

**CHAPTER xxix**

An Act to empower the British Transport Commission to construct works and to acquire lands to empower the Mersey Docks and Harbour Board to dispose of certain lands to the Commission to make provision as to the rates dues and charges leviable by the Commission at certain of their docks to authorise the closing for navigation of portions of certain inland waterways to amend in certain respects the River Lee Water Act 1855 as amended by subsequent enactments to extend the time for the compulsory purchase of certain lands the completion of certain works and the exercise of certain powers to confer further powers on the Commission and for other purposes. [30th July 1949.]

WHEREAS by the Transport Act 1947 (in this Act referred to as "the Act of 1947") the British Transport Commission (in this Act referred to as "the Commission") were established: ^{10 & 11 Geo. 6 c. 49.}

And whereas it is the duty of the Commission (inter alia) so to exercise their powers under the Act of 1947 as to provide or secure or promote the provision of an efficient adequate economical and properly integrated system of public inland transport and port facilities within Great Britain for passengers and goods and for that purpose to take such steps as they consider necessary for extending and improving the transport and port facilities within Great Britain in such manner as to provide most efficiently and conveniently for the needs of the public agriculture commerce and industry:

And whereas it is expedient that the Commission should be empowered to construct the works authorised by this Act and to acquire the lands referred to in this Act:

And whereas it is expedient to authorise the Mersey Docks and Harbour Board to dispose of certain lands in the county borough of Birkenhead to the Commission :

And whereas it is expedient that the Commission should be authorised to levy at their Holyhead Harbour and Hull Docks rates dues and charges in accordance with the provisions of this Act :

And whereas the Commission are the owners of the Swansea Canal authorised by the Act 34 Geo. 3. c. 109 and the Monmouthshire Canal authorised by the Act 32 Geo. 3. c. 102 and are the navigation authority in respect of the Aire and Calder Navigation of which the portion of the river Aire in this Act mentioned forms part :

And whereas the portions of the said respective canals and of the river Aire in this Act mentioned have not for some time past been used for purposes of navigation and it is expedient that the Commission should be relieved of their obligations to maintain the said portions of canals and river for navigation :

18 & 19 Vict.
c. cxcvi. And whereas it is expedient to make provision as in this Act contained with respect to the payments to be made by the Metropolitan Water Board to the Commission under the River Lee Water Act 1855 as amended by subsequent enactments :

And whereas it is expedient that the periods now limited for the compulsory purchase of certain lands the completion of certain works and the exercise of certain powers by the Commission should be extended as provided by this Act :

And whereas it is expedient that the other powers in this Act contained should be conferred upon the Commission and that the other provisions in this Act contained should be enacted :

And whereas plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act and plans of the lands authorised to be acquired by this Act 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 were duly deposited with the clerks of the county councils of the several counties and the town clerks of the county boroughs within which the said works will be constructed or the said lands are situated which plans sections and book of reference are respectively referred to in this Act as the deposited plans the deposited sections and the deposited 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 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 :—

PART I

PRELIMINARY

1. This Act may be cited for all purposes as the British Short title. Transport Commission Act 1949.

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

Division of
Act into Parts.

Part I.—Preliminary.

Part II.—Works.

Part III.—Lands.

Part IV.—Docks.

Part V.—Inland waterways.

Part VI.—Protective provisions.

Part VII.—Miscellaneous.

3.—(1) In this Act unless there be something in the subject Interpretation. or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have in relation to the relative subject matter the same respective meanings And—

“ The Commission ” means the British Transport Commission and any reference to the Commission in relation to any functions of the Commission which are for the time being delegated to an executive in pursuance of section 5 of the Act of 1947 shall be construed as a reference to that executive ;

“ The new works ” means the works described in section 5 (Power to make works) of this Act ;

“ The works ” means the works authorised by Part II (Works) of this Act and includes the new works ;

“ The limits of deviation ” means the limits of deviation shown on the deposited plans ;

“ The Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 the Town and Country Planning Act 1947 and this Act ;

9 & 10 Geo. 5.
c. 57.
10 & 11 Geo. 6.
c. 51.

“ The tribunal ” means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919 ;

“ The Act of 1947 ” means the Transport Act 1947 ;

PART I
—cont.

“Enactment” includes any public general local or private Act and any order or other instrument having the force of an Act.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

(3) All distances and lengths stated in any description of works powers or lands shall be read and have effect as if the words “or thereabouts” were inserted after each such distance and length.

Incorporation
of general
Acts.

4. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with or varied by the provisions of this Act are incorporated with and form part of this Act and this Act shall be deemed to be the special Act for the purposes of the said incorporated enactments:—

8 & 9 Vict.
c. 18.

The Lands Clauses Acts except sections 127 to 133 (inclusive) of the Lands Clauses Consolidation Act 1845;

8 & 9 Vict.
c. 20.

The Railways Clauses Consolidation Act 1845 except sections 7 8 and 9 thereof;

26 & 27 Vict.
c. 92.

Part I (relating to construction of a railway) and Part II (relating to extension of time) of the Railways Clauses Act 1863:

Provided that for the purposes of this Act the expression “the railway” where used in the incorporated provisions of the Railways Clauses Consolidation Act 1845 and the Railways Clauses Act 1863 means the new works and the expression “the company” where used in the said provisions means the Commission.

PART II

WORKS

Power to
make works.

5. Subject to the provisions of this Act the Commission may in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections make and maintain the new works hereinafter described with all necessary works and conveniences connected therewith:—

In the county of Middlesex—

(Widening
between
North Ealing
Station and
Acton North
Junction).

Work No. 1 A widening (1600 yards in length) of the District and Piccadilly Railway in the borough of Ealing commencing at the bridge carrying Queen’s Drive over the Piccadilly Railway and terminating at a point 230 yards south-east of the bridge carrying Tring Avenue over the District and Piccadilly Railway;

- Work No. 2 Two bridges under Rayners Lane in the urban district of Harrow on the north and south sides respectively of the existing bridge carrying Rayners Lane over the Metropolitan and Piccadilly Railway ; Part II
—cont.
(Bridges at
Rayners Lane.)
- Work No. 3 Two bridges under Glebe Avenue in the urban district of Uxbridge on the south-east side of the existing bridge carrying Glebe Avenue over the Metropolitan and Piccadilly Railway and an alteration of the level of Glebe Avenue ; (Bridges at
Ickenham.)
- Work No. 4 Two bridges under Austins Lane in the urban district of Uxbridge on the south-east side of the existing bridge carrying Austins Lane over the Metropolitan and Piccadilly Railway and an alteration of the level and improvement of Austins Lane : (Bridges at
Ickenham.)

In the city and county borough of Nottingham—

- Work No. 5 A widening (1136 yards in length) of the railway between Radford and Basford stations commencing at a point two hundred yards north of the bridge carrying Ilkeston Road over the said railway and terminating at the bridge carrying Alfreton Road over the said railway : (Widening
at Radford.)

In the county borough of Birkenhead—

- Work No. 6 A subway (26 yards in length) commencing at the north-west platform of Hamilton Square railway station and terminating by a junction with the existing subway leading to the south-east platform of the said station. (Subway at
Hamilton
Square Station
Birkenhead.)

6. In the execution of any of the works or any part of such works the Commission may deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding ten feet upwards and ten feet downwards or to such further extent as may be found necessary or convenient and as may be sanctioned by the Minister of Transport. Power to
deviate.

7. Notwithstanding anything in section 46 of the Railways Clauses Consolidation Act 1845 the Commission shall not be liable to maintain the surface of any road or public highway under which the works shall be constructed or the immediate approaches thereto except so far as the level of such road highway or approaches is permanently and prejudicially altered : Repair of
roads where
level not
permanently
altered.

Provided that nothing in this section shall relieve the Commission from any liability which they were under immediately before the passing of this Act for the maintenance of any such road highway or approaches.

PART II
—cont.

Widenings
to form part
of existing
railways.

As to width
of bridges.

Further
works and
powers.

8. Works Nos. 1 and 5 authorised by this Act shall be deemed for all purposes to form part of the respective railways of which they are widenings.

9. In constructing Works Nos. 2 3 and 4 authorised by this Act the Commission shall not be required to construct the respective bridges under Rayners Lane Glebe Avenue and Austins Lane of any greater width between the parapets than the width between the parapets of the existing bridges carrying the said respective roads over the Metropolitan and Piccadilly Railway.

10. Subject to the provisions of this Act (and in so far as the same are shown on the deposited plans in the lines or situations as shown) the Commission may make the works described in this section with all necessary works and conveniences connected therewith and may exercise the powers hereinafter mentioned:—

In the county of London—

In the metropolitan borough of Battersea—

They may stop up and discontinue so much of the road known as Bognor Street and numbered on the deposited plans 1 in the metropolitan borough of Battersea as is situate within the line marked “Portion of road to be stopped up and appropriated” on the deposited plans:

In the city and county borough of Nottingham—

They may divert the three several footpaths situate on the lands respectively numbered on the deposited plans 4 5 and 7 in the city and county borough of Nottingham and may stop up and discontinue so much of the said respective footpaths as will be rendered unnecessary by the new portions of footpaths shown on the deposited plans:

In the county of Middlesex—

In the borough of Ealing—

They may stop up and discontinue so much of the road known as Granville Gardens and numbered on the deposited plans 66 in the borough of Ealing as is situated within the limits of deviation:

In the urban district of Harrow—

They may stop up and discontinue so much of the footpath numbered on the deposited plans 11 in the urban district of Harrow as crosses the Piccadilly Railway by means of a footbridge and may substitute therefor a new footpath to be carried over the said railway by a new footbridge on the north-west side of the existing footbridge in the position shown on the deposited plans:

In the county of Stafford—

In the parish of Barlaston in the rural district of Stone—

They may divert so as to cross their railway on the level the footpath leading from Oldroad Bridge to Barlaston and may stop up and discontinue so much of the said footpath as will be rendered unnecessary by the new portion of footpath shown on the deposited plans :

In the county of Surrey—

In the urban district of Esher —

They may stop up and discontinue so much of the road leading from Sheath's Lane to Oxshott Heath and crossing their railway on the level as extends between the boundary fences of their property.

