

British Transport Commission Act, 1954

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Part I.

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CHAPTER IV

An Act to empower the British Transport Commission to construct works and to acquire lands to authorise the closing for navigation of portions of certain inland waterways to extend the time for the compulsory purchase of certain lands to confer further powers on the Commission to dissolve the Norwich Omnibus Company and for other purposes. [30th July 1954.]

WHEREAS by the Transport Act 1947 the British Transport Commission (in this Act referred to as "the Commission") were established:

And whereas it is the duty of the Commission under the Transport Act 1947 as amended by the Transport Act 1953 (inter alia) to provide railway services for Great Britain to provide or secure the provision of an adequate and properly co-ordinated system of passenger transport for the London Passenger Transport Area and to provide facilities for traffic on inland waterways due regard being had to efficiency economy and safety of operation and to 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 by the London Midland and Scottish Railway Act 1944 the Commission are empowered to continue certain supplies of water from the Shropshire Union Canal for a period of ten years from the passing of that Act and it is expedient that such powers should continue to be exercisable without limit of time:

And whereas it is expedient that the Commission and the Mid and South East Cheshire Water Board should be empowered

to make agreements for conveying along a portion of the Shropshire Union Canal water taken by the board from the river Dee:

And whereas the Commission are the owners of the canals known respectively as the Monmouthshire Canal the Walsall Canal the Wyrley and Essington Canal the Birmingham Canal and the Titford Canal:

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

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

And whereas the Norwich Omnibus Company (hereinafter referred to as "the company") were incorporated by the Norwich Electric Tramways Act 1897 by the name of the Norwich Electric Tramway Company and were by the Norwich Electric Tramways Act 1897 to 1914 authorised to construct tramways:

And whereas by the Norwich Electric Tramways Act 1935 the name of the company was changed to the Norwich Omnibus Company and the company were authorised to abandon their tramways and to run public service vehicles:

And whereas the said tramways were abandoned and no services of public service vehicles are now operated by the company:

And whereas the capital of the company is now held by the Commission or their nominees and it is expedient that the company should be dissolved and their assets transferred to and vested in the Commission:

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 clerk of the county borough 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":

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And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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

PART I

PRELIMINARY

1.—(1) This Act may be cited as the British Transport Commission Act 1954. Short and collective titles.

(2) The British Transport Commission Acts 1947 to 1953 and this Act may be cited together as the British Transport Commission Acts 1947 to 1954.

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

Division of Act into Parts.

- Part I.—Preliminary.
- Part II.—Works.
- Part III.—Inland waterways.
- Part IV.—Lands.
- Part V.—Protective provisions.
- Part VI.—Miscellaneous.

3.—(1) In this Act unless there be something in the subject 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— Interpretation.

“the Act of 1845” means the Railways Clauses Consolidation Act 1845;

“the Act of 1949” means the British Transport Commission Act 1949;

“the Act of 1950” means the British Transport Commission Act 1950;

“the Act of 1951” means the British Transport Commission Act 1951;

“the Act of 1952” means the British Transport Commission Act 1952;

“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

PART I
—cont.

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 ;

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

“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 the Lands Tribunal Act 1949 and this Act ;

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

“the Minister” means the Minister of Transport and Civil Aviation ;

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

“the tribunal” means the Lands Tribunal ;

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

(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 :—

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

(b) The Act of 1845 except sections 7 8 9 19 20 22 and 23 thereof and 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 Act of 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 I
—cont.

Provided also that the provisions of sections 18 and 21 of the Act of 1845 shall not extend to regulate the relations between the Commission and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—

(i) by the provisions of Part II of the Public Utilities Street Works Act 1950; or

(ii) by the provisions of section 39 (For protection of gas water and electricity undertakers) of the Act of 1952 as incorporated with this Act.

PART II

WORKS

5. Subject to the provisions of this Act the Commission may Power to make in the lines or situations shown on the deposited plans and works. 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 Gloucester and in the city and county borough of Gloucester—

Work No. 1 A railway (1,320 yards in length) commencing (Railway at Gloucester.) in the parish of Maisemore in the rural district of Gloucester by a junction with the South Wales railway at a point 75 yards east of the eastern side of the bridge carrying Over Road over the said railway and terminating in the city and county borough of Gloucester by a junction with the said railway at a point 19 yards west of the western end of the bridge carrying the said railway over St. Oswald's Road:

In the county of Essex—

Work No. 2 A reconstruction and lengthening of the (Bridge reconstruction at Leyton.) bridge in the borough of Leyton carrying Ruckholt Road over the railway between Tottenham and Stratford and an alteration of the level of Ruckholt Road:

In the county of Lancaster—

Work No. 3 An alteration of the level of New Moss Road (Road works at Irlam.) in the urban district of Irlam commencing at a point 20 yards south of the southern end of the occupation bridge carrying the road known as Sandy Lane over the railway between Warrington and Manchester and terminating at a point 66 yards south of the southern end of the said bridge;

PART II
—cont.
(Bridge at
Irlam.)

Work No. 4 A bridge over Liverpool Road in the urban district of Irlam on the south side of the existing bridge carrying the railway between Warrington and Manchester over the said road:

In the county of London—

Monument
(station tunnel
enlargement.)

Work No. 5 An enlargement of the tunnel of the District Railway in the city of London commencing at the eastern end of the station tunnel of Monument station and terminating at a point 23 yards east thereof in the running tunnel of the District Railway.

As to
dimensions
of bridge.

6. The bridge for carrying Work No. 1 authorised by this Act over the east channel of the river Severn may be constructed as a fixed bridge provided that it is constructed in accordance with the provisions of section 37 (For protection of Severn River Board) of this Act.

Power to open
surface of
certain streets.

7.—(1) Subject to the provisions of this Part of this Act the Commission may for the purpose of constructing work No. 5 authorised by this Act enter upon open break up and interfere with so much of the surface of Eastcheap and Pudding Lane in the city of London as is within the limits of deviation.

(2) Before breaking up or interfering with any portion of the surface of the said streets under the powers of this section the Commission shall give to the Minister not less than fourteen days' previous notice of their intention so to do.

Further works
and powers.

8.—(1) Subject to the provisions of this Act (and in so far as the same are shown on the deposited plans and sections in the lines or situations and according to the levels as shown) the Commission may make and maintain 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 Durham—

In the urban district of Blaydon-on-Tyne—

They may stop up and discontinue so much of the foot-path crossing their Newcastle and Carlisle railway on the level between Ryton and Blaydon stations and formerly leading from Stella Road to Newburn Bridge as extends between the boundary fences of their property:

In the county of Essex—

In the borough of Leyton—

They may stop up and discontinue between the points marked "A" "B" "C" and "D" on the deposited

plans the footpath leading from Lea Bridge Road to Leyton which is carried over the railway between Tottenham and Stratford by means of a footbridge and may substitute therefor a new footpath between the points marked "A" and "D" on the deposited plans to be carried over the said railway by means of a footbridge on the west side of the existing footbridge in the position shown on the deposited plans:

In the county of Kent—

In the borough of Bexley—

They may stop up and discontinue so much of the footpath leading from Valentine Avenue to North Cray Road and crossing their railway on the level as extends between the boundary fences of their property:

In the county of London—

In the metropolitan borough of Wandsworth—

They may divert the portion of the footpath leading from Potters Lane to Estreham Road between the points marked "A" and "B" on the deposited plans 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 Somerset—

In the borough of Weston-super-Mare—

They may stop up and discontinue so much of the road known as Langford Road crossing their Bristol and Exeter railway on the level between Puxton and Worle and Weston-super-Mare stations as extends between the boundary fences of their property.

