the Parliament Office at the House of Lords and with the Council respectively) or any estate or interest in those lands and as from the date or respective dates on which the Council become the owners in possession of the said lands or any part thereof (whether by the acquisition or expiration or other cesser of any estate or interest not previously acquired by the Council or otherwise) the Council may use the said lands or such part thereof as aforesaid as and for an open space or public walk or pleasure ground as an extension of or in connection with Jackwood as if the lands so to be used had been acquired by or vested in them under the provisions of the Open Spaces Act 1906.

Acquisition
of land for
extension of
Jackwood.

(2) As from the date or respective dates referred to in subsection (1) of this section the said lands or any such part thereof as aforesaid shall be added to and become and be part of Jackwood and shall be subject to the same provisions with reference to management control and maintenance as other parts of Jackwood and all byelaws with respect to Jackwood made by the Council under the provisions of the Acts regulating the use of and relating to open spaces in the county and immediately before the said date or respective dates in force or thereafter made by the Council under the provisions of those Acts shall extend and apply to the said lands or such part thereof.

(3) (a) The Woolwich Council may and they are hereby required to contribute towards the amount to be expended by the Council in the purchase of the said lands for the purposes aforesaid the sum of seven hundred and fifty pounds and the Woolwich Council may contribute

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— they may think fit.

(b) The Woolwich Council may (subject to the provisions of this section) borrow money for the purposes of any contribution by them under the provisions of this section and in order to secure the repayment with interest of any money so borrowed the Woolwich Council may mortgage and assign all or any of the moneys or rates authorised to be raised or levied by them under the Metropolis Management Act 1855 as amended by subsequent Acts and any borrowing by the Woolwich Council under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as amended as aforesaid. Provided that all money borrowed by the Woolwich Council under the powers of this section shall be repaid within a period not exceeding sixty years from the date of borrowing.

Acquisition
of land
for extension
of
Plumstead
Common.

10.—(1) The Council may acquire by purchase by agreement or by the acceptance of a grant and hold the lands in the metropolitan borough of Woolwich adjoining Plumstead Common which are delineated and coloured red on the plan marked "B" signed in triplicate by the Right Honourable the Lord Redesdale the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have been deposited in the Private Bill Office of the House of Commons in the Parliament Office at the House of Lords and with the Council respectively).

(2) From and after the date of the acquisition by the Council of the said lands the same shall (notwithstanding any covenant or restriction to the contrary) be added to and form part of Plumstead Common and become and be subject to the same provisions with reference to management control and maintenance as other parts of Plumstead Common and all byelaws with respect to Plumstead Common made by the Council under the provisions of the Acts regulating the use of and relating to open spaces in the county and immediately before the date of such acquisition in force or thereafter made by the Council under the provisions of those Acts shall extend and apply to the said lands.

Extension
of powers

11.—(1) Section 14 of the Open Spaces Act 1906 in its application to the Council shall extend to enable

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the Council to exercise the powers of that section with respect to lands wholly or partly outside the county as well as to lands within the county Provided that nothing in this subsection shall be deemed to authorise the Council to purchase or take on lease any land without the county for the purpose of being used as public walks or pleasure grounds which at the date of such purchase or taking on lease—

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as to acquisition of land for open spaces &c. and as to contribution towards expenses of acquisition.

(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 ;

or to use the said land as a public walk or pleasure ground except (inter alia) on such conditions (if any) 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 but this proviso shall cease to apply with respect to any land 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 if such land is not comprised in the scheme as prepared by the local authority or local authorities or as approved by the said Minister.

(2) (a) For the purpose of eventually using as open spaces public walks or pleasure grounds any lands within or without the county the Council may acquire by purchase by agreement or by the acceptance of a grant and hold an estate in fee simple or any estate or interest less than an estate in fee simple in any such lands notwithstanding that the acquisition of such estate or interest may not confer the right of immediate possession of such lands ;

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(b) As from the respective dates on which the Council become the owners in possession of any such lands (whether by the acquisition or expiration or otherwise of any estate or interest not previously acquired by the Council or otherwise) the Council may use the said lands or any part thereof as and for an open space or public walk or pleasure ground as if the lands so to be used had been acquired by or vested in them under the provisions of the Open Spaces Act 1906.