11.—(1) In this section—

“ The North Eastern Act 1947 ” means the London and North Eastern Railway Act 1947 ;

“ The existing railway ” means the Bramwith branch of the Commission's West Riding and Grimsby railway ;

“ The deviation railway ” means the deviation railway authorised by the North Eastern Act 1947 ;

“ The county council ” means the county council of the administrative county of the west riding of Yorkshire ;

“ The existing road ” means the public road from Thorpe-in-Balne to Barnby Dun numbered on the plans deposited in respect of the Bill for the North Eastern Act 1947 5 in the parish of Barnby Dun with Kirk Sandall and across which the deviation railway was authorised to be carried on the level by section 20 (Power to cross roads on the level) of the North Eastern Act 1947 ;

“ The diverted road ” means any public road constructed by the county council whether before or after the passing of this Act in substitution for the existing road so as to cross the line of the existing railway or of the deviation railway.

(2) The Commission and the county council may enter into and carry into effect agreements for the construction of a level-crossing for carrying the deviation railway on the level across the diverted road and if the deviation railway shall not have been completed and opened for traffic at the time when the diverted road is constructed for the construction of a level-crossing for carrying the existing railway on the level across the diverted road.

(3) The existing railway and the deviation railway may be carried with a double line of rails across and on the level of the

PART II
—cont.

As to level-
crossing at
Bramwith.
10 & 11 Geo. 6.
c. xlii.

PART II
—cont.

diverted road and the provisions contained in the Railways Clauses Consolidation Act 1845 and in Part I (relating to the construction of a railway) of the Railways Clauses Act 1863 with reference to the crossing of roads on the level shall apply with respect to any level-crossings constructed under the powers of this section.

(4) (a) Upon the completion and opening for use of the level-crossing for carrying the deviation railway on the level across the diverted road the Commission may stop up and discontinue any level-crossing constructed for carrying the existing railway or the deviation railway across the existing road and upon the completion and opening for use of the deviation railway and the level-crossing first-mentioned in this subsection the Commission may stop up and discontinue any level-crossing constructed for carrying the existing railway on the level across the diverted road.

(b) Upon the stopping up and discontinuance of the level-crossing constructed for carrying the existing railway across the existing road or upon the stopping up and discontinuance of any level-crossing constructed for carrying the deviation railway on the level across the existing road or of any level-crossing constructed for carrying the existing railway on the level across the diverted road all rights of way over and along such level-crossing shall be extinguished.

(5) The Commission and the county council may enter into and carry into effect agreements with reference to the defraying or making of contributions towards the cost of any level-crossings constructed under the powers of this section.

(6) (a) The Commission or the county council may give to the other notice in writing that they intend to proceed with the construction of the deviation railway or of the diverted road (as the case may be) and that they desire to enter into an agreement in pursuance of subsections (2) and (5) of this section or either of such subsections in the terms of a draft agreement to accompany such notice and the Commission and county council shall subject to the provisions of this subsection enter into an agreement in the terms of the said draft.

(b) Within twenty-eight days after the service of the said notice the party receiving the same may serve upon the other a counter-notice in writing setting out the amendments which they require to be made in the draft agreement.

(c) If within twenty-eight days from the receipt of such counter-notice or such longer period as may be agreed between the Commission and the county council the terms of the draft agreement are not agreed between them either party may (after notice in writing to the other) refer the terms of the agreement to be

entered into to be determined by arbitration and the Commission and the county council shall enter into an agreement in such terms as may be so determined.

PART II
—cont.

12.—(1) The making of the tramway junction connecting the tramway formerly terminating in Beresford Square in the metropolitan borough of Woolwich with the tramway running through that square from Plumstead to Charlton (being the tramway junction authorised by the London Passenger Transport Board (Tramways) Order 1944) is hereby sanctioned and confirmed and such junction shall for all purposes be deemed to form part of tramway No. 12D authorised by section 4 (Power to make tramways) of the London County Council (Tramways and Improvements) Act 1902.

As to tramway junction at Woolwich.

2 Edw. 7.
c. ccxix.

(2) The London Passenger Transport Board (Tramways) Order 1944 is hereby repealed as from the passing of this Act but without prejudice to the validity of anything done in pursuance thereof.

13.—(1) Where this Act authorises the stopping up of a road or footpath or portion thereof without providing a substitute such stopping up shall not take place (except where the same is situated upon or bounded on both sides by property of which the Commission are the owners in possession) without the consent of the owners lessees and occupiers of the houses and lands abutting on both sides thereof:

Stopping up roads and footpaths without providing substitute.

Provided that no consent shall be required under this subsection to the stopping up of the portion of road numbered on the deposited plans 1 in the metropolitan borough of Battersea.

(2) After such stopping up all rights of way over or along the road or footpath or portion thereof authorised to be stopped up shall be extinguished and the Commission may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway appropriate without making any payment therefor and use for the purposes of their undertaking the site of the road or footpath or portion thereof so stopped up.

(3) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

14.—(1) Where this Act authorises the diversion of a road or footpath or the making of a new road or footpath and the stopping up of an existing road or footpath or portion thereof such stopping up shall not take place until such new road or footpath is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Commission

Stopping up roads and footpaths in case of diversion.

PART II
—cont.

and the road authority until the Minister of Transport shall have certified that the new road or footpath has been completed to his satisfaction and is open for public use.

(2) Before applying to the Minister of Transport for his certificate the Commission shall give to the road authority of the district in which the existing road or footpath is situated seven days' notice in writing of their intention to apply for the same.

(3) As from the completion to the satisfaction of the road authority of the new road or footpath or as from the date of the said certificate (as the case may be) all rights of way over or along the existing road or footpath or portion thereof authorised to be stopped up shall be extinguished and the Commission may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway appropriate without making any payment therefor and use for the purposes of their undertaking the site of the road or footpath or portion thereof stopped up as far as the same is bounded on both sides by lands of the Commission.

(4) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

Provision as
to repair of
roads and
footpaths.

15. Subject to the provisions of section 7 (Repair of roads where level not permanently altered) of this Act any road or footpath or portion thereof made diverted or altered under the authority of this Act (except the structure carrying any such road or footpath over any railway of the Commission which structure shall unless otherwise agreed be maintained by and at the expense of the Commission) shall when made and completed unless otherwise agreed be maintained by and at the expense of the persons liable to maintain roads or footpaths of the same nature and in the same parish district borough or city as the road or footpath or portion thereof so made diverted or altered.

Power to make
agreements
with road
authorities.

16.—(1) When a road or footpath or portion thereof will be altered or stopped up or interfered with under the provisions of this Act the Commission may enter into and carry into effect agreements with the parties having the charge management or control of such road or footpath in reference to the construction or contribution towards the costs of such alteration or of any new road or footpath to be made under the provisions of this Act and in reference to any other matters relating thereto.

(2) The Commission may by agreement delegate to such parties as aforesaid the power of constructing and maintaining all or any of such alterations or new road or footpath in which they may be interested including the structure of any bridge over or under any railway.

(3) The purposes of this section shall be deemed to be purposes for which a local road authority may incur expenditure and borrow money.

PART II
—cont.

17. And whereas in order to avoid in the execution and maintenance of the works injury to the houses and buildings within one hundred feet of the works it may be necessary to underpin or otherwise strengthen the same Therefore the Commission at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect:—

Underpinning
of houses
near works.

- (1) At least ten days' notice shall (except in case of emergency) be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Commission shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Commission:
- (3) If any owner or lessee or occupier of any such house or building or the Commission as the case may be shall within seven days after the giving of such notice give a counter-notice in writing that he or they (as the case may be) disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to arbitration:
- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Commission may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5) The Commission shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section provided that the claim for compensation in respect of such loss or damage is made within three months from the occurrence thereof:
- (6) (a) In any case in which any house or building shall have been underpinned or strengthened under the

PART II
—cont.

powers of this section the Commission may from time to time after the completion of such underpinning or strengthening and during the execution of the work in connection with which such underpinning or strengthening was done or within twelve months after the opening for traffic of that work enter upon and survey such house or building and do such further underpinning or strengthening thereof as they may deem necessary or expedient or as in case of dispute between the Commission on the one hand and the owner lessee or occupier of the house or building on the other hand shall be settled by arbitration ;

(b) If in any such case as is referred to in this paragraph the underpinning or strengthening done by the Commission shall at any time within twelve months from the opening for traffic of the work in connection with which such underpinning or strengthening was done prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of such work the Commission shall make compensation to the owner lessee and occupier of the house or building for such injury provided that the claim for compensation in respect thereof be made within one month from the discovery thereof :

- (7) Nothing in this section nor any dealing with any property in pursuance of this section shall relieve the Commission from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other enactment :
- (8) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts :
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

Power to make trial borings. 18. The Commission may make trial borings at such places within the limits of deviation as they may think fit for the purpose of ascertaining the nature of the soil.