(2) Upon the stopping up of the footpath in the borough of Leyton authorised by this section so much of section 39 (For protection of Leyton Urban District Council) of the Great Eastern Railway (General Powers) Act 1899 as relates to the existing footbridge carrying the said footpath over the railway between Tottenham and Stratford shall cease to apply to the existing footbridge and shall apply to the footbridge authorised by this section and the footpath thereover.

9.—(1) As from the passing of this Act all rights of way over the level-crossings referred to in Part I of the First Schedule to this Act other than a right of way for all persons to use those level-crossings on foot shall subject to the provisions of this section be extinguished and the provisions of the Highway (Railway Crossings) Act 1839 of section 9 of the Railway Regulation

As to certain level-crossings.

PART II
—cont.

Act 1842 of section 47 of the Act of 1845 and of sections 5 6 and 7 of the Railways Clauses Act 1863 and any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any of the level-crossings referred to in Part I of the said schedule shall cease to apply to those level-crossings.

(2) The Commission shall provide and maintain for the convenience of persons on foot wicket gates or stiles on both sides of the railway at each of the level-crossings referred to in Part I of the said schedule.

(3) The level-crossings referred to in Part I of the said schedule (including the gates thereof) shall be deemed for all purposes to be works provided by the Commission at the passing of this Act pursuant to section 68 of the Act of 1845 for the accommodation of the owners and occupiers of the lands adjoining the railway at each of the said level-crossings respectively (that is to say) for the purpose of making good any interruptions caused by such railway to the use of the lands through which the same has been made as if the making of such railway had been authorised by this Act:

Provided that this subsection shall not apply to the level-crossing in the county of Kent referred to in Part I of the said schedule.

(4) Notwithstanding the provisions of section 6 of the Railways Clauses Act 1863 or any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any of the level-crossings referred to in Part II of the said schedule the Commission shall not be required to maintain a station or lodge at any of those level-crossings.

(5) Notwithstanding anything in section 47 of the Act of 1845 the Commission may at the level-crossing known as Conington level-crossing in the parish of Conington in the rural district of Huntingdon in the county of Huntingdon whereby the road leading from Conington to Monk's Lode is crossed by the railway between Abbots Ripton and Holme stations in lieu of constructing and maintaining gates closing across the railway so as to fence in the whole of the railway on both sides of the road construct and maintain a cattle grid or cattle grids as defined in the Highways (Provision of Cattle Grids) Act 1950 extending across any part of the railway which is not fenced in by the gates when the level-crossing is open to road traffic.

As to
level-crossing
and cattle creep
at Leyton.

10.—(1) As from the passing of this Act all rights of way now existing—

(a) over the level-crossing over the railway between Tottenham and Stratford known as Marsh Lane level-crossing in the borough of Leyton in the county of

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Essex between the points marked "G" and "H" on the deposited plans; and

PART II
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(b) through and under the cattle creep under the said railway situated in the said borough between the points marked "E" and "F" on the deposited plans;

and all rights of way over the approaches thereto so far as the same are situated upon land belonging to the Commission 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.

11. The following provisions of the undermentioned Acts are incorporated with and form part of this Part of this Act:—

Incorporation of provisions of Acts of 1949 and, 1950 relating to works.

The Act of 1949—

Section 6 (Power to deviate);

Section 7 (Repair of roads where level not permanently altered);

Section 16 (Power to make agreements with road authorities);

Section 17 (Underpinning of houses near works);

Section 18 (Power to make trial borings):

The Act of 1950—

Section 12 (Stopping up roads and footpaths without providing substitute);

Section 13 (Stopping up roads and footpaths in case of diversion);

Section 14 (Provision as to repair of roads and footpaths);

Section 15 (Use of sewers for removing water).

PART III.

INLAND WATERWAYS

12. Section 3 (Supply of water from Shropshire Union Canal) of the London Midland and Scottish Railway Act 1944 shall be read and have effect as if the words "for a period of ten years from the date of the passing of this Act" were omitted from subsection (2) of that section.

Supply of water from Shropshire Union Canal.

13.—(1) In this section—

"the board" means the Mid and South East Cheshire Water Board;

"the canal" means the Shropshire Union Canal of the Commission;

Agreements for conveyance of water along Shropshire Union Canal.

PART III
—cont.

“ day ” means a period of twenty-four hours reckoned from nine o'clock in the morning ;

“ the order ” means the Mid and South East Cheshire Water Board Order 1952.

(2) For the purpose of conveying to the area of supply of the board water which the board are by the order authorised to take from the river Dee the Commission and the board may enter into and carry into effect agreements for the delivery of water by the board into the canal at or near Fron in the county of Denbigh and for the abstraction by the board from the canal or the canal reservoir at Hurleston in the county of Chester of a quantity of water not exceeding in any day the quantity which they are under the order entitled on that day to take from the river Dee.

Closing for
navigation
of certain
waterways.

14.—(1) In this and the next succeeding section the expression “ the waterways ” means those portions of the several canals named in the first column of the Second Schedule to this Act as are described in the second column of the said schedule which waterways were authorised by the enactments specified in the third column of the said schedule.

(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.

(4) (a) The Commission on the one hand and any local authority highway authority statutory water undertaker or river board on the other hand may enter into and carry into effect agreements with respect to the maintenance of the waterways or any part thereof or any works connected therewith and belonging to or maintainable by the Commission or for the transfer to and vesting in any such contracting party of any of the waterways or any part thereof or of any such works as aforesaid and any such agreement may provide for the transfer to any such con-

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tracting party of all or any of the powers and obligations of the Commission in respect of the waterways or works transferred and vested as aforesaid.

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(b) A statutory water undertaker shall not exercise any of the powers of this subsection for the purposes of its water undertaking except with the consent of the Minister of Housing and Local Government.

(c) A transfer to or vesting in a river board in pursuance of an agreement made under this section of any part of any of the waterways or of any of the powers and obligations of the Commission in respect thereof shall not take effect until the Minister of Agriculture and Fisheries has in accordance with the provisions of section 6 of the River Boards Act 1948 varied the map as approved by him under that section so as to constitute such part of the waterways a part of the main river referred to in that section.

(d) In this subsection—

“statutory water undertaker” means any company local authority board committee or other persons supplying water under an enactment;

“local authority” has the meaning assigned to it by section 144 of the Local Government Act 1948.

15. If for any reason any part of any of the waterways shall be in such a condition as to be prejudicial to health or a nuisance such condition or nuisance shall be a statutory nuisance for the purposes of Part III of the Public Health Act 1936 and the county council of the administrative county in which such part is situate may in addition to a local authority enforce the provisions of the said Part III in respect of this section:

Prevention of
nuisances etc.
in certain
waterways.

Provided that in the case of such a condition or nuisance being alleged nothing in this section shall be deemed to impose any liability on the Commission or any person unless the condition or nuisance arises or continues by the act or default of the Commission or such person as the case may be.

16.—(1) In this section—

Canal byelaws.