(3) Any body being a local authority within the meaning of the Open Spaces Act 1906 may contribute towards any expenses incurred by the Council under any of the provisions of this section and the provisions of section 18 of the said Act shall apply with respect to any contribution under the provisions of this subsection.

Power to
Council to
contribute
to expenses
of other
authorities
in acquiring
pleasure
grounds &c.

12. The Council may contribute towards any expenses incurred by any other body being a local authority within the meaning of the Open Spaces Act 1906 in the purchase or acquisition (otherwise than pursuant to the provisions of the Open Spaces Act 1906) of lands either within or without the area of that body and whether subject to any lease or not for the purpose of being used as public walks pleasure grounds or recreation grounds or for other similar purposes.

Enclosure
of parks
open spaces
&c.

13.—(1) Notwithstanding anything in any Charter Act of Parliament or otherwise the Council may during such periods and subject to such conditions as they may deem necessary or expedient—

(a) for the purpose of or in connection with the cultivation or preservation of vegetation in the interests of public amenity; or

(b) in the interests of the safety of the public enclose or restrict rights of access by the public to any part of any open space for the time being held or administered by the Council.

(2) Any person who while any part of any open space is enclosed under the provisions of this section enters without the authority of the Council upon such enclosed part or who acts in contravention of any restriction upon rights of access to any part of any open space or of any condition attached by the Council

to any such restriction shall be liable on summary conviction to a penalty not exceeding five pounds.

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(3) For the purposes of this section the expression "open space" includes any park heath common recreation ground pleasure ground garden walk ornamental enclosure burial ground or open space.

PART IV.

UPPER RICHMOND ROAD IMPROVEMENT.

14. Subject to the provisions of this Act the Council may execute in the line or situation and within the limits of deviation shown on the deposited plan and according to the levels shown on the deposited section the improvement hereinafter described (that is to say):—

Power to Council to execute improvement.

A new street commencing in the urban district of Barnes in the county of Surrey by a junction with Upper Richmond Road at a point $2\frac{1}{2}$ chains or thereabouts measured in a south-westerly direction along the centre line of Upper Richmond Road from the intersection of the centre lines of Fitzgerald Avenue and Upper Richmond Road and terminating in the metropolitan borough of Wandsworth in the county by a junction with Upper Richmond Road at a point $3\frac{1}{2}$ chains or thereabouts measured in a westerly direction along the centre line of Upper Richmond Road from the intersection of the centre lines of Leconfield Avenue and Upper Richmond Road.

15. For the purposes of the construction repair and maintenance of the bridge carrying the improvement over the Beverley Brook the Council may make on or in the banks bed and soil of the said brook and may place and keep in the said brook all such campshedding piles fenders stagings coffer-dams embankments piers abutments walls and all such other works and conveniences as the Council may deem proper or find necessary or expedient.

Subsidiary works affecting Beverley Brook.

16. The Council may acquire by agreement and use for and in connection with the improvement the lands in the metropolitan borough of Wandsworth in the

Power to acquire lands by agreement.

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county and in the urban district of Barnes in the county of Surrey which are delineated and coloured red on the plan marked "C" signed in quadruplicate by the Right Honourable the Lord Redesdale the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have been deposited in the Parliament Office at the House of Lords in the Private Bill Office of the House of Commons and with the Council and the Surrey Council respectively).

Contribution by Surrey Council and Wandsworth Council.

17.—(1) "The net cost of the improvement" referred to in this section means the sum by which the aggregate amount expended by the Council in the execution of the improvement and the purchase of lands therefor exceeds the aggregate amount received by the Council under this Part of this Act from the sale of materials or by way of proceeds of the sale or premiums on the letting of lands or any other sums (including any contribution made by the Minister of Transport) which recoup the Council part of the expenses of the Council in the execution of the improvement or the purchase of lands for or in connection with the improvement.