Use of sewers for removing water. 19.—(1) The Commission may use for the discharge of any water pumped or found by them during the construction of the new works any available stream or watercourse or any sewer or drain of any local authority in or through whose area the new works may be constructed or pass and for that purpose may lay down take up and alter conduits pipes and other works

and make any convenient connections with any such stream watercourse sewer or drain within the limits of deviation:

PART II
—cont.

Provided that—

- (a) the Commission shall not discharge any water into any sewer or drain vested in or under the control of a local authority except with the consent of the local authority and subject to such terms and conditions (including the taking of steps to remove so far as may be reasonably practicable from water so discharged any gravel soil or other solid substance or matter in suspension) as the local authority may reasonably impose; and
- (b) the Commission shall not make any opening into any such sewer or drain save in accordance with plans reasonably approved by and under the superintendence of the local authority in whom the sewer or drain shall be vested.

(2) Any question or difference arising between the Commission and a local authority under this section shall be settled by arbitration.

(3) In this section the expression “local authority” has the meaning assigned to it by section 305 of the Local Government Act 1933. 23 & 24 Geo. 5.
c. 51.

20.—(1) In constructing railway No. 2 authorised by section 5 (Power to London Company to make railways subway and works) of the London Electric Metropolitan District and Central London Railway Companies (Works) Act 1931 the Commission may notwithstanding anything in section 21 (As to Camberwell Green) of the said Act but subject in all other respects to the provisions of the said Act construct a station with escalator tunnels and subways and all such other necessary or convenient works as are authorised by the said Act beneath the surface of the garden enclosure known as Camberwell Green and (without prejudice to the provisions of the said Act with respect to the temporary use of lands) may for the purposes aforesaid enter upon use and occupy temporarily so much of the said garden enclosure as is numbered 111 in the metropolitan borough of Camberwell on the plans deposited in respect of the Bill for the said Act or any part thereof and may make therein such temporary shafts and excavations as may be necessary or convenient for those purposes. As to
Camberwell
Green.
21 & 22 Geo. 5.
c. cxii.

(2) Nothing in this section or in the said Act of 1931 as modified by this section shall affect the operation of the London Squares Preservation Act 1931. 21 & 22 Geo. 5.
c. xciii.

21.—(1) As from the passing of this Act all rights of way now existing over or upon the accommodation bridge in the urban district of Ruislip-Northwood in the county of Middlesex which crosses over the Metropolitan and Piccadilly Railway at As to accom-
modation
bridge at
Ickenham.

PART II
—cont.

a point five hundred yards south-west of the bridge carrying Wood Lane over the said railway shall be and are hereby extinguished.

(2) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

PART III

LANDS

Power to
acquire lands.

22.—(1) Subject to the provisions of this Act the Commission may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works or for any purpose connected with or ancillary to their undertaking.

(2) Without prejudice to the generality of the powers conferred upon the Commission by subsection (1) of this section the Commission may subject to the provisions of this Act enter upon take and use for the purposes specified in the third column of the First Schedule to this Act all or any of the lands referred to in the first and second columns of the said schedule.

(3) Subject to the provisions of this Act the Commission may enter upon use and appropriate so much of the subsoil and under-surface of any public street road footway or place delineated on the deposited plans and described in the deposited book of reference as shall be necessary for the purposes of the works without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

(4) The Commission shall not under the powers of this section enter upon take or use the lands delineated on the deposited plans and described in the deposited book of reference and therein numbered 1 in the urban district of Hornchurch or any part of those lands.

Correction
of errors in
deposited
plans and book
of reference.

23.—(1) If any omission misstatement or wrong description of any land or of the owner lessee or occupier of any land is found to have been made on the deposited plans or in the deposited book of reference the Commission after giving ten days' notice to the owner lessee and occupier of the land in question may apply to two justices having jurisdiction in the place in which the said land is situated for the correction thereof.

(2) If on any such application it appears to the justices that the omission misstatement or wrong description arose from mistake the justices shall certify the fact accordingly and shall in their certificate state the particulars of the omission or in what respect any matter is misstated or wrongly described.

(3) If the land is situated in a county borough such certificate or a copy thereof shall be deposited with the town clerk and if the land is situated in an administrative county such certificate or a copy thereof shall be deposited with the clerk of the county council and a copy thereof shall be deposited with every clerk of a local authority and chairman of a parish council or parish meeting with whom a copy of the deposited plans (or of so much thereof as includes the land to which the certificate relates) has been deposited in accordance with the standing orders of the Houses of Parliament or who has the custody of any such copy so deposited and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Commission to take the land in accordance with the certificate.

Part III
—cont.

(4) Any certificate or copy deposited under this section with any person shall be kept by him with the other documents to which it relates.

24.—(1) Whereas in the construction of the works or otherwise in the exercise by the Commission of the powers of this Act it may happen that portions only of the properties whereof the whole or part is described in the Second Schedule to this Act will be sufficient for the purposes of the Commission and that such portions or some other portions less than the whole can be severed from the remainder of the said properties respectively without material detriment thereto Therefore the following provisions shall have effect:—

Acquisition of
part only of
certain
properties.

- (a) The owner of and persons interested in any of the said properties and whereof a portion only is required for the purposes of the Commission or each or any of them are or is hereinafter in this section included in the term "the owner";
- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the said properties the owner fails to notify the Commission in writing that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Commission such portion only without the Commission being obliged or compellable to purchase the whole the Commission paying for the portion so taken and making compensation for any loss sustained by the owner by severance or otherwise;
- (c) If within such twenty-one days the owner alleges by notice in writing to the Commission that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the property specified

PART III
—cont.

in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion that may be acquired compulsorily under this Act) can be so severed ;

- (d) If the tribunal determines that the portion of the property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Commission the portion which the tribunal shall have determined to be so severable without the Commission being obliged or compellable to purchase the whole the Commission paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal ;
- (e) If the tribunal determines that the portion of the property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section or such part (if any) of the said costs charges and expenses as it thinks fit shall be borne and paid by the owner ;
- (f) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it determines that any other portion can be so severed) the Commission may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice ;
- (g) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Commission in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal thinks fit having regard to the circumstances of the case and its final determination.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation

Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that the said properties or any of them or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

PART III
—cont.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any of the said properties.

25. At any time after serving a notice to treat in respect of any land that may be acquired compulsorily under this Act but not less than one month after giving the owner and occupier of the land notice in writing of their intention to exercise the powers of this section the Commission may enter on and take possession of the land or such part thereof as is specified in the last-mentioned notice without previous consent and without compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845:

Power to
expedite entry.

Provided that the Commission shall pay the like compensation for land of which possession is taken under this section and the like interest on the compensation awarded as would have been payable if the provisions of those sections had been complied with.

26. Any person acting on behalf of the Commission and duly authorised in writing in that behalf may at all reasonable times enter on any land authorised to be acquired compulsorily under this Act for the purpose of surveying or valuing the land:

Power to
enter for
survey or
valuation.

Provided that no land shall be entered under this section unless the Commission not less than twenty-four hours before the first entry and not less than twelve hours before any subsequent entry have given notice in writing to the owner and occupier of the land in manner provided by section 285 of the Public Health Act 1936.

26 Geo. 5. &
1 Edw. 8. c. 49.

27. In determining any question of disputed compensation or purchase money in respect of land acquired under this Act the tribunal shall not take into account—

Disregard of
recent
improvements
and interests.

(a) any improvement or alteration made or building erected after the fifth day of December one thousand nine hundred and forty-eight; or

(b) any interest in the land created after the said date;

which in the opinion of the tribunal was not reasonably necessary and was made erected or created with a view to obtaining or increasing the compensation or purchase money.

PART III
—cont.
Extinction of
private rights
of way.

28.—(1) All private rights of way over any land that may be acquired compulsorily under this Act shall as from the acquisition of the land whether compulsorily or by agreement be extinguished.

(2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

Power to
acquire
easements
only in certain
cases.

29. Notwithstanding anything in this Act or in any Act wholly or partly incorporated herewith the Commission may purchase and acquire such easements or rights as they may require for the purpose of constructing maintaining renewing and using the works in under or over—

(a) any railway tramway tramroad river canal navigation watercourse aqueduct drain dyke or sewer ; or

(b) either of the properties described in the Third Schedule to this Act ;

without being obliged or compellable to purchase any greater interest in under or over the same respectively and may give notice to treat in respect of such easements or rights describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall extend and apply in relation to the acquisition of such easements or rights as if they were lands within the meaning of those Acts.

Grant of
easements by
persons under
disability.

30.—(1) Any person empowered by the Lands Clauses Acts to sell and convey or release lands may if he thinks fit subject to the provisions of those Acts grant to the Commission any easement or right required for the purposes of this Act in under over or affecting any such lands (not being an easement or right of water in which some person other than the grantor has an interest).

(2) The provisions of the said Acts with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.

Period for
compulsory
purchase of
lands.

31. The powers of the Commission for the compulsory purchase of the lands which they are authorised to acquire by section 22 (Power to acquire lands) of this Act shall cease on the thirty-first day of December one thousand nine hundred and fifty-two.