“canal” means any canal or inland navigation belonging to or under the control of the Commission and includes (except where the context otherwise requires) any works lands or premises belonging to or under the control of the Commission and held or used by them in connection with such canal or inland navigation and “the canal” means any canal or part of a canal in respect of which byelaws may be made by the Commission under this section;

PART III
—cont.

“vessel” includes any ship boat barge lighter or raft and any other description of craft whether used in navigation or not ;

“existing enactment” means any local enactment in force at the passing of this Act authorising the Commission to make byelaws in respect of any canal ;

“existing byelaw” means any byelaw made in respect of any canal under an existing enactment and in force at the passing of this Act ;

“river board” means any board established by an order made under section 1 of the River Boards Act 1948 and shall include the conservators of the river Thames and the Lee Conservancy Catchment Board.

(2) The Commission may from time to time make byelaws for regulating the use of the canal and the conduct of all persons (including the officers and servants of the Commission) who shall be on the canal and (without prejudice to the generality of the foregoing) for all or any of the following purposes :—

- (a) for determining the description size and construction of vessels that may be used on the canal or on specified parts thereof and the means by which and the conditions on which such vessels may be navigated and used ;
- (b) for regulating the markings of vessels using the canal ;
- (c) for regulating the loading discharging and mooring of vessels using the canal ;
- (d) for prohibiting or subjecting to conditions and restrictions the conveyance handling and storage of any goods which might endanger the safety of the canal except where such conveyance handling or storage is subject to the provisions of a public general Act ;
- (e) for requiring the owner master or person in charge of any vessel conveying goods on the canal to declare in writing the correct tonnage of such vessel and the weight and description of any goods on board the vessel ;
- (f) for prescribing the person or persons to whom and the place or places at which rates tolls dues and charges payable to the Commission shall be paid ;
- (g) for preventing damage or injury to the canal or to any vessel or goods thereon and the removal alteration damaging or destruction of any work or thing set up by the Commission or with their consent in connection with the canal ;
- (h) for preventing any rubbish or any animal (whether alive or dead) from being thrown or discharged or being permitted to be thrown or discharged into the canal ;

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(i) for preventing obstructions in the canal ;

(j) for preventing or regulating bathing in the canal ;

(k) for prohibiting (subject and without prejudice to any public or private rights) the passage without the consent of the Commission of any person animal or vehicle over any towpath of the canal.

(3) The Commission may from time to time by byelaw made under this section repeal any existing byelaw.

(4) Any byelaws made under this section may provide that any person contravening them shall be liable on summary conviction to a penalty not exceeding five pounds for each offence and in the case of a continuing offence a further penalty not exceeding forty shillings for each day on which the offence is continued after conviction thereof.

(5) So much of any existing enactment as may be inconsistent with the provisions of this section is hereby repealed but without prejudice to the validity of any existing byelaw and the existing byelaws shall continue to have effect except in so far as they may be repugnant to or inconsistent with the provisions of this section.

(6) Any byelaws made by the Commission under this section shall not come into operation until they have been confirmed by the Minister.

(7) At least twenty-eight days before application for confirmation of any byelaws is made the Commission shall give notice in the London Gazette and in one or more local newspapers circulating in the area or areas to which the byelaws will apply of their intention to apply for confirmation and of the place at which and the time during which a copy of the byelaws will be open for public inspection and any person affected by any of the byelaws shall be entitled to make representations thereon to the Minister within a period not being less than twenty-eight days to be specified in the said notice.

(8) For at least twenty-eight days before application for confirmation of any byelaws is made a copy of the byelaws shall be kept at the principal office of the Commission and shall at all reasonable hours be open to public inspection without payment.

(9) The Commission shall supply a copy of any such byelaws to any person who shall apply for a copy thereof on payment of such sum not exceeding one shilling for every one hundred words contained in the copy as the Commission shall determine.

(10) The Minister may confirm with or without modification or may refuse to confirm any of the byelaws submitted under this section for confirmation and as regards any byelaws so con-

PART III
—cont.

firmed may fix the date on which the byelaws shall come into operation and if no date shall be so fixed the byelaws shall come into operation at the expiration of twenty-eight days from the date of the confirmation.

(11) A copy of the byelaws when confirmed shall be printed and deposited at the principal office of the Commission and shall at all reasonable hours be open to public inspection without payment and the Commission shall supply a copy of any such byelaws to any person who shall apply for a copy thereof on payment of such sum not exceeding one shilling for every one hundred words contained in the copy as the Commission shall determine.

(12) Such byelaws when so confirmed shall be sufficient to justify all persons acting in pursuance thereof and the production of a printed copy thereof upon which is endorsed a certificate purporting to be signed by the secretary of the Commission or some person authorised by the Commission to act in his stead in that behalf stating—

- (a) that the byelaws were made by the Commission ;
- (b) that the copy is a true copy of the byelaws ;
- (c) that on a specified date the byelaws were confirmed by the Minister ; and
- (d) the date when the byelaws come into operation ;

shall be prima facie evidence of the facts stated in the certificate.

(13) Section 40 of the Railway and Canal Traffic Act 1888 shall not apply to any byelaws made by the Commission under this section.

(14) Nothing in this section or in any byelaw made thereunder shall revoke repeal or vary any of the enactments set forth in the schedule to the Lee Conservancy Catchment Board (Additional Functions) Regulations 1947 in so far as those enactments relate to functions exercisable by the Lee Conservancy Catchment Board or any byelaw made or enforceable by the said board.

(15) No byelaw made by the Commission under this section and applicable to any canal or part of a canal which is to be treated as and deemed to be the main river of a river board and is shown as such by some distinctive colour on a map prepared in pursuance of section 6 of the River Boards Act 1948 or section 5 of the Land Drainage Act 1930 (as the case may be) and for the time being in force shall interfere with the operation of any byelaw made under section 47 of the said Act of 1930 and also applicable to the said canal or part thereof.

(16) No byelaw made by the Commission under this section shall interfere with any of the powers or obligations of a river board under the provisions of the Rivers (Prevention of Pollution)

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Act 1951 or any other enactment relating to the prevention of pollution enforceable by a river board or any byelaw made under either the said Act of 1951 or any such other enactment.

PART III
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(17) Nothing in this section shall affect the validity or operation of any byelaws made by the Commission or their predecessors under the Harbours Docks and Piers Clauses Act 1847 or any other public general Act or shall restrict the Commission from making further byelaws under any such Act.

(18) This section shall not apply to Scotland.

PART IV

LANDS

17.—(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. Power to acquire lands.

(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 Third 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 2 3 and 4 in the metropolitan borough of Camberwell ;

1 in the parish of Hatfield in the rural district of Hatfield ;
and

19 in the borough of Leyton ;

or any part of those lands.

(5) The Commission shall not under the powers of this section enter upon take or use any part of the lands delineated on the deposited plans and described in the deposited book of reference and therein numbered 10 in the urban district of Irlam but they

PART IV
—cont.

may subject to and in accordance with the provisions of section 21 (Power to acquire easements only in certain cases) of this Act acquire such easements or rights over the said lands as they may require for the purposes of constructing maintaining renewing and using thereover work No. 4 authorised by this Act.

Acquisition
of part only
of certain
properties.

18.—(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 Fourth 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 :—

- (a) The owner of and persons interested in any of the said properties 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 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

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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.

(3) The provisions of this section shall be stated in or endorsed on every notice to treat served under this Act in respect of any portion of the said properties.

PART IV
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Disregard
of recent
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and interests.