(2) The Surrey Council and the Wandsworth Council may and they are hereby required to contribute towards the expenses incurred by the Council in the execution of the improvement and the purchase of lands therefor such sums as the Council may from time to time require not exceeding in the case of the Surrey Council one half and in the case of the Wandsworth Council one sixth of the expenses so incurred. Provided that if on the ascertainment of the net cost of the improvement it appears that the total amount so contributed by the Surrey Council or the Wandsworth Council exceeds in the case of the Surrey Council one half of such net cost and in the case of the Wandsworth Council one sixth of such net cost the amount of such excess shall be repaid by the Council to the Surrey Council and the Wandsworth Council or either of them as the case may be.

(3) Subject to such terms and conditions as may be agreed between the Surrey Council and the Barnes Council the Barnes Council may pay to the Surrey Council any sums not exceeding in the aggregate the

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net contribution payable by the Surrey Council to the Council under this section. A.D. 1926.

(4) The Surrey Council may for the purpose of paying to the Council any contribution provided for by this section borrow on such security as the Minister of Health may prescribe or approve such sums of money as may be sanctioned by the Minister and shall repay all moneys so borrowed within such period not exceeding thirty years from the date of borrowing as the Minister may sanction. Any moneys so borrowed shall be borrowed under and subject to the provisions (so far as applicable) of section 69 of the Local Government Act 1888.

(5) All sums paid by the Barnes Council to the Surrey Council under this section shall be deemed to be expenses incurred by the Barnes Council under and for the purposes of the Public Health Act 1875 and the Barnes Council may subject to the provisions of that Act borrow such sums as shall be necessary for the purposes of such payments.

(6) For the purpose of paying to the Council any contribution provided for by this section the Wandsworth Council may borrow the requisite moneys and for the purpose of securing the repayment with interest of any money so borrowed the Wandsworth Council may mortgage and assign all or any of the moneys or rates authorised to be raised or levied by them under the Metropolis Management Act 1855 as amended by subsequent Acts and any borrowing by the Wandsworth Council under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as amended as aforesaid. Provided that all money borrowed by the Wandsworth Council under the powers of this section shall be repaid within a period not exceeding sixty years from the date of borrowing.

18. A separate account shall (if and so far as may be necessary) be kept in relation to the costs and expenses of the improvement and the Council shall carry to the said account all sums of money which may from time to time be paid to the Council under the provisions of this Part of this Act on account of the improvement and shall furnish to the Surrey Council and the Wandsworth Council respectively copies of the account relative to the improvement.

Separate
account of
income and
expenditure.

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Agreements
between
Surrey Coun-
cil and Barnes
Council.

19. The Surrey Council and the Barnes Council may enter into and carry into effect agreements and arrangements for and with respect to any of the purposes of this Part of this Act.

Power to
vary
provisions
of this Part
of this Act
by agree-
ment.

20. Notwithstanding anything contained in this Part of this Act the Council on the one hand and the Surrey Council the Wandsworth Council and the Barnes Council or any 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 variation shall be made which would affect prejudicially the rights or interests of any person other than the parties to such agreement.

Improve-
ment to
form public
street
repair &c.

21.—(1) When the improvement (or any part thereof) is 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 such certificate has been duly made and from the date of such certificate so much of the improvement to which such certificate relates as has been laid out as carriageway or footway shall form part of the street and may be used by the public accordingly. So much of the improvement thus forming part of the street shall

(a) as far as situate in the county be maintained repaired paved cleansed and lighted by the Wandsworth Council; and

(b) as far as situate in the county of Surrey be a main road within the meaning of the Local Government Act 1888 and be maintained and repaired by the Surrey Council.

Subject to the provisions of this Act so much of the land acquired by the Council for or in connection with the improvement as has been laid out as carriageway or footway shall on the completion of the improvement remain vested in the Council so far as it is situate in the county and become vested in the Surrey Council so far as it is situate in the county of Surrey.

(2) The structure of so much of the bridge carrying the improvement over the Beverley Brook as is situate in the county shall vest in the Council and the structure of so much of the said bridge as is situate in the county of Surrey shall vest in the Surrey Council. The Council shall repair and maintain the structure of the whole of the said bridge and the Surrey Council shall from time to time repay to the Council one half of the costs and expenses of such repair and maintenance. A.D. 1926.

22.—(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 under or 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. Leasing and exchange of lands.

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

23. 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. As to sale of ground rents.

24. The Council may if they think it expedient so to do sell and dispose of any lands acquired by them Council may sell

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land in the first instance without having previously granted a lease thereof.

under the powers of this Part of this Act and not 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.