As to private
street expenses
in certain
cases.
38 & 39 Vict.
c. 55.

32.—(1) The Commission shall be deemed not to be an owner or occupier for the purposes of section 150 of the Public Health Act 1875 in respect of any land acquired or used by the Commission under or in pursuance of the powers or for the purposes of this Act—

(a) upon which any street as defined by the Public Health Act 1936 and not being a highway repairable by the

inhabitants at large shall wholly or partially front
adjoin or abut ; and

PART III
—cont.

(b) which shall at the time of the laying out of such street
be used by the Commission solely as a part of their
lines of railway canal or siding station towing-path or
works and shall have no direct communication with
such street.

(2) The expenses incurred by any urban authority under the
powers of the said section which but for this provision the
commission would be liable to pay shall be repaid to the urban
authority by the owners of the premises fronting adjoining or
abutting on the said street other than the Commission and in
such proportions as shall be settled by the surveyor of the urban
authority.

(3) In the event of the Commission subsequently making a
direct communication with such street they shall notwithstanding
such repayment as last aforesaid pay to the urban authority the
expenses which but for the foregoing provision the Commission
would in the first instance have been liable to pay.

(4) The urban authority shall divide among the owners for
the time being other than the Commission the amount so paid
by the Commission to the urban authority less the costs and
expenses attendant upon such division in such proportion as
shall be settled by the said surveyor whose decision shall be final
and conclusive.

(5) This section shall not apply to any street existing at the
passing of this Act.

33. Nothing in this Act shall authorise the Commission to enter upon take or use (except by agreement) any cellar or vault in or under any street belonging to or connected with any building unless such cellar or vault or the building with which it is connected is described in the deposited book of reference.

As to cellars
under streets
not referenced.

34.—(1) The Commission may hold use and appropriate for the purposes specified in the second column of the Fourth Schedule to this Act the lands referred to in the first column of the said schedule which have already been acquired by them and are shown coloured red on the plans in a book which has been signed in triplicate by Francis George Bowles the chairman of the committee of the House of Commons to whom the Bill for this Act was referred of which book of plans one copy has been deposited in the office of the Clerk of the Parliaments in the House of Lords one copy in the Private Bill Office of the House of Commons and one copy at the principal office of the Commission.

Power to use
certain lands.

(2) Copies of or extracts from the said book of plans deposited at the principal office of the Commission and purporting to be certified on behalf of the Commission to be true shall be received

PART III in all courts of justice and elsewhere as prima facie evidence of
—*cont.* the contents of the said book of plans.

(3) Nothing in this section shall prejudice or affect the powers of the Commission with respect to the use of lands under any enactment from time to time relating to the Commission.

As to New
Cross depot.

35. Notwithstanding anything to the contrary in any deed covenant contract or undertaking relating to the use to be made of the land belonging to the Commission in the metropolitan borough of Deptford in the county of London and forming the site of their New Cross depot the Commission may convert the said depot to and use it as an omnibus garage and in connection with such conversion they may:—

- (a) erect on any part of the said land buildings of any height not exceeding fifty feet above the level of the ground at the boundary of the said land provided that no such building shall infringe a line drawn over the said land at an angle of forty-five degrees from a point twenty feet above the level of the ground at the boundary thereof;
- (b) make windows or openings in any buildings now or hereafter erected on any part of the said land notwithstanding that such windows may overlook any adjoining premises or property; and
- (c) remove so much of the boundary wall of the said land as adjoins the land numbered on the deposited plans 1 in the metropolitan borough of Deptford and authorised to be acquired by section 22 (Power to acquire lands) of this Act for the purpose of improving and extending the said depot and providing a means of access to and from Pepys Road;

and section 46 (For protection of Haberdashers' Company and of the metropolitan borough of Deptford) of the London County Council (Tramways and Improvements) Act 1902 shall be read and have effect as if the words "or omnibus garage" were inserted therein after the words "other than a tramway depot."

Power to
Mersey Docks
and Harbour
Board to
dispose of
lands at
Birkenhead.

36.—(1) Notwithstanding any restriction contained in the enactments relating to the Mersey Docks and Harbour Board (in this section referred to as "the board") the board may from time to time dispose of to the Commission any estate or interest which they may hold in the whole or any part of the land to which this section applies in such manner and subject to such covenants or conditions as may be agreed upon between the board and the Commission.

(2) The land to which this section applies is the land belonging to the board and known as the "South Reserve" in the county borough of Birkenhead lying between the Wallasey Dock and the Morpeth and Egerton Docks.

PART IV

DOCKS

37. For the removal of doubt it is hereby declared that the powers conferred on the London Midland and Scottish Railway Company by Part III (Rates dues and charges at Holyhead Harbour) of the London Midland and Scottish Railway Act 1937 (which by section 30 of that Act were to have effect so long as the said company was the lessee of the harbour at Holyhead under a lease from the Minister of Transport and were to cease on the determination of the said lease) did not cease by virtue of the merger in the Commission pursuant to section 69 of the Act of 1947 of the respective interests in the said harbour of the said Minister as lessor, and of the Commission as lessee (in succession to the said company) but continued to be and now are exercisable by the Commission as fully and effectually as they were exercisable by the said company before the first day of January one thousand nine hundred and forty-eight.

As to charging powers at Holyhead Harbour.
1 Edw. 8. &
1 Geo. 6.
c. xlix.

38. As from the passing of this Act section 66 (Port dues at Hull) of the London and North Eastern Railway Act 1947 and the Fourth Schedule to that Act shall be read and have effect as if the following item had been included in the inward port dues specified in Part I of the said Fourth Schedule:—

	Per ton
	s. d.
Fruit and Vegetables	0 9

and section 67 (Increase of dock tonnage rates and crange charges at Hull) of the said Act shall be read and have effect as if the addition specified in subsection (1) of that section in respect of maximum dock tonnage rates had been fifteen per centum in lieu of ten per centum.

PART V

INLAND WATERWAYS

39.—(1) In this section the expression “the waterways” means—

- (a) so much of the Swansea Canal authorised by the Act 34 Geo. 3. c. 109 as lies between the northern end of the portion of the Swansea Canal authorised to be abandoned by section 39 (Abandonment of railways &c.) of the Great Western Railway Act 1931 and a point on the Swansea Canal seventy yards north-east of the north end of the bridge carrying the Morryston branch railway over the Swansea Canal near Saint Paul’s Church Landore in the county of Glamorgan;

Closing for navigation of portions of certain waterways.

21 & 22 Geo. 5.
c. lxi.

PART V.
—cont.20 & 21 Geo. 5,
c. lxxviii.

(b) so much of the Monmouthshire Canal authorised by the Act 32 Geo. 3. c. 102 as lies between the northern end of the portion of the Monmouthshire Canal authorised to be closed by section 17 (Railway company to close southern portion of canal and to have power to close northern portion of canal) of the Newport Corporation (No. 1) Act 1930 and in that section referred to as "the northern portion of canal" and the termination of the Crumlin Arm of the Monmouthshire Canal at or near Crumlin in the county of Monmouth; and

58 & 59 Vict.
c. xxxiii.

(c) so much of the river Aire as lies between Thwaite Dam in the county borough of Leeds and the urban district of Rothwell in the west riding of the county of York and an imaginary line drawn from north to south across the said river at a point two hundred yards east of the northern end of the byewash near Fishpond Lock in the urban district of Rothwell referred to in subsection (7) of section 25 (Power to execute works) of the Aire and Calder Navigation Act 1895.

(2) As from the passing of this Act—

(a) all rights of navigation along on or over the waterways and all rights of user by barges or other boats of the waterways shall cease and be extinguished; and

(b) the Commission shall cease to be under any obligation (whether statutory or otherwise) to keep the waterways open for navigation or to maintain the same in a navigable condition or to preserve the supplies of water thereto for the purposes of navigation or to supply the waterways with water for those purposes.

(3) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Commission compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

PART VI

PROTECTIVE PROVISIONS

Crown rights.

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

For protection
of electricity
boards.45 & 46 Vict.
c. 56.62 & 63 Vict.
c. 19.

41.—(1) Nothing in this Act shall extend to or authorise any interference with any electric lines or other works of any electricity board except in accordance with and subject to the provisions of section 15 of the Electric Lighting Act 1882 and section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 and such provisions shall be deemed for the purposes of this subsection to extend to and include any electric line or work of an electricity board whether or not such line or work is under

any street or place authorised to be broken up by the electricity board and whether such line or work is placed below upon or above the level of the ground.

PART VI
—cont.

(2) In this section the expressions “electric lines” and “works” have the same respective meanings as in the Electricity (Supply) Acts 1882 to 1936 and the expression “electricity board” has the meaning assigned to it by section 1 of the Electricity Act 1947.

10 & 11 Geo. 6.
c. 54.

42.—(1) The provisions of sections 18 to 23 (inclusive) of the Railways Clauses Consolidation Act 1845 as incorporated with this Act shall for the purposes of this Act extend and apply to the gas and water mains pipes and apparatus of any local authority or area board or water board and shall be construed as if “local authority” “area board” and “water board” were mentioned in those sections in addition to “company or society”:

Protection of
gas and water
mains of local
authorities &c

Provided that any penalties recovered under section 23 of that Act shall be appropriated to that fund of the local authority or area board or water board to which their revenues in respect of gas or water (as the case may be) are appropriated.