19. 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—

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

Extinction
of private
rights of way.

20.—(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.

21. Notwithstanding anything in this Act the Commission may 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) the lands numbered on the deposited plans 3 and 4 in the city of London;

without being obliged or compellable to acquire 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.

Period for
compulsory
purchase
of lands.

22. The powers of the Commission for the compulsory purchase of the lands which they are authorised to acquire by section 17 (Power to acquire lands) of this Act shall cease on the thirty-first day of December one thousand nine hundred and fifty-seven.

Further powers
in relation
to lands in the
urban district
of Potters Bar.

23.—(1) For the purposes of sections 32 to 34 and 40 to 44 of the Act of 1845 as incorporated with the Great Northern Railway Act 1882 the prescribed limits shall include the lands in the urban district of Potters Bar delineated on the deposited

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plans and described in the deposited book of reference and in the application of the said sections to the said lands the expression "the railway" shall mean the widening from Finsbury Park to Potters Bar authorised by section 13 of the said Act of 1882.

(2) Sections 35 to 39 of the Act of 1845 as incorporated with the said Act of 1882 shall not apply to the lands referred to in subsection (1) of this section.

(3) The powers conferred by section 32 of the Act of 1845 as incorporated with the said Act of 1882 shall include power for the Commission to lay down and use such tramroads or access railways works machinery and appliances as may be necessary or convenient for the purpose of depositing spoil on the said lands.

(4) The Commission shall not under the powers conferred by section 17. (Power to acquire lands) of this Act acquire otherwise than by agreement any interest in the lands referred to in subsection (1) of this section.

24.—(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 for the time being belonging to or used by them—

As to private street expenses in certain cases.

(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 or adjoin or abut; and

(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 forming part of their railway dock or inland waterway undertaking 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 (except in so far as such expenses are contributed by the urban authority under section 81 of the Public Health Act 1925) 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.

PART IV
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(4) The urban authority may retain out of the amount so paid to them by the Commission a sum not exceeding the amount of the expenses (if any) contributed by such authority under the said section 81 in respect of such street and shall divide among the owners for the time being other than the Commission the remainder of the amount so paid by the Commission to such 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.

(6) The provisions of section 32 (As to private street expenses in certain cases) of the Act of 1949 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 street to which this section applies.

Incorporation of provisions of Act of 1949 relating to lands.

25. The following provisions of the Act of 1949 are incorporated with and form part of this Part of this Act:—

Section 23 (Correction of errors in deposited plans and book of reference);

Section 25 (Power to expedite entry);

Section 26 (Power to enter for survey or valuation);

Section 30 (Grant of easements by persons under disability);

Section 33 (As to cellars under streets not referenced).

PART V

PROTECTIVE PROVISIONS

Incorporation of protective provisions of Acts of 1949 1950 and 1952.

26. The following provisions of the undermentioned Acts are incorporated with and form part of this Act:—

The Act of 1949—

Section 40 (Crown rights);

The Act of 1950—

Section 33 (For protection of sewers of London County Council);

Section 35 (Inspection of works by London County Council):

The Act of 1952—

Section 39 (For protection of gas water and electricity undertakers).

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27. Any electrical works or apparatus erected constructed laid down maintained worked and used in pursuance of section 16 of the Act of 1845 (as incorporated with this Act) or in pursuance of section 32 of the Act of 1845 (as incorporated with the Great Northern Railway Act 1882 and modified by section 23 (Further powers in relation to lands in the urban district of Potters Bar) of this Act) or in pursuance of subsection (2) of section 17 (Power to acquire lands) of this Act shall be so erected constructed or laid down and so maintained worked and used as to prevent interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

PART V
—cont.
For protection of Postmaster-General.

28. 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 or the city of London the Commission shall (except in case of emergency) give fourteen days' notice in writing to the commissioner of police of the metropolis or the commissioner of police of the city of London (as the case may be) and make such arrangements with the said commissioners respectively as may be reasonably necessary so as to cause as little interference with the traffic in such road during the construction of the works as may be reasonably practicable.

As to works within metropolitan police district or city of London.

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

For protection of Essex County Council and Leyton Corporation.

(1) In this section—

"work No. 2" means work No. 2 authorised by this Act and includes any work or convenience connected therewith;

"the bridge works" means the reconstructed and lengthened bridge comprised in work No. 2;

"the existing bridge" means the bridge existing at the passing of this Act in the borough of Leyton carrying Ruckholt Road over the railway between Tottenham and Stratford and having a length between the abutments of one hundred feet nine inches and references to the width of the existing bridge or the bridge works are to be construed as references to the width thereof between parapets:

PART V
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- (2) Subject to the provisions of this section the Commission shall in constructing work No. 2 construct the same to the width of the existing bridge:
- (3) (a) If at any time after the construction of work No. 2 the Corporation serve a notice in writing on the Commission of their desire to widen the bridge works to such width not exceeding eighty-two feet as may be specified in such notice the Commission shall grant to the corporation all reasonable facilities necessary for such widening and for the provision of approaches;
- (b) Subject as hereinafter provided the widening referred to in sub-paragraph (a) of this paragraph shall be carried out at the expense of the corporation who shall also pay to the Commission the amount by which the capitalised annual cost of maintaining the bridge works as so widened exceeds the capitalised annual cost of maintaining the bridge works;
- (c) In the event of the widening referred to in sub-paragraph (a) of this paragraph and such an improvement of Ruckholt Road as is referred to in sub-paragraph (d) of this paragraph being completed within seven years of the passing of this Act the Commission shall on the completion of the bridge widening and road widening contribute towards the cost thereof—
- (i) the amount by which the cost of so much of the widening of the bridge works as is necessitated by the lengthening comprised in work No. 2 exceeds the cost which would have been incurred in widening the road co-extensive with such lengthening if the lengthening had not been carried out;
- (ii) an amount equal to the difference between the increase in the capitalised annual cost of maintaining the bridge works as so widened and what would have been the increase in the capitalised annual cost of maintaining the existing bridge if the same had been widened to a like extent;
- (d) The road improvement referred to in this sub-paragraph is a widening improvement and partial realignment of Ruckholt Road with proper and sufficient carriageway or carriageways and footways so as to provide a width of that road between Oliver Road and Quarter Mile Lane not less than that specified in the notice served by the corporation under sub-paragraph (a) of this paragraph:
- (4) (a) Before commencing work No. 2 the Commission shall submit to the corporation plans sections and

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particulars relating thereto for their reasonable approval;

(b) If within five weeks after the submission of such plans sections and particulars the corporation do not signify to the Commission in writing their approval or disapproval thereof and their requirements in relation thereto they shall be deemed to have approved thereof:

- (5) The Commission shall not construct work No. 2 otherwise than in accordance with such plans sections and particulars as may be reasonably approved by the corporation or if such approval be refused as may be settled by arbitration and such work shall be constructed to the reasonable satisfaction of the corporation:
- (6) The Commission shall at all reasonable times during the construction of work No. 2 afford to the surveyor of the corporation and his duly authorised representatives access to such work for the purpose of inspection:
- (7) The Commission shall not under the powers of this Act alter disturb or in any way interfere with any sewer drain or other property or work of the council or the corporation (each of whom is in this paragraph referred to as "the authority") or under the control of or repairable by the authority or the access thereto without the consent of the authority which may be given subject to such reasonable terms and conditions as the authority may require but shall not be unreasonably withheld and any alteration diversion replacement or reconstruction of any such sewer drain or other property or work that may be necessary shall be made by the authority or the Commission as the authority think fit and any costs or expenses reasonably incurred by the authority in so doing shall be repaid to the authority by the Commission:

Provided that this paragraph shall not extend to regulate the relations between the Commission and the authority in respect of any matter or thing concerning which those relations are regulated in any respect by Part II of the Public Utilities Street Works Act 1950:

- (8) Before commencing to provide the means of access to and from Ruckholt Road in the borough of Leyton referred to in the Third Schedule to this Act the Commission shall give notice in writing of their intention to do so to the corporation and if within five weeks from

PART V
—cont.

the receipt of such notice the corporation give notice in writing to the Commission that they will provide (as part of the highway) a service road between the land of the Commission on the south-east side of Ruckholt Road and the junction of Ruckholt Road with Quarter Mile Lane the following provisions shall have effect:—

(a) The corporation shall with all reasonable dispatch provide and thereafter maintain such a service road as aforesaid so as to provide a concrete carriageway of a width of eighteen feet with a barrier rail between the service road and the existing carriageway of Ruckholt Road;

(b) On completion of the service road to the reasonable satisfaction of the Commission the Commission shall repay to the corporation the expenses reasonably incurred by them in constructing and providing the service road and the barrier rail;

(c) The Commission shall not under the powers of this Act provide any means of access to or from Ruckholt Road except to the service road provided in accordance with this paragraph:

- (9) Paragraphs (4) (5) and (6) of this section shall apply to any works for which the Commission grant reasonable facilities in accordance with sub-paragraph (a) of paragraph (3) of this section and to the service road to be provided under paragraph (8) of this section as if the construction of the said works and the service road were referred to therein instead of work No. 2 and as if in those paragraphs the references to the corporation were references to the Commission and the references to the Commission were references to the corporation:
- (10) Any difference arising between the Commission on the one hand and the council or the corporation on the other hand under this section shall be settled by arbitration.

For protection
of
Lancashire
County
Council.

30. For the protection of the county council of the administrative county of the county palatine of Lancaster (hereinafter 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) Before commencing the construction of work No. 4 authorised by this Act (in this section referred to as "work No. 4") the Commission shall submit to the council for their reasonable approval in respect of any matters with which the council are properly concerned

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PART V —cont.

Provided that if within twenty-eight days after the submission to them of plans sections and particulars under this paragraph the council do not signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof:

- (2) In order to provide for the intended widening of Liverpool Road in the urban district of Irlam which the council have substantially begun and are actively continuing to carry out the Commission shall if they construct work No. 4 construct the same with a span of fifty feet between the abutment walls thereof:
- (3) Before commencing to construct any part of work No. 4 which will involve interference with a highway 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 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 reasonably 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:
- (4) The Commission shall during the construction of work No. 4 and until the completion thereof make and carry into effect such arrangements for lighting and watching the same (including the provision and working of traffic signs or light signals or flag signals) as may in the opinion of the council be reasonably necessary to prevent danger or accident to persons and vehicles using Liverpool Road:
- (5) Any difference between the Commission and the council under this section shall be settled by arbitration.

31. For the protection of the common council of the city of London the following provisions shall unless otherwise agreed in For protection of corporation of London.

PART V
—cont.

writing between the Commission and the common council apply and have effect:—

(1) In this section—

“highway” means a highway vested in the common council;

“the works” means work No. 5 authorised by this Act:

(2) Any part of the works which will be within twenty-five feet of the surface of any highway shall be constructed only in accordance with plans sections and specifications previously submitted to the common council:

(3) (a) Before commencing to construct any part of the works which will affect a highway the Commission shall consult the common 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 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 common 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 common council and to their reasonable satisfaction;

(c) The Commission shall at all reasonable times during the execution of the works afford for the purposes of inspection to the city engineer and his duly authorised representatives access to any part of the works in under or giving support to any highway or which may affect any property of the common council:

(4) The Commission shall secure that so much of the works as is constructed under or so as to affect any highway shall be designed constructed and maintained so as to carry the appropriate normal loading recommended by the Minister for highway bridges and the Commission shall indemnify the common council against and make good to the common council all expenses that the common council may reasonably incur or be put to in the maintenance or repair of any highway or any tunnels sewers or drains therein by reason of any non-compliance by the Commission with the provisions of this paragraph:

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(5) The Commission shall make compensation to the common council for any subsidence of or damage to any highway or any property of the common 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:

(6) The Commission shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of the works within the city of London and subject to the rights of the Crown and except so far as the same may be proved to be the property of any other person any such objects discovered shall be deposited in the Guildhall Museum as the property of the common council:

(7) The Commission shall keep the common council indemnified against all actions costs claims and demands whatsoever brought or made against the common council by any person in respect of loss or damage caused by or in consequence of the construction of the works:

(8) Any difference arising between the Commission and the common council under this section shall be settled by arbitration.

32.—(1) In this section "the three corporations" means the lord mayor aldermen and citizens of the city of Coventry the mayor aldermen and burgesses of the borough of Shrewsbury and the mayor aldermen and citizens of the city of Worcester. For protection of Coventry Shrewsbury and Worcester corporations.

(2) Nothing in subsection (2) of section 3 (Supply of water from Shropshire Union Canal) of the London Midland and Scottish Railway Act 1944 as amended by this Act shall authorise the Commission to supply surplus water as defined in the said section in contravention of the terms of the heads of agreement dated the sixth day of July one thousand nine hundred and fifty-four and made between the Commission and the three corporations or such modifications thereof as may from time to time be agreed upon between the said parties.

33. For the protection of the mayor aldermen and burgesses of the borough of Leyton (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:— For further protection of Leyton Corporation.

(1) The Commission shall not enter upon take use or in any way interfere with the railway siding of the corporation

PART V
—cont.

situate on the land delineated on the deposited plans and described in the deposited book of reference and therein numbered 16 in the borough of Leyton until they have at their own expense provided an alternative railway siding to the reasonable satisfaction of the corporation :

- (2) Where the Commission for the purpose of the new footpath in the borough of Leyton referred to in section 8 (Further works and powers) of this Act acquire any land owned by the corporation the Commission shall to the reasonable satisfaction of the corporation provide a good and sufficient fence along the north-eastern boundary of the said footpath and the corporation shall maintain the same :
- (3) If under the powers of this Act the Commission acquire any land (other than the land referred to in the preceding paragraph) owned by the corporation and such land is thereby severed from other land owned by the corporation the Commission shall to the reasonable satisfaction of the corporation provide and maintain a good and sufficient fence along the boundary between the land so acquired and the land from which such last-mentioned land has been so severed :
- (4) Any difference arising between the Commission and the corporation under this section shall be settled by arbitration.

For protection
of Irlam Urban
District
Council.