25. 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 Part 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.

Period for completion of improvement.

26. If the improvement be not completed on or before the thirty-first day of December one thousand nine hundred and thirty-one then as from that date the powers of the Council under this Part of this Act for the execution of the improvement shall cease except so far as the same shall then have been completed.

Incorporation of sections of previous Acts.

27. The sections of the London County Council (General Powers) Act 1901 and the London County Council (General Powers) Act 1905 of which the numbers and marginal notes are set forth in this section are hereby incorporated with and form part of this Part of this Act and shall so far as applicable extend and apply to the execution of the improvement and to the lands by this Part of this Act authorised to be acquired 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.

The sections of the said Acts hereinbefore referred to are :—

London County Council (General Powers) Act 1901.

Section 8 (Streets may be raised or lowered);

Section 9 (Deviation from line and levels);

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| Section 13 | (Alteration of electric lines); | A.D. 1926. |
| Section 14 | (Carriageway footway sewers and other works); | — |
| Section 15 | (Directing how the pavement shall be laid and made); | |
| Section 16 | (Sewers or drains to be arched over or filled up); | |
| Section 17 | (Power to alter steps areas pipes &c.); | |
| Section 21 | (Power to sell materials). | |

London County Council (General Powers) Act 1905.

- Section 8 (Power to stop up ways temporarily);
 Section 9 (Power to make subsidiary works stop up streets &c.);
 Section 10 (Alteration of position of water gas and other pipes);
 Section 11 (For protection of Metropolitan Water Board and gas companies).

28. Nothing in this Act shall be deemed to authorise the Council to sell and dispose of any lands in the county of Surrey acquired by them under this Part of this Act except upon such terms as to price and the objects for which the said lands are to be used as shall be agreed between the Council and the Surrey Council.

Consent of Surrey Council to disposal of land.

PART V.

EXTENSION OF TIME.

29. The time limited by—

- (a) the London County Council (Tramways and Improvements) Act 1920 for the compulsory purchase of lands for the widenings at Old Street and Kingsland Road in the metropolitan borough of Shoreditch and at Cable Street and Brook Street in the metropolitan borough of Stepney described in and authorised by that Act as extended by the London County Council (General Powers) Act 1923; and
- (b) the London County Council (General Powers) Act 1921 for the compulsory purchase of lands in the Strand and Church Row in the

Extension of time for compulsory purchase of lands.

[Ch. xcvi.] *London County Council* [16 & 17 GEO. 5.]
(*General Powers*) Act, 1926.

A.D. 1926.

city of Westminster and in High Street Notting Hill and Church Street in the royal borough of Kensington as extended by the London County Council (*General Powers*) Act 1924;

is hereby further extended until the thirty-first day of December one thousand nine hundred and twenty-eight.

Extension of time for purchase of easement.

30. The time limited by the London County Council (*Tramways and Improvements*) Act 1924 for the purchase taking and use of an easement or right of constructing a girder bridge over the property numbered 4 in the parish of St. James and St. John Clerkenwell on the plans deposited in respect of the Bill for the London County Council (*Tramways and Improvements*) Act 1909 and of maintaining a roadway on such bridge and of executing such other works as may be necessary or expedient for the purposes aforesaid (for which purchase taking and use powers were originally conferred by the said Act of 1909 and were revived by the said Act of 1924) is hereby extended until the thirty-first day of December one thousand nine hundred and twenty-eight.

Extension of time for construction of tramway.

31. The time limited by the London County Council (*Tramways and Improvements*) Act 1915 for the completion of Tramway No. 4c described in and authorised by that Act as extended by an order made by the Minister of Transport under the Special Acts (*Extension of Time*) Act 1915 (as amended by the War Emergency Laws (*Continuance*) Act 1920) and by the London County Council (*General Powers*) Act 1923 is hereby further extended until the thirty-first day of December one thousand nine hundred and twenty-nine.

PART VI.

POWERS TO LEWISHAM COUNCIL.

Power to Lewisham Council to erect public hall and shops on certain lands.