(2) In this section the expression “area board” has the meaning assigned to it by section 1 of the Gas Act 1948.

11 & 12 Geo. 6.
c. 67.

43. Before breaking up or otherwise interfering with any road in connection with the construction of any works under the powers of this Act within the area of the metropolitan police district the Commission shall (except in case of emergency) give fourteen days’ notice in writing to the Commissioner of Police of the Metropolis and make such arrangements with the said commissioner of police as may be reasonably necessary so as to cause as little interference with the traffic in such road during the construction of such works as may be reasonably practicable.

As to works
within
metropolitan
police
district.

44. For the protection of the county council of the administrative county of Middlesex (in this section referred to as “the council”) the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

For protection
of Middlesex
County
Council.

- (1) The two bridges under Rayners Lane in the urban district of Harrow (Work No. 2) authorised by this Act shall be so constructed that the parapet walls thereof are clear of the existing highways and that no part of those highways is obstructed:
- (2) (a) Before commencing to construct any part of the new works which will involve interference with a highway repairable by the council the Commission shall consult the council as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for

PART VI
—cont.

the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and such part shall not be constructed and the surface of the highway shall not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the council or in default of agreement settled by arbitration ;

(b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the council and to their reasonable satisfaction :

- (3) The works under any highway repairable by the council shall be constructed and maintained by the Commission in such manner as at all times to support not only the ordinary traffic but also any exceptional traffic lawfully using such highway and the Commission shall indemnify the council against and make good to the council all costs and expenses that the council may reasonably incur or be put to in the maintenance or repair of any highway by reason of any defect or insufficiency in strength of the works under such highway or any neglect properly and effectually to maintain the same as aforesaid :
- (4) In executing and also (except in cases of emergency) in effecting repairs or renewals of the works which may be situate upon across over or under or so as to interfere with any sewer of the council the same shall be done by and in all things at the expense of the Commission and under the superintendence (if the same be given) and to the reasonable satisfaction of the council's engineer (in this section referred to as "the said engineer") and except in cases of repair according to plans sections specifications and particulars to be submitted to and reasonably approved by the said engineer before such works are executed :

Provided that if the said engineer shall not signify his approval or disapproval of the said plans sections specifications and particulars within twenty-eight days after they shall have been submitted to him he shall be deemed to have approved thereof :

- (5) If in consequence of the exercise of the powers of this Act it is necessary or desirable to alter the position of or lengthen or strengthen any such sewer or to provide works for the protection thereof such alteration lengthening strengthening or protection shall be carried out by the Commission in a manner reasonably approved by the council or if the council prefer shall

be carried out by them and the Commission shall repay to the council any expense reasonably incurred in carrying out the same and any additional expense in thereafter maintaining such sewer:

- (6) The Commission shall make compensation to the council for any subsidence of or damage to any highway repairable by the council or any property of the council or under their control or repairable by them which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the works or at any time thereafter:
- (7) The Commission shall not enter upon take or use under the powers of this Act any part of the lands numbered on the deposited plans 8 9 10 31 and 34 in the urban district of Uxbridge or of the lands numbered on those plans 6 and 7 in the urban district of Ruislip-Northwood other than so much thereof respectively as is coloured red on the plan signed in duplicate by Miles Beevor on behalf of the Commission and by Clifford Walter Radcliffe on behalf of the council:
- (8) Any diversion or alteration of Yeading Brook on or in the land numbered on the deposited plans 2 in the urban district of Harrow rendered necessary in consequence of the exercise of the powers of this Act shall be effected in accordance with plans and sections reasonably approved by the council:
- (9) Any difference arising between the Commission and the council under this section shall be settled by arbitration.

45. For the protection of the mayor aldermen and burgesses of the borough of Ealing (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Commission and the corporation apply and have effect:—

- (1) (a) Before commencing to construct any part of the new works which will involve interference with a highway repairable by the corporation the Commission shall consult the corporation as to the time when such part shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Commission to occupy in the construction of such part and as to the conditions under which such part shall be constructed so as to reduce so far as possible inconvenience to the public and such part shall not be constructed and the surface of the highway shall

PART VI
—cont.

not be occupied by the Commission except at the time to the extent and in accordance with conditions agreed between the Commission and the corporation or in default of agreement settled by arbitration ;

(b) Any such highway shall be reinstated by the Commission in a manner reasonably approved by the corporation and to their reasonable satisfaction :

- (2) The works under any highway repairable by the corporation shall be constructed and maintained by the Commission in such manner as at all times to support not only the ordinary traffic but also any exceptional traffic lawfully using such highway and the Commission shall indemnify the corporation against and make good to the corporation all costs and expenses that the corporation may reasonably incur or be put to in the maintenance or repair of any highway by reason of any defect or insufficiency in strength of the works under such highway or any neglect properly and effectually to maintain the same as aforesaid :
- (3) The Commission shall not alter disturb or in any way interfere with any sewer or drain of the corporation or under their control or repairable by them or the access thereto without the consent of the corporation and any alteration diversion replacement reconstruction or strengthening of any such sewer or drain that may be necessary shall be made by the corporation or the Commission as the corporation shall think fit and any costs and expenses reasonably incurred by the corporation in so doing shall be repaid to the corporation by the Commission :
- (4) The Commission shall make compensation to the corporation for any subsidence of or damage to any highway repairable by the corporation or any property of the corporation or under their control or repairable by them which may be caused by or in consequence of any act or default of the Commission their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the works or at any time thereafter :
- (5) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

For protection
of Battersea
Borough
Council.

46. For the protection of the mayor aldermen and councillors of the metropolitan borough of Battersea (in this section referred to as "the council") the following provisions shall unless other-

wise agreed in writing between the Commission and the council apply and have effect:—

PART VI
—cont.

- (1) The Commission shall repay to the council the expenses reasonably incurred by them in—

(a) making any alterations to the highway in Bognor Street in the metropolitan borough of Battersea ; and

(b) altering or reconstructing any sewers inspection pits manholes sewer air-gratings gullies and drains of the council in Bognor Street aforesaid ; and

(c) providing a sewer vent column and additional street lighting in Bognor Street aforesaid ;

which may be necessary by reason or in consequence of—

(i) the appropriation or user by the Commission under the powers of this Act of the property numbered on the deposited plans 1 in the metropolitan borough of Battersea or any part thereof ; or

(ii) the stopping up of any part of Bognor Street in the said metropolitan borough under the powers of this Act :

- (2) If the Commission shall construct a wall on the boundary of the property referred to in subsection (1) of this section the council may attach thereto in such position as failing agreement may be determined by arbitration such lamps brackets electric lines and attachments as may be required for the purposes of street lighting :
- (3) Any difference arising between the council and the Commission under this section shall be settled by arbitration.

47. For the protection of the urban district council of Harrow (in this section referred to as “ the council ”) the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

For protection
of Harrow
Urban District
Council.

The new footbridge in the urban district of Harrow authorised by section 10 (Further works and powers) of this Act shall be constructed of a width of not less than eight feet and the treads of the new footbridge shall not be narrower and the risers of the new footbridge shall not be of greater height than those of the existing footbridge over the Piccadilly Railway.

PART VI

—cont.

For protection
of Uxbridge
Urban District
Council.

48. For the protection of the urban district council of Uxbridge (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Commission and the council apply and have effect:—

- (1) The Commission shall not enter upon take or use under the powers of this Act any part of the lands numbered on the deposited plans 8 9 and 10 in the urban district of Uxbridge other than so much thereof as is coloured red on the plan signed in duplicate by Miles Beevor on behalf of the Commission and by Harold Edwin George Stripp on behalf of the council:
- (2) Notwithstanding the provisions of section 7 (Repair of roads where level not permanently altered) of this Act the Commission shall be liable to maintain the surface of so much of Glebe Avenue and Austins Lane as is situated on the approaches to the bridges forming part of Works Nos. 3 and 4 authorised by this Act:
- (3) Any difference arising between the Commission and the council under this section shall be settled by arbitration.

For protection
of North
Thames Gas
Board.