34. For the protection of the urban district council of Irlam (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) Before commencing the construction of work No. 3 authorised by this Act (in this section referred to as "work No. 3") the Commission shall submit to the council for their reasonable approval plans sections and particulars relating thereto and work No. 3 shall not be constructed otherwise than in accordance with such plans sections and particulars as may be approved by the council as aforesaid or if such approval be refused as may be settled by arbitration :

Provided that if within twenty-eight days after the submission to them of plans sections and particulars under this paragraph the council do not signify to the Commission their approval or disapproval thereof they shall be deemed to have approved thereof :

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- (2) Before commencing to construct any part of work No. 3 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 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 reasonably 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:
- (3) The Commission shall at their expense and to the reasonable satisfaction of the council make all suitable and necessary alterations to so much of the footpath leading from New Moss Road on the south side of and adjacent to the Warrington to Manchester railway of the Commission as the council may reasonably require (including the regrading and realignment thereof):
- (4) The Commission in executing work No. 3 shall—
 - (a) at all times keep open some part of New Moss Road and Sandy Lane and the footpath referred to in paragraph (3) of this section so as not unreasonably to interrupt the pedestrian traffic thereon;
 - (b) make good all damage or injury whatsoever which shall happen or be caused to the said roads and footpath by reason or in consequence of the works referred to in this section:
- (5) The Commission shall during the execution of work No. 3 and until the completion thereof make and carry into effect such arrangements for lighting and watching the same (including the provision and working of traffic signs or light signals or flag signals) as may in the opinion of the council be reasonably necessary to prevent damage or accident to persons and vehicles using New Moss Road and Sandy Lane:
- (6) Any difference between the Commission and the council under this section shall be settled by arbitration.

35. For the protection of the Lee Conservancy Catchment 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) Where any alterations or improvements of the Commission's railway marshalling yard at Temple Mills in

PART V
—cont.

the borough of Leyton involve works on over under or within ten feet measured horizontally from the edge or bank of the Shortlands sewer the Dagenham brook or the Wagonworks sewer such works shall not be carried out except to the reasonable satisfaction of the engineer to the board and (if he shall so require) under his supervision and in accordance with plans sections and particulars previously submitted to the board for their reasonable approval:

Provided that if the board shall not signify their disapproval of the said plans sections and particulars within twenty-eight days after they shall have received the same they shall be deemed to have approved thereof:

- (2) Any difference arising between the Commission and the board under this section shall be settled by arbitration.

For protection
of Mersey
River Board.

36. For the protection of the Mersey River 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) The Commission before commencing to construct a bridge over the river Glaze on the lands numbered on the deposited plans 2 and 3 in the parish of Rixton-with-Glazebrook and 1 and 2 in the urban district of Irlam in the county of Lancaster for the purpose of carrying out alterations and improvements of the railway between Warrington and Manchester (in this section referred to as "the said bridge") shall submit to the board plans and sections and (when reasonably required by the board) working drawings thereof and of any temporary works for their reasonable approval. If the board do not within twenty-eight days after the submission to them of any such plans sections and drawings signify to the Commission in writing their disapproval they shall be deemed to have approved thereof:
- (2) The said bridge shall not be constructed otherwise than in accordance with such plans and sections and drawings (if any) as may be approved (or are to be deemed to be approved) by the board or if such approval be withheld as may be settled by arbitration and shall be constructed to the reasonable satisfaction of the board:
- (3) The Commission shall at all reasonable times afford to the engineer to the board or his duly authorised representative access to the said bridge during the construction thereof for the purpose of inspection:

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PART V
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- (4) The construction of the said bridge shall when commenced be continued uninterruptedly so far as may be reasonably practicable until completion:
- (5) In the construction of the said bridge the Commission shall not diminish the width between the banks of the river Glaze except with the consent of the board but such consent shall not be unreasonably withheld:
- (6) Any difference arising between the Commission and the board under this section shall be settled by arbitration.

37. For the protection of the Severn River Board the following provisions shall unless otherwise agreed in writing between the Commission and the said board apply and have effect:— For protection of Severn River Board.

(1) In this section—

“work No. 1” means work No. 1 authorised by this Act;

“the east channel” means the east channel of the river Severn;

“the existing bridge” means the existing bridge carrying the South Wales railway over the east channel;

“the new bridge” means the bridge for carrying work No. 1 over the east channel:

(2) The Commission shall in constructing work No. 1—

(a) construct the new bridge with one central opening having a clear span of ninety feet and two side openings each having a clear span of thirty feet and with a clear headway throughout of twenty-five feet above the agreed low summer water level of twenty decimal five feet above ordnance datum (Newlyn);

(b) provide flood openings in the embankments leading to the new bridge in accordance with the following provisions:—

(i) On the east side of the new bridge work No. 1 shall be carried upon a viaduct having five openings each with a clear span of forty feet or openings equivalent thereto;

(ii) On the west side of the new bridge work No. 1 shall be carried upon a viaduct having nine openings each with a clear span of forty feet or openings equivalent thereto:

(3) Within twelve months after the completion and opening to traffic of work No. 1 the Commission shall com-

PART V
—cont.

mence to take down and remove the existing bridge and the viaducts carrying the South Wales railway on either side of the existing bridge.

For protection
of Trent
River Board.

38. For the protection of the river board the following provisions shall unless otherwise agreed in writing between the Commission and the river board apply and have effect:—

(1) In this section—

“the closed canals” means the portions of the Wyrley and Essington Canal hereinafter referred to which portions are more particularly described in the second column of the Second Schedule to this Act:—

The portion from Sneyd Junction in the urban district of Willenhall to its termination in the rural district of Cannock;

The Wyrley Bank Branch;

The Hayhead Branch;

The portion known as Ogle Locks;

“the river board” means the Trent River Board;

“the adjacent watercourses” means the watercourses constructed by the Commission or their predecessors adjacent to any of the closed canals and maintainable by the Commission:

(2) (a) The Commission shall to the reasonable satisfaction of the river board so maintain the closed canals and the adjacent watercourses that the use thereof as an efficient part of the land drainage system of the Trent River Board Area to the extent to which the closed canals or the adjacent watercourses were immediately before the passing of this Act so used shall not be impaired;

(b) The Commission may with the consent of the river board (which consent shall not be unreasonably withheld) substitute for any of the closed canals or the adjacent watercourses or any part thereof reasonably suitable alternative provision for the purposes of land drainage:

(3) In the event of the closed canals or any of them or any part thereof being transferred to any other authority body or person the provisions of this section shall extend and apply to the canal or the part thereof so transferred as if such authority body or person were referred to therein in lieu of the Commission:

(4) Any difference arising between the Commission and the river board under this section (other than a difference as to the meaning thereof which does not arise in the course of the arbitration) shall be settled by arbitration.

PART VI

MISCELLANEOUS

39. Subsection (3) of section 54 (Powers of police as to search and arrest) of the Act of 1949 shall be read and have effect as if for the words "one thousand nine hundred and fifty-four" there were substituted the words "one thousand nine hundred and fifty-nine". Amendment of section 54 of Act of 1949.

40.—(1) The Commission may with the consent in writing of the Minister and subject to such requirements as the Minister may lay down remove the gates at any level-crossing at which a public carriage road is crossed on the level by any railway of the Commission and may substitute therefor and shall at all times maintain during the period of such substitution such good and sufficient lifting barriers and other works and appliances in connection therewith as shall in the opinion of the Minister be necessary for the protection and safety of the public. Power to substitute lifting barriers for gates at public level-crossings.

(2) The provisions of the Highway (Railway Crossings) Act 1839 and of section 47 of the Act of 1845 and any other provisions to the same or similar effect incorporated with or contained in any enactment relating to any level-crossing at which lifting barriers are substituted for gates in pursuance of this section shall (to the extent to which those provisions require the Commission to maintain gates at such level-crossing) cease to apply to that level-crossing during the period of such substitution.