32. The Lewisham Council may appropriate hold and use for the purpose of erecting thereon a hall to be used for business public meetings assemblies or entertainments and for other purposes together with shops offices and other buildings the whole or such part or parts as they may think fit of the lands forming the sites of the premises in the metropolitan borough of Lewisham known respectively as the highways depôt and the old

fire station which lands are edged round by a pink colour on the plan marked "D" signed in triplicate by the Right Honourable the Lord Redesdale the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have been deposited in the Private Bill Office of the House of Commons in the Parliament Office at the House of Lords and with the town clerk of the said metropolitan borough respectively) and the Lewisham Council may erect or contract (upon and subject to such terms and conditions as they may think fit) with any other person for the erection of and may maintain such buildings and may lease or let the same or any part thereof for such period and on such terms and conditions as they think fit.

A.D. 1926.

33. There shall be charged in the accounts of the Lewisham Council as capital expenditure by that council under and for the purposes of the Metropolis Management Act 1855 as amended by subsequent Acts such sum as the Lewisham Council may determine in respect of the cost of acquisition of the land to which this Part of this Act applies and such adjustments shall be made between the accounts relating to the said public hall and buildings and those relating to the sites to be appropriated as aforesaid as the circumstances of the case may require.

Adjustment
of accounts
by Lewis-
ham
Council.

34.—(1) The Lewisham Council may incur such expenditure and (subject to the provisions of this section) may borrow money to such amount as may be necessary for the purposes of this Part of this Act but not exceeding one hundred and fifty-six thousand five hundred pounds.

Expendi-
ture
borrowing
and receipts
by Lewis-
ham Council.

(2) For the purpose of securing the repayment with interest of any moneys to be borrowed under this section the Lewisham Council may mortgage and assign all or any of the moneys or rates authorised to be raised or levied by them under the Metropolis Management Act 1855 as amended by subsequent Acts and any borrowing by the Lewisham Council under this section shall be subject in all respects to the provisions of sections 183 to 189 of the said Act of 1855 as amended as aforesaid. Provided that all moneys borrowed by the Lewisham Council under the powers of this section shall be repaid within a period or periods not exceeding in any case sixty years from the date or respective dates of borrowing.

[Ch. xcvi.] *London County Council* [16 & 17 GEO. 5.]
(General Powers) Act, 1926.

A.D. 1926.

PART VII.

MISCELLANEOUS.

Expenses of advisory committee on selection of justices for county of London.

35. The Council may if they think fit defray any expenses reasonably incurred by any committee appointed by the Lord Chancellor to advise him in exercising his functions in regard to appointments to or removals from the commission of the peace for the county of London.

Continuance in office of committee for care of mentally defective notwithstanding retirement of members of Council.

36. Notwithstanding anything contained in the County Councils (Elections) Act 1891 and the Mental Deficiency Act 1913 or any other Act the committee for the care of the mentally defective appointed by the Council under the secondly mentioned Act as constituted immediately before the ordinary day of retirement of county councillors under section 1 of the first-mentioned Act and all sub-committees as similarly constituted of that committee or such members of the said committee and sub-committees as shall be living and willing to act shall continue for the purposes of the Mental Deficiency Acts 1913 to 1919 and of Part VII. of the London County Council (General Powers) Act 1915 to hold office and to exercise and perform their powers and duties as such committee and sub-committees until the first meeting of the committee for the care of the mentally defective appointed by the Council under the Mental Deficiency Act 1913 next after such retirement.

Travelling and subsistence expenses of members of committees of Council.

37.—(1) Section 17 (Travelling expenses of committees and sub-committees of Council) of the London County Council (General Powers) Act 1911 shall be deemed to include and always to have included power for the Council in connection with any of their services to defray (if they think fit) the reasonable travelling and subsistence expenses of individual members of committees and sub-committees of the Council (including co-opted members and members of managing committees of schools) when making at the request of the Council or of any of such committees or sub-committees visits of inspection to institutions or other places outside the county.

[16 & 17 GEO. 5.] *London County Council* [Ch. xcvi.]
(*General Powers*) Act, 1926.

(2) All sums paid by the Council under the provisions of this section shall be defrayed as expenditure for general or special county purposes within the meaning of the Local Government Act 1888 as the Council may from time to time determine.

A.D. 1926.