49. For the protection of the North Thames Gas Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Commission and the board apply and have effect:—

- (1) In this section unless the context otherwise requires—
 - (a) "apparatus" means any mains pipes or other works or apparatus of the board in or under any street;
 - (b) "specified work" means such part of any of the works as in its execution in or under any street will or may interfere with any apparatus;
 - (c) "plans" means plans sections or descriptions;
 - (d) references to the acts or defaults of the Commission include the acts or defaults of their contractors agents workmen or servants or any person in their employ:
- (2) At least fourteen days before commencing to execute any specified work the Commission shall deliver to the board plans of the specified work and if it should appear to the board that the specified work will interfere with or endanger their apparatus or impede the supply of gas the board may within fourteen days after the receipt by them of the plans give notice to the Commission to lower or otherwise alter the position of such apparatus or to support the same or to substitute other apparatus in such manner as may be necessary:

- (3) Where notice is given by the board under the last foregoing subsection the protective works required by the notice shall be done and executed by and at the expense of the Commission but, to the satisfaction and under the superintendence of the engineer of the board (if after notice given by the Commission to the board of the time and place of such execution the engineer chooses to attend) and the reasonable costs charges and expenses of such superintendence shall be paid by the Commission :

Provided that if the board by notice in writing to the Commission within seven days after the receipt by the board of notice of the intended commencement by the Commission of the specified work so require the board may themselves do and execute such protective works and the Commission shall on the completion thereof pay to the board the reasonable expenses incurred by them in the execution of such protective works :

- (4) Where no notice is given by the board under subsection (2) of this section with respect to any specified work the work may be executed but not otherwise than in accordance with the plans delivered under that subsection :
- (5) The board may if they deem fit employ watchmen or inspectors to watch and inspect any specified work during its execution repair or renewal where any apparatus of the board will be interfered with or affected thereby and the reasonable wages of such watchmen or inspectors shall be borne by the Commission and be paid by them to the board :
- (6) The Commission shall indemnify the board against all claims demands proceedings costs damages and expenses made or taken against or recovered from or incurred by the board by reason or in consequence of any interruption in the supply of gas by the board which may without the written authority of the board be in any way occasioned either by reason of the exercise by the Commission of the powers of this Act relating to the works or by the acts or defaults (in or in connection with such exercise) of the Commission and the Commission shall pay to the board the value of any gas which the board may lose by reason of the acts or defaults of the Commission in the execution of any specified work :
- (7) The reasonable expense of all repairs or renewals of any apparatus of the board or any works in connection therewith which may at any time hereafter be rendered

PART VI
—cont.

necessary either by reason of the exercise by the Commission of the powers of this Act relating to the works or by the acts or defaults (in or in connection with such exercise) of the Commission or which may during the construction or within twelve months after the completion of any of the works be rendered necessary by any subsidence resulting from that work shall be borne and paid by the Commission:

- (8) Notwithstanding the stopping up of any street under the powers of this Act the board may exercise the same rights of access as they now enjoy to any apparatus of the board (including apparatus not situate in or under a street):

Provided that in exercising the rights of access saved by this subsection the board their engineers or workmen or others in the employ of the board shall not interrupt the execution maintenance or use of any works of the Commission by this or any other Act authorised and the board shall compensate the Commission for any damage to such last-mentioned works occasioned by the exercise of the said rights:

- (9) The Commission shall not in the execution of any specified work raise sink or otherwise alter the position of any apparatus or alter the level of any street in which such apparatus is situate so as to leave over such apparatus in any part a covering less than the existing covering or three feet whichever may be the less (unless the Commission shall in such case protect such apparatus from injury by artificial covering to the reasonable satisfaction of the board) or of more than the existing covering or five feet whichever may be the greater:

- (10) Where by reason or in consequence of the stopping up of any portion of the roads known respectively as Granville Gardens in the borough of Ealing and Bognor Street in the metropolitan borough of Battersea under the powers of section 10 (Further works and powers) of this Act any apparatus laid or placed in or under either of the said roads or elsewhere is rendered derelict or unnecessary the Commission shall pay to the board the then value of such apparatus (which shall thereupon become the property of the Commission) and the reasonable cost of and incidental to cutting off of such apparatus from any other apparatus and of and incidental to the execution or doing of any works or things rendered necessary or expedient by reason or in consequence of such apparatus being so rendered derelict or unnecessary:

Provided that the Commission shall not under the provisions of this subsection be required to pay to the board the value of any apparatus rendered derelict or unnecessary if they shall have to the reasonable satisfaction of the board provided and laid and made ready for use other apparatus in substitution for the apparatus so rendered derelict or unnecessary:

PART VI
—cont.

- (11) Any difference arising between the Commission and the board under this section shall be settled by arbitration:
- (12) In settling any question under this section an arbitrator shall have regard to any duties or obligations which the board may be under in respect of any apparatus and to any duties or obligations which the Commission may be under in respect of the specified work and may if he thinks fit require the Commission to execute any works so as to avoid so far as may be practicable interference with any purpose for which the apparatus of the board is used.

50. For the protection of the Metropolitan Water Board (in this section referred to as "the board") the provisions of section 49 (For protection of North Thames Gas Board) of this Act shall apply and have effect as if the board were named therein in lieu of the North Thames Gas Board and as if the expression "specified work" meant such part of Work No. 1 authorised by this Act as in its execution in or under Creffield Road or Uxbridge Road in the borough of Ealing will or may interfere with any apparatus of the board and as if the word "water" were substituted for the word "gas."

(in For protection of Metropolitan Water Board.)

51. For the protection of the Rickmansworth and Uxbridge Valley Water Company (in this section referred to as "the company") the provisions of section 49 (For protection of North Thames Gas Board) of this Act (other than subsections (8) and (10) thereof) shall apply and have effect as if the company were named therein in lieu of the North Thames Gas Board and as if the expression "specified work" meant such part of Work No. 3 authorised by this Act as in its execution in or under Glebe Avenue in the urban district of Uxbridge will or may interfere with any apparatus of the company and as if the word "water" were substituted for the word "gas."

(For protection of Rickmansworth and Uxbridge Valley Water Company.)

PART VII

MISCELLANEOUS

52.—(1) As from the first day of January one thousand nine hundred and forty-eight the yearly sum payable to the Commission (as successors of the Lee Conservancy Board) by the Metropolitan Water Board under section 5 (Payments to trustees) of the River Lee Water Act 1855 shall be increased to twenty-five

Payments by Metropolitan Water Board in respect of water supply from river Lee.

PART VII
—cont.

thousand five hundred pounds and that section shall be read and construed accordingly.

(2) The Minister of Transport and the Minister of Health acting jointly may from time to time on the application of the Commission or the Metropolitan Water Board (after notice in writing to the other of them) by order increase or reduce the said yearly sum in such manner and subject to such conditions as appear to the said Ministers to be just and reasonable.

(3) Where upon an application under subsection (2) of this section an order has been made or the said Ministers have decided not to make an order no further application shall be made within five years from the date of such order or decision (as the case may be).

As to
appointment
of constables.

53.—(1) Subject to the conditions hereinafter set forth any two justices may on the application of the Commission appoint all or so many as they think fit of the persons recommended to them for that purpose by the Commission to act as constables in on and in the vicinity of the whole of the railways harbours docks inland waterways stations wharves garages hotels works depots and other premises in England and in Wales now or hereafter belonging to leased to or worked by the Commission and the following provisions shall apply to every appointment so made:—

- (a) every person so appointed shall make oath or declaration in due form of law before any justice having jurisdiction in any one of the counties cities or boroughs in which such person is to act duly to execute the office of a constable ;
- (b) every person so appointed and having been sworn or having made declaration as aforesaid shall during the continuance of his appointment have all the powers protection and privileges of a constable in respect of the exercise of his duties and may follow and arrest any person who has committed in on or in the vicinity of such railways harbours docks inland waterways stations wharves garages hotels works depots or other premises any offence for which he might have been arrested while in on or in the vicinity of the same :

Provided that no such powers shall be exercised outside the limits of the premises of the Commission except in regard to matters in connection with or affecting the Commission or their undertaking ;

- (c) any two justices assembled and acting together or the Commission may dismiss from his office or accept the resignation of any constable so appointed and thereupon all powers protection and privileges belonging to such person by virtue of such appointment shall

wholly cease. No person so dismissed or resigning shall be capable of being reappointed except with the consent of the authority by whom he was dismissed or by whom his resignation was accepted ;

PART VII
—cont.

(d) the police authority of any area shall not be liable for any expense of or be responsible for any acts or defaults of such constables or for anything connected with or consequent upon their appointment and nothing in this Act shall restrict or affect the jurisdiction or powers of any such police authority or of any police force under their control ;

(e) a person appointed as aforesaid shall not act as a constable under the authority of this Act unless he be in uniform or provided with an authority to act as such which authority the justice before whom such person makes oath or declaration as aforesaid is hereby empowered to grant and if the constable be not in uniform he shall show such authority whenever called upon to do so.

(2) Every person who immediately prior to the passing of this Act is duly appointed to act as a constable employed by the Commission shall be deemed to have been duly appointed to act in pursuance of this section as if his appointment had been made thereunder.

(3) In this section the expression " police authority " has the meaning assigned to it by section 19 of the Police Act 1946 and 9 & 10 Geo. 6. includes a combined police authority as defined in that section. c. 46.

(4) This section shall apply to Scotland with the substitution of the words " sheriff or sheriff substitute " for the words " two justices " and " justice " and with the substitution of the words " Scotland " and " burgh " for the words " England and Wales " and " borough " respectively and for the purposes of such application the expression " police authority " has the meaning assigned to it by section 12 of the Police (Scotland) Act 1946. 9 & 10 Geo. 6. c. 71.

(5) The following enactments are hereby repealed:—

- | | | |
|-------------|---|----------------------------|
| Section 56 | (Appointment of special constables) of the Great Western Railway Act 1877 ; | 40 & 41 Vict. c. cx. |
| Section 65 | (As to appointment of special constables) of the Great Western Railway Act 1899 ; | 62 & 63 Vict. c. clxxxvii. |
| Section 48 | (Company may appoint special constables) of the North British Railway Act 1901 ; | 1 Edw. 7. c. clxxxviii. |
| Section 104 | (Amendment of section 56 of Great Western Railway Act 1877) of the Great Western Railway Act 1912 ; | 2 & 3 Geo. 5. c. lxxxvi. |
| Section 72 | (Railway constables) of the London and North Eastern Railway Act 1924 ; | 14 & 15 Geo. 5. c. liii. |

PART VII

—cont.