(3) Before applying to the Minister for his consent in respect of any level-crossing the Commission shall give to the highway authority (and also if the local authority within whose district the level-crossing is situated is not the highway authority to the local authority) twenty-eight days' notice in writing of their intention to apply for such consent together with a plan and section of the proposed lifting barriers works and appliances and the said highway authority and local authority shall be entitled to make representations to the Minister in respect of the said application within such period being not less than twenty-eight days as may be specified in the notice.

(4) Except as provided in the next succeeding subsection in this section "local authority" means the council of a county district as defined in section 305 of the Local Government Act 1933.

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

- (a) for the reference to section 47 of the Act of 1845 there shall be substituted a reference to section 40 of the Railways Clauses Consolidation (Scotland) Act 1845;
- (b) "local authority" means a town council or a district council.

VI
cont.

Dissolution
of Norwich
Omnibus
Company.

41. On the passing of this Act the Norwich Omnibus Company shall by virtue of this Act be dissolved and their property and assets transferred to and vested in the Commission.

As to footpath
at Somerton.

42. As from the reinstatement by the Commission to the satisfaction of the Minister and the re-opening for public use of the portion of footpath in the parish of Somerton in the rural district of Langport in the county of Somerset described in the Stopping up of Highways (Somerset) (No. 2) Order 1948 and therein referred to as "the old highway" the said order shall cease to have effect.

Repeal of
obligation
to maintain
passenger
stations at
Aberfan and
Abercanaid.

43. Paragraph (d) of section 9 (For the protection of the Merthyr Tydfil Local Board of Health) of the Rhymney Railway Act 1882 and section 38 (Amendment of section 9 of Rhymney Railway Act 1882) of the Rhymney Railway Act 1885 are hereby repealed.

Extensions
of time.

44.—(1) The period now limited by the Act of 1951 for the compulsory purchase of the lands referred to in the Fifth Schedule to this Act is hereby extended until the thirty-first day of December one thousand nine hundred and fifty-seven.

(2) In this section and in the said schedule the word "lands" includes any easements or rights in under or over land authorised to be acquired by the enactment referred to in the said schedule.

Powers to
owners and
lessees to give
notice as to
purchase of
land.

45.—(1) In this section—

"the enabling Act" means the Act of 1951;

"the land" means any land which is for the time being authorised to be acquired compulsorily by the enabling Act not being land referred to in subsection (4) of this section;

"lessee" means a lessee under a lease having a period of not less than twenty-one years to run at the date of his notice under subsection (2) of this section.

(2) If any person being the owner or lessee of any of the land shall give notice in writing to the Commission of his desire that his interest in any part of the land specified in the notice shall be acquired as soon as may be the Commission shall within a period of three months after the receipt of such notice—

(a) enter into a contract with such person for the acquisition of his interest in the land or such part thereof as may be specified in the contract; or

(b) serve a notice to treat for the compulsory acquisition of the interest of such person in the land specified in his

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notice or in such part thereof as may be required by the Commission ; or

(c) serve on such person notice in writing of their intention not to proceed with the purchase of the interest of such person in the land specified in his notice.

(3) Where notice is given under the last foregoing subsection by an owner or lessee of land specified in the notice then—

(a) if the Commission—

(i) fail to comply with that subsection ; or

(ii) withdraw in pursuance of any statutory provision a notice to treat served on him in compliance with paragraph (b) of that subsection ; or

(iii) serve notice on him in compliance with paragraph (c) of that subsection ;

the powers conferred by the enabling Act for the compulsory purchase of his interest in the land so specified shall cease ;

(b) if his interest in part only of the land so specified is acquired in pursuance of such a notice to treat the powers conferred by the enabling Act for the compulsory purchase of his interest in the remainder of the land so specified shall cease.

(4) This section shall not apply to land which the Commission are by the enabling Act authorised to acquire for the purposes of a work which is shown on the sections deposited in respect of the Bill for the enabling Act as intended to be constructed under the surface of such lands.

46. 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. *town and country planning.*

47. 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 Act 1950 shall apply to such arbitration. *Arbitration.*

48. 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. *Costs of Act.*

SCHEDULES

FIRST SCHEDULE

THE LEVEL-CROSSINGS REFERRED TO IN SECTION 9 (AS TO CERTAIN
LEVEL-CROSSINGS) OF THIS ACT

PART I

In the county of Nottingham—

In the parish of Finningley in the rural district of East Retford—

The level-crossing known as Bank End crossing whereby Croft Lane is crossed by the Doncaster and Lincoln railway between Finningley and Park Drain stations.

In the West Riding of the county of York—

In the parish of Thorpe in Balne in the rural district of Doncaster—

The level-crossing known as Marsh Lane crossing whereby Marsh Lane is crossed by the Adwick and Stainforth railway between Carcroft and Bramwith stations.

In the county of Huntingdon—

In the parish of Easton in the rural district of Huntingdon—

The level-crossing known as Magpie crossing whereby the road leading from Easton Lodge to Savage's Spinney is crossed by the Kettering and Cambridge railway between Grafham and Kimbolton stations.

In the East Riding of the county of York—

In the parish of Foggathorpe in the rural district of Howden—

The level-crossing known as Harlthorpe crossing whereby Leyfield Road is crossed by the Selby and Market Weighton railway between High Field and Foggathorpe stations.

In the parish of Laxton in the rural district of Howden—

The level-crossing known as Balkholme crossing whereby Northside (or Sean) Lane is crossed by the Thorne and Staddlethorpe railway between Saltmarshe and Staddlethorpe stations.

In the parish of Swine in the rural district of Holderness—

The level-crossing known as Green Lane crossing whereby Green Lane is crossed by the Hull and Hornsea railway between Swine and Skirlaugh stations.

In the county of Northumberland—

In the parish of Lambley in the rural district of Haltwhistle—

The level-crossing known as Coanwood crossing whereby the road leading from Herdley to the river South Tyne is crossed by the Haltwhistle and Alston railway immediately to the south of Coanwood station.

In the county of Kent—

In the parish of Westbere in the rural district of Bridge-Blean—

The level-crossing known as Westbere crossing whereby the road leading from Westbere to the Westbere Marshes is crossed by the Canterbury and Ramsgate railway between Sturry and Grove Ferry stations.

In the county of East Sussex—

In the parish of Wilmington in the rural district of Hailsham—

The level-crossing known as Milton Street crossing whereby Milton Street is crossed by the Lewes and Hastings railway between Berwick and Polegate stations.

In the county of Devon—

In the parish of Burrington in the rural district of South Molton—

The level-crossing known as Higher Doomsford crossing whereby Doomsford Lane is crossed by the Exeter and Barnstaple railway between King's Nympton and Portsmouth Arms stations.

In the county of Warwick—

In the borough of Nuneaton—

The level-crossing known as Oaston Road crossing whereby Oaston Road is crossed by the Whitacre and Nuneaton branch railway between Nuneaton (Abbey) and Hinckley stations.

PART II

In the county of Gloucester—

In the rural district of Stroud—

In the parish of Stonehouse—

The level-crossing known as Stonehouse Wharf crossing whereby the road leading from Bridgend to Stonehouse is crossed by the Stonehouse and Nailsworth railway between Stonehouse (Eastington Road) and Ryeford stations.

In the parish of Minchinhampton—

The level-crossing known as Woodchester Station crossing whereby the road connecting Bath Road and Southfield Road is crossed by the Stonehouse and Nailsworth railway south of Woodchester station.

In the county of Norfolk—

In the rural district of Docking—

In the parish of Burnham Market—

The level-crossing known as Burnham Thorpe Road crossing whereby the road leading from Burnham Market to Burnham Thorpe is crossed by the Hunstanton and Wells railway between Burnham Market and Holkham stations.

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—cont.

In the rural district of Depwade—

In the parish of Tivetshall Saint Margaret—

The level-crossing known as Hall Lane crossing whereby the road leading from Hall Green to Tivetshall Saint Margaret is crossed by the Waveney Valley branch railway (hereafter in this schedule referred to as "the railway") between Tivetshall and Pulham Market stations.

The level-crossing known as Green Lane crossing whereby the road leading from Tivetshall Saint Mary to Tivetshall Saint Margaret is crossed by the railway between Tivetshall and Pulham Market stations.

The level-crossing known as Star Lane crossing whereby the road leading from Tivetshall Saint Mary to Tivetshall Saint Margaret is crossed by the railway between Tivetshall and Pulham Market stations.

In the parish of Tivetshall Saint Mary—

The level-crossing known as Norwich Road crossing whereby the road leading from Ipswich to Norwich is crossed by the railway between Tivetshall and Pulham Market stations.

In the parish of Pulham Market—

The level-crossing known as Pulham Market Station crossing whereby the road leading from Dickleburgh Moor to Pulham Saint Mary Magdalene is crossed by the railway at Pulham Market station.

In the parish of Pulham Saint Mary—

The level-crossing known as Saint Mary Station crossing whereby the road leading from Rushall to Pulham Saint Mary the Virgin is crossed by the railway at Pulham Saint Mary station.

The level-crossing known as Crossingford crossing whereby the road leading from Garlic Street to Pulham Saint Mary the Virgin is crossed by the railway between Pulham Saint Mary and Harleston stations.

In the parish of Starston—

The level-crossing known as Grove Hill Road crossing whereby the road leading from Harleston Common to Starston is crossed by the railway between Pulham Saint Mary and Harleston stations.

In the parish of Redenhall with Harleston—

The level-crossing known as Harleston Station crossing whereby the road leading from Harleston to Coniferhill is crossed by the railway at Harleston station.

The level-crossing known as Redenhall crossing whereby the road leading from Redenhall to Gawdy Hall is crossed by the railway between Harleston and Homersfield stations.

In the parish of Wortwell—

The level-crossing known as Wortwell crossing whereby the road leading from Wortwell to Alburgh is crossed by the railway between Harleston and Homersfield stations.

In the parishes of Wortwell and Alburgh—

The level-crossing known as Homersfield Station crossing whereby the road leading from Bury Saint Edmunds to Great Yarmouth is crossed by the railway at Homersfield station.

In the parish of Earsham—

The level-crossing known as Denton Wash crossing whereby the road leading from Bury Saint Edmunds to Great Yarmouth is crossed by the railway between Homersfield and Earsham stations.

The level-crossing known as Earsham Station crossing whereby the road leading from Earsham to Hedenham is crossed by the railway to the north-east of Earsham station.

The level-crossing known as Drakes crossing whereby the road leading from Earsham to Earsham Park is crossed by the railway between Homersfield and Earsham stations.

The level-crossing known as Five Acre Lane crossing whereby the road leading from Earsham to Denton is crossed by the railway between Homersfield and Earsham stations.

In the rural district of Loddon—

In the parishes of Ditchingham and Broome—

The level-crossing known as Ditchingham Station crossing whereby the road leading from Bury Saint Edmunds to Great Yarmouth is crossed by the railway at Ditchingham station.

In the parish of Ellingham—

The level-crossing known as Bracey's crossing whereby the road leading from Dockeney to Kirby Row is crossed by the railway between Ellingham and Geldeston stations.

The level-crossing known as Geldeston Station crossing whereby the road leading from Dockeney to Geldeston is crossed by the railway at Geldeston station.

In the county of East Suffolk—

In the borough of Beccles—

The level-crossing known as Northgate Street crossing whereby the road leading from Lowestoft to Norwich is crossed by the railway between Geldeston and Beccles stations.

SECOND SCHEDULE

THE WATERWAYS REFERRED TO IN SECTION 14 (CLOSING FOR
NAVIGATION OF CERTAIN WATERWAYS) OF THIS ACT

Name of canal (1)	Portion to be closed to navigation (2)	Authorising Act (3)
Monmouthshire Canal	So much of the canal as lies within the area designated as the site of a proposed new town by the Cwmbran New Town (Designation) Order 1949.	32 Geo. 3 c. 102
Walsall Canal...	Part of the Danks branch from a point thereon 135 yards north-east of the bridge carrying the railway from Great Bridge to Wednesbury over the said branch to the junction of the said branch with the Tame Valley Canal at Goldshill all in the county borough of West Bromwich.	23 Geo. 3 c. 92
Walsall Canal...	The Gospel Oak branch from its commencement in the urban district of Coseley 370 yards north-west of Lea Brook Bridge to its termination at Gospel Oak in the borough of Tipton all in the county of Stafford.	23 Geo. 3 c. 92
Wyrley and Essington Canal	The portion of the canal from Sneyd Junction in the urban district of Willenhall to its termination in the rural district of Cannock 370 yards east of the bridge carrying the railway from Walsall to Cannock over the Wyrley Bank branch all in the county of Stafford.	32 Geo. 3 c. 81
Wyrley and Essington Canal	The Wyrley Bank branch from its commencement by a junction with the portion of the canal last described near the last-mentioned railway bridge to its termination near Cheslyn Hay all in the rural district of Cannock in the county of Stafford.	32 Geo. 3 c. 81
Wyrley and Essington Canal	The Sneyd branch from its commencement 140 yards east of Sneyd Junction to its termination near Sneyd Lane all in the county borough of Walsall.	32 Geo. 3 c. 81
Wyrley and Essington Canal.	The Hayhead branch from its commencement by a junction with the Rushall Canal near Longwood Bridge to its present termination at a point 260 yards south of the said bridge all in the county borough of Walsall.	34 Geo. 3 c. 25

Name of canal (1)	Portion to be closed to navigation (2)	Authorising Act (3)
Wyrley and Essington Canal	The Lords Hayes branch from its commencement 170 yards east of the bridge carrying Fishley Lane over the said branch to its present termination at Stafford Road all in the county borough of Walsall.	34 Geo. 3 c. 25
Wyrley and Essington Canal	The portion known as Ogle Locks from the junction of the Anglesey branch with the canal near Anglesey Bridge in the urban district of Brownhills to the termination of the canal at Huddlesford Junction in the rural district of Lichfield all in the county of Stafford.	34 Geo. 3 c. 25
Birmingham Canal (Birmingham Level)	Part of the loop known as Izon Old Turn from its southern junction with the main canal 400 yards north-west of the bridge carrying Bromford Lane over the main canal to a point 40 yards south of its northern junction with the main canal all in the county borough of West Bromwich.	8 Geo. 3 c. 38
Birmingham Canal (Birmingham Level)	Part of the Wednesbury Old Canal from a point 7 yards east of the bridge carrying Brickhouse Lane over the said canal to its termination 240 yards west of Holloway Bank all in the county borough of West Bromwich.	8 Geo