38. Proviso (ii) to subsection (2) of section 80 of the Housing Act 1925 shall be read and have effect as if after the word "land" where first used in that proviso there were inserted the words "(whether houses or other buildings are erected thereon or not)" and as if after the words "the area of such borough" there were inserted the words "or (with the consent of the council of that borough) to meet the needs of that borough" and subsection (3) of that section shall be read and have effect as if after the words "City of London" there were inserted the words "or the council of any metropolitan borough."

Amendment
of section 80
of Housing
Act 1925.

39. The power of the Council under the Housing Act 1925 or under any scheme made in pursuance of that Act to provide housing accommodation shall include a power to provide and maintain within the county with the consent of the Minister of Health in connection with any such housing accommodation any building or part of a building adapted for use for any commercial purpose :

Provision
by Council
in connec-
tion with
housing
accommo-
dation of
buildings
for com-
mercial
purposes.

Provided that the Council shall not provide any such building or part of a building in any metropolitan borough except after consultation with the council of that borough.

40. Notwithstanding anything contained in section 12 (Licensing of establishments for massage or special treatment) of the London County Council (General Powers) Act 1920 or section 11 (Licensing of employment agencies) of the London County Council (General Powers) Act 1921 the fees paid to the licensing authority under either of those sections on any application for the grant or renewal of a licence may be retained by the licensing authority whether such licence is or is not granted or renewed.

Retention
by Council
&c. of fees
paid on
application
for certain
licences.

41.—(1) It shall not be lawful for any person to sell coal in the county containing or having admixed

Sale of coal.

[Ch. xcvi.] *London County Council* [16 & 17 GEO. 5.]
(*General Powers*) Act, 1926.

A.D. 1926. — therewith an amount of slack or rock or incombustible matter which having regard to all the circumstances of the case constitutes an undue proportion of the total weight sold and if any person contravenes the provisions of this subsection he shall be liable on summary conviction to a penalty not exceeding ten pounds Provided that a person shall not be liable to any penalty under this subsection if he proves to the satisfaction of the court having cognizance of the case that the coal sold by him was sold for purposes other than household or domestic purposes or that he had reasonable grounds for believing that such coal was purchased for use for any such other purposes :

Provided also that in any case in which proceedings in respect of a sale of coal are instituted under this subsection in consequence of a complaint received from the purchaser of such coal the provisions of this subsection shall not be deemed to have been contravened unless within a reasonable period after the delivery of such coal to the purchaser he complains in writing to the Council or to the corporation (as the case may be) that such a contravention has been committed.

(2) (a) The Council within the county (elsewhere than in the city of London) and the corporation within the city of London and any of their respective officers and servants duly authorised in that behalf and provided with and if required exhibiting an authority in writing from the Council or the corporation as the case may be may require any vehicle to be stopped and at all reasonable times enter any premises if coal is offered or exposed for sale or stored or deposited with a view to sale in or upon such vehicle or premises or if there is reasonable ground for believing that coal is so offered exposed stored or deposited and may inspect and take samples of any coal found in or upon any such vehicle or premises and may require the owner or person in charge of any such vehicle or the owner or occupier of any such premises to furnish reasonable particulars and information with respect to such coal;

(b) If any person fails to comply with any requirement under the provisions of this section to stop any vehicle or to furnish any particulars or information or obstructs any duly authorised officer or servant of the

Council or of the corporation in entering any premises or inspecting or taking samples of any coal under the provisions of this section he shall be liable on summary conviction to a penalty not exceeding five pounds or in the case of a second or subsequent offence ten pounds. A.D. 1926.

(3) Proceedings for offences under this section may be taken as respects offences committed in the county (elsewhere than in the city of London) by the Council and as respects offences committed in the city of London by the corporation.

(4) In the exercise at or upon any railway premises of the powers conferred upon him by this section any duly authorised officer or servant of the Council or of the corporation shall conform to such reasonable requirements of the railway company owning or using such premises as are necessary to prevent the working of the traffic thereat being obstructed or interfered with and the railway company shall not be liable for any accident or injury which may happen to any such officer or servant while on the railway company's premises nor shall they be required to afford particulars or information with respect to coal other than the name and address of the person occupying that part of the railway company's premises on which the coal may be or in case of coal carted direct from truck the name and address of the consignee of such truck.