14 & 15 Geo. 5. c. liv.	Section 57	(Railway constables) of the London Midland and Scottish Railway Act 1924 ;
16 & 17 Geo. 5. c. xcii.	Section 71	(Railway constables) of the Southern Railway Act 1926 ;
24 & 25 Geo. 5. c. xcvi.	Section 107	(Constables) of the London Passenger Transport Act 1934.

Powers of
police as to
search and
arrest.

54.—(1) Any person in the employment or employed upon the property of the Commission who is found upon or in the immediate vicinity of any railway harbour dock inland waterway station or other premises now or hereafter belonging or leased to or worked by the Commission and used for the conveyance handling or storage of goods or upon any vessel in any such harbour dock or inland waterway and who may be reasonably suspected of having in his possession or conveying in any manner anything stolen or unlawfully obtained on or from any such premises or any such vessel may be stopped searched and taken into custody without a warrant by any constable to be dealt with according to law and any constable may stop search and detain any vessel cart or carriage in any such premises as aforesaid in or upon which there shall be reason to suspect that anything stolen or unlawfully obtained may be found.

(2) Every such person who shall be brought before any court of summary jurisdiction charged with having in his possession or conveying in any manner anything which may be reasonably suspected of being stolen or unlawfully obtained and who shall not give an account to the satisfaction of such court how he came by the same shall be guilty of an offence against this section and liable on summary conviction to a penalty not exceeding five pounds or in the discretion of the court to imprisonment for a term not exceeding two months.

(3) Unless Parliament otherwise determine this section shall expire on the first day of August one thousand nine hundred and fifty-four :

52 & 53 Vict.
c. 63. Provided that on the expiration of this section subsection (2) of section 38 of the Interpretation Act 1889 shall apply as if this section had then been repealed.

(4) The following enactments are hereby repealed—

13 & 14 Geo. 5. c. xxx.	Section 53	(Powers of police as to search and arrest) of the Great Western Railway (Additional Powers) Act 1923 ;
	Section 58	(Powers of police as to search and arrest) of the London Midland and Scottish Railway Act 1924 ;
14 & 15 Geo. 5. c. lxvi.	Section 96	(Powers of police as to search and arrest) of the Southern Railway Act 1924 ;
	Section 75	(Powers of police as to search and arrest) of the London and North Eastern Railway Act 1947.

55.—(1) Any person who shall trespass upon any of the lines of railway or sidings or in any tunnel or upon any railway embankment cutting or similar work now or hereafter belonging or leased to or worked by the Commission or who shall trespass upon any other lands of the Commission in dangerous proximity to any such lines of railway or other works or to any electrical apparatus used for or in connection with the working of the railway shall on summary conviction be liable to a penalty not exceeding forty shillings.

PART VII
—cont.

For better prevention of trespass on railways &c.

(2) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices shall apply to this section.

(3) No person shall be subject to any penalty under this section unless it shall be proved to the satisfaction of the court before which complaint is laid that public warning has been given to persons not to trespass upon the railway by notice clearly exhibited and that such notice has been affixed at the station on the railway nearest to the place where such offence is alleged to have been committed and such notice shall be renewed as often as the same shall be obliterated or destroyed and no penalty shall be recoverable unless such notice is so placed and renewed.

(4) A notice shall not be invalid for the purposes of this section by reason only that it refers to an enactment other than this Act.

(5) In the application of this section to Scotland—

(a) the words “sheriff or justices” shall be substituted for the word “justices”;

(b) for the reference to the Railways Clauses Consolidation Act 1845 there shall be substituted a reference to the Railways Clauses Consolidation (Scotland) Act 1845.

8 & 9 Vict.
c. 33.

56.—(1) Any person who shall unlawfully throw or cause to fall or strike at against into or upon any engine tender motor carriage or truck used upon or any works or apparatus upon any railway or siding now or hereafter belonging or leased to or worked by the Commission any stone matter or thing likely to cause damage or injury to persons or property shall on conviction be liable to a penalty not exceeding forty shillings and the provisions of the Railways Clauses Consolidation Act 1845 with respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices shall apply to this section.

Stone
throwing
on railway.

(2) In the application of this section to Scotland—

(a) the words “sheriff or justices” shall be substituted for the word “justices”;

PART VII
—cont.

(b) for the reference to the Railways Clauses Consolidation Act 1845 there shall be substituted a reference to the Railways Clauses Consolidation (Scotland) Act 1845.

As to rights
of way over
roads footpaths
&c.

57. As from the passing of this Act no right of way as against the Commission shall be acquired by prescription or user over any road footpath thoroughfare or place now or hereafter the property of the Commission and forming an access or approach to any station goods-yard wharf garage or depot or any dock or harbour premises of the Commission.

Incorporation
with certain
enactments
of provisions
as to byelaws
&c.

58.—(1) As from the passing of this Act sections 108 to 111 (inclusive) of the Railways Clauses Consolidation Act 1845 shall be deemed to be incorporated with every enactment in force at the passing of this Act by which any railway of the Commission was authorised to be constructed and with which the said sections are not incorporated.

(2) For the purposes of such incorporation the expressions “the company” and “the railway” in the said sections shall mean respectively the Commission and the railway and works authorised to be constructed by the enactment with which the said sections are deemed to be incorporated.

(3) To the extent that any provisions contained in any such enactment with respect to regulating the use of the railway thereby authorised to be constructed may be inconsistent with any of the provisions of the said sections the same are hereby repealed but such repeal shall be without prejudice to the validity of any regulation or byelaw duly made under such repealed provisions and in force at the passing of this Act and any such regulation or byelaw shall continue to have effect except in so far as it may be repugnant to or inconsistent with the provisions of the said sections.

(4) In the application of this section to Scotland for the references to sections 108 to 111 (inclusive) of the Railways Clauses Consolidation Act 1845 there shall be substituted references to sections 101 to 104 (inclusive) of the Railways Clauses Consolidation (Scotland) Act 1845.

As to rights of
pre-emption.

59.—(1) As from the passing of this Act the provisions of sections 127 to 131 (inclusive) of the Lands Clauses Consolidation Act 1845 (which relate to the sale of superfluous lands) and any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any undertaking now forming part of the undertaking of the Commission shall not apply to any land which is now vested in or may hereafter be acquired by the Commission under the powers of such enactment.

(2) In the application of this section to Scotland for the reference to sections 127 to 131 (inclusive) of the Lands Clauses Consolidation Act 1845 there shall be substituted a reference to sections 120 to 124 (inclusive) of the Lands Clauses Consolidation (Scotland) Act 1845.

PART VII
—cont.8 & 9 Vict.
c. 19.

(3) Nothing in this section shall prejudice or affect section 115 of the Act of 1947.

60.—(1) Notwithstanding anything in any enactment it shall be lawful for the high court upon application by the Commission to order that any money to which this section applies or the fund in which any such money has been invested together with the accumulations thereto shall be paid or transferred to the Commission:

Recovery
of deposits.

Provided that upon the application of any party making claim to any such money or any part thereof the high court may order such money as has been paid or such fund as has been transferred to the Commission under the provisions of this section or any part of such money or fund to be paid or transferred to the person making such claim and may make such other order in the premises as to the court shall seem fit.

(2) The money to which this section applies is any sum of money which has been paid into court or deposited in the Bank of England or in any bank in Scotland established by Act of Parliament or royal charter by any company or body of persons whose undertaking now forms part of the undertaking of the Commission being money which was so paid or deposited—

(a) in pursuance of—

(i) the Parliamentary Deposits Act 1846 or any standing order of either House of Parliament or the said Act of 1846 as read with the general orders under the Private Legislation Procedure (Scotland) Act 1899 or the Private Legislation Procedure (Scotland) Act 1936; or

9 & 10 Vict.
c. 20.
62 & 63 Vict.
c. 47.
26 Geo. 5 &
1 Edw. 8. c. 52.

(ii) any other enactment requiring a deposit to be made as a condition precedent to the applying for obtaining or exercise of any powers for the acquisition of lands or the construction of works; or

(b) in pursuance of section 76 or section 85 of the Lands Clauses Consolidation Act 1845 or of any other enactment requiring money to be deposited in circumstances similar to those specified in the said sections.

(3) In the application of this section to Scotland—

(a) for any reference to the high court there shall be substituted a reference to the court of session; and

(b) for the references to sections 76 and 85 of the Lands Clauses Consolidation Act 1845 there shall be substituted references to sections 75 and 84 of the Lands Clauses Consolidation (Scotland) Act 1845 respectively.

PART VII
—cont.
Extensions
of time.

61.—(1) The periods now limited by the respective enactments specified in the first column of Part I of the Fifth Schedule to this Act for the compulsory purchase of the lands and easements referred to in the second column of Part I of the said schedule are hereby extended until the thirty-first day of December one thousand nine hundred and fifty-two.

(2) The periods now limited by the respective enactments specified in the first column of Parts II and III of the said schedule for—

(a) the completion of the works referred to in the second column of Part II of the said schedule ; and

(b) the exercise of the powers with respect to trolley vehicles referred to in the second column of Part III of the said schedule ;

are hereby extended until the thirty-first day of December one thousand nine hundred and fifty-five.

(3) The powers for the compulsory purchase of the said lands and easements and for the completion of the said works and the said powers with respect to trolley vehicles shall cease on the said respective dates except in so far as any such powers shall by then have been exercised.

Provision as
to general
railway Acts.

62. Except as otherwise expressly provided nothing herein contained shall be deemed or construed to exempt Works Nos. 1 and 5 authorised by this Act from the provisions of any general Act relating to railways now in force or which may hereafter pass during this or any future session of Parliament.

Saving for
town and
country
planning.

63. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Arbitration.

64. Where under this Act any difference (other than a difference to which the provisions of the Lands Clauses Acts apply) is to be referred to or settled by arbitration then unless otherwise provided such difference shall be referred to and settled by a single arbitrator to be agreed between the parties or failing agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 and 1934 or any statutory modification or re-enactment thereof for the time being in force shall apply to such arbitration.

Extent of Act.

65. This Act shall not extend to Northern Ireland.

Costs of Act.

66. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commission and may in whole or in part be defrayed out of revenue.

The SCHEDULES referred to in the foregoing Act

FIRST SCHEDULE

LANDS REFERRED TO IN SECTION 22 (POWER TO ACQUIRE LANDS)
OF THIS ACT

Area	No. on deposited plans	Purposes for which the lands may be used
In the county of London— Metropolitan borough of Deptford.	1	To improve and extend New Cross Depot and to provide such depot with a means of access to and from Pepys Road.
Metropolitan borough of Camberwell.	1 2 3	To improve and extend Camberwell Garage and to provide such garage with one or more means of access to and from Camberwell Station Road.
Metropolitan borough of Lambeth.	1	To provide a public service vehicle stand and station and to provide the same with one or more means of access to and from Cornwall Road.
In the county of Middlesex— Urban district of Harrow.	1 2 5 to 21 (inclusive)	To carry out alterations and improvements of the Metropolitan and Piccadilly Railway and to divert a footpath in manner provided by this Act.
Urban district of Uxbridge.	1 to 34 (inclusive)	To provide a railway depot and to provide the same with one or more means of access to and from Austins Lane and in connection with such depot to carry out alterations and improvements of the Metropolitan and Piccadilly Railway.
Urban district of Ruislip— Northwood.	1 to 7 (inclusive)	To provide a railway depot and in connection therewith to carry out alterations and improvements of the Metropolitan and Piccadilly Railway.
In the county of Wilts— Parish of Semley in the rural district of Mere and Tisbury.	1 2	To maintain a railway siding.
In the county of Stafford— Parish of Barlaston in the rural district of Stone.	1 2 3	To divert a footpath in manner provided by this Act.

SECOND SCHEDULE

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY
MAY BE TAKEN COMPULSORILY

Area	No. on deposited plans
WORK NO. 1	
Borough of Ealing	2 4 to 26 (inclusive) 28 29 to 42 (inclusive) 44 59 61 68.
WORK NO. 2	
Urban district of Harrow	1 2 5 to 21 (inclusive).
WORKS NOS. 3 AND 4 AND ADDITIONAL LANDS AT ICKENHAM	
Urban district of Uxbridge	1 2 3 6 8 to 13 (inclusive) 17 19 20 23 to 26 (inclusive).
Urban district of Ruislip-Northwood	1 to 5 (inclusive).
WORK NO. 5	
City and county borough of Nottingham.	15 16.
ADDITIONAL LANDS	
Metropolitan borough of Lambeth	1.

THIRD SCHEDULE

DESCRIBING PROPERTIES IN RESPECT OF WHICH
EASEMENTS MAY BE TAKEN

Area	No. on deposited plans
WORK NO. 6	
County borough of Birkenhead	1 2.

FOURTH SCHEDULE

LANDS REFERRED TO IN SECTION 34 (POWER TO USE
CERTAIN LANDS) OF THIS ACT

Description of lands	Purposes for which the lands may be used
<p>In the county of London— In the metropolitan borough of Camberwell— Lands on the south-east side of and adjoining Camberwell Station Road being the sites of Nos. 57 59 and 63 Camberwell Station Road.</p>	<p>To improve and extend Camberwell Garage and to provide such garage with one or more means of access to and from Camberwell Station Road.</p>
<p>In the metropolitan borough of Hackney— Land on the south-west side of and adjoining the Enfield Town branch railway and extending from the south-east side of the bridge carrying Stoke Newington Common over that railway to a point 35 yards south-east of such bridge.</p>	<p>To provide a staff canteen and to provide the same with a means of access to and from Stoke Newington Common.</p>
<p>In the county of Surrey— In the royal borough of Kingston-upon-Thames— Land on the south and south-west sides of and adjoining Gordon Road and on the north-west side of and adjoining London Road. Land on the south-east side of and adjoining London Road and extending from that road to the rear of premises on the west and north-west sides of Chatham Road.</p>	<p>To provide an omnibus garage and depot and to provide the same with one or more means of access to and from Gordon Road and London Road. To provide an omnibus garage and depot and to provide the same with a means of access to and from London Road.</p>
<p>In the county of Middlesex— In the urban district of Harrow— Lands on both sides of and adjoining the Bakerloo Railway and extending from the south-east side of London Road to the north-west side of the bridge carrying Canons Park Drive over the said railway.</p>	<p>To provide a railway depot and to provide the same with one or more means of access to and from London Road.</p>

FIFTH SCHEDULE

PART I

LANDS AND EASEMENTS THE PERIOD FOR THE COMPULSORY PURCHASE
OF WHICH IS EXTENDED BY THIS ACT TO 31ST DECEMBER 1952

Enactments by which the period for the compulsory purchase of the lands and easements is limited	Lands and easements and enactments by which the same were authorised to be purchased compulsorily
9 & 10 Geo. 6. c. xxxiii. London Midland and Scottish Railway Act 1946.	The lands in the borough of Workington in the county of Cumberland described in and authorised to be acquired by section 7 (Power to acquire lands) of the London Midland and Scottish Railway Act 1946.
1 & 2 Geo. 6. c. xxvii. London Midland and Scottish Railway (Extension of Time) Order 1947.	The lands described in and authorised to be acquired by section 7 (Power to acquire lands) of the London Midland and Scottish Railway Act 1938 in the several places and parishes hereinafter mentioned:— In the county of Warwick:— In the borough of Rugby. In the parish of Long Lawford in the rural district of Rugby (except the lands numbered 15 on the plans deposited in respect of the Bill for the said Act of 1938). In the parish of Church Lawford in the rural district of Rugby. In the parish of Wolston in the rural district of Rugby. In the parish of Brandon and Bretford in the rural district of Rugby. Partly in the parish of Binley in the rural district of Rugby and partly in the parish of Baginton in the rural district of Warwick. In the parish of Baginton in the rural district of Warwick. In the city and county borough of Coventry. In the city and county borough of Birmingham.
4 & 5 Geo. 6. c. xii. London Midland and Scottish Railway (Extension of Time) Order 1947.	The lands in the urban district of Billericay in the county of Essex described in and authorised to be acquired by section 5 (Power to Company to acquire lands) of the London Midland and Scottish Railway Act 1941.
25 & 26 Geo. 5. c. cx. London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 810).	The lands or easements authorised to be acquired by section 35 (Power to take lands) of the London Passenger Transport Act 1935 for the purposes of Works Nos. 1 1A 9 10 11 19 and 20 authorised by Part III (Works) of the said Act of 1935.

Enactments by which the period for the compulsory purchase of the lands and easements is limited	Lands and easements and enactments by which the same were authorised to be purchased compulsorily	5TH SCH. —cont.
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 810).	The lands or easements authorised to be acquired by section 24 (Power to take lands) of the London Passenger Transport Act 1938 for the purposes of Works Nos. 4 4A 4B 4C 4D 6 6A 8 8A 8B and 9 authorised by Part III (Works) of the said Act of 1938.	1 & 2 Geo. 6. c. xcii.
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 810).	The lands or easements in the city of Westminster and the metropolitan borough of Islington in the county of London and the lands in the borough of Romford in the county of Essex described in and authorised to be acquired by subsection (2) of section 24 (Power to take lands) of the London Passenger Transport Act 1938.	
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 2395).	The lands or easements authorised to be acquired by section 5 (Power to London Company to make railways subways and Works) of the London Electric Metropolitan District Central London and City and South London Railway Companies Act 1930 for the purposes of Subway No. 11 and Work No. 8 authorised by Part II (London Company Railways subways works and lands) of the said Act of 1930.	20 & 21 Geo. 5. c. lxxxviii.
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 2395).	The lands or easements authorised to be acquired by section 5 (Power to London Company to make railways subway and works) of the London Electric Metropolitan District and Central London Railway Companies (Works) Act 1931 for the purposes of Railways Nos. 1 2 and 3 and Subway No. 1 authorised by Part II (London Company Railways subways and lands) of the said Act of 1931.	
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 2395).	The lands or easements authorised to be acquired by section 23 (Power to take lands) of the London Passenger Transport Act 1939 for the purposes of Works Nos. 4 4A 4B 4C 5 5A 6 6A 6B 7 7A 7B 8 8A and 12 authorised by Part III (Works) of the said Act of 1939.	2 & 3 Geo. 6. c. lxxxix.
London Passenger Transport Board (Extension of Time) Order 1947 (S.R. & O. 1947 No. 2395).	The lands or easements in the city of Westminster in the county of London described in and authorised to be acquired by paragraph (a) of subsection (2) of section 23 (Power to take lands) of the London Passenger Transport Act 1939.	

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*British Transport
Commission Act, 1949*

12 & 13 GEO. 6

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