42.—(1) The Council within the county and the corporation within the city of London and the council of any metropolitan borough within such metropolitan borough may arrange for the publication of information on questions relating to health or disease and for the delivery of lectures and the display of pictures (including cinematograph displays) in which such questions are dealt with and the Council may if they think fit pay or contribute towards the payment of any expenses incurred by the council of a metropolitan borough under this section. Notices lectures &c. on questions as to health or disease.

(2) The Minister of Health may for the purposes of this section make rules prescribing restrictions or conditions subject to which the powers conferred by this section may be exercised.

[Ch. xcvi.] *London County Council* [16 & 17 GEO. 5.]
(*General Powers*) Act, 1926.

A.D. 1926.

(3) All expenses incurred under this section shall be defrayed—

(a) in the case of the Council as payments for general county purposes within the meaning of the Local Government Act 1888;

(b) in the case of the corporation out of the general rate authorised to be levied by them; and

(c) in the case of a metropolitan borough council (so far as such expenses are not defrayed by the Council) out of the general rate authorised to be levied by such metropolitan borough council.

Removal of disqualification of members of Council in certain events.

43. For the removal of doubts it is hereby enacted that any member of the Council appointed or nominated by the Council either as their representative on or as a member of any local or statutory authority board of managers body of trustees or other authority board or body and entitled to receive or having received any remuneration in respect of his services as a member of any such authority board or body while continuing to act as such representative or member shall not be deemed to hold or to have held an office or place of profit in the gift or disposal of the Council if he undertakes to pay and pays or has paid to the Council the remuneration (excluding any allowance for or in respect of travelling or subsistence expenses) so received by him in respect of the period during which as a member of the Council he is or was such representative or member.

Extension of provisions of London County Council (General Powers) Act 1922 relating to filthy articles.

44. The provisions of Part III. (Filthy or verminous articles and premises) of the London County Council (General Powers) Act 1922 relating to articles in any house or part thereof shall extend and apply to any articles offered or exposed for sale or stored or deposited with a view to sale in or upon any stall space street or place and to any covers or wrappers of any such articles.

Power to councils of metropolitan boroughs to provide

45. The council of any metropolitan borough by whom all or any of the provisions of the Baths and Washhouses Acts 1846 to 1925 have been adopted may instal fit up maintain renew and use or work mechanical washers mechanical wringers box mangles

[16 & 17 GEO. 5.] *London County Council* [Ch. xcvi.]
(*General Powers*) Act, 1926.

and other mechanical and time-saving appliances in or in connection with any public baths or washhouses of that council for the use convenience or assistance of persons resorting to such public baths or washhouses and may make such charges for or in respect of the use of the said appliances as the said council may determine. Provided that nothing in this section shall authorise any such council to carry on the business of a launderer or to permit the proprietors or part proprietors or the duly authorised representatives of firms or corporate bodies which are proprietors or part proprietors of a laundry dyeing or cleaning business to make use of any such appliances as aforesaid for the purpose of their trade or business.

A.D. 1926.

—
appliances
in baths and
washhouses.

46. Nothing in this Act shall exempt the council of any metropolitan borough from any of the provisions of the London Building Act 1894 or any Act extending or amending that Act or of any byelaw or regulation made thereunder.

Saving for
London
Building
Acts.

47. 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 shall be payable to the authority taking the proceedings leading to the recovery of the penalty.

Penalties to
be paid to
authorities
taking
proceedings.

48. The Council may expend on capital account for the purposes of Part III. (Provisions as to open spaces) of this Act such moneys as they may think fit and for the purposes of Part IV. (Upper Richmond Road improvement) of this Act such moneys as they may think fit not exceeding twenty-eight thousand five hundred 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 as amended by subsequent Acts.

Money to
be raised by
Council on
capital
account.

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

Crown
rights.

50. 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

As to pay-
ments
under this
Act.

[Ch. xcvi.] *London County Council* [16 & 17 GEO. 5.]
(*General Powers*) Act, 1926.

A.D. 1926. — 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 Part VI. (Powers to Lewisham Council) shall be paid by the Lewisham Council out of the general rate authorised to be levied by that council.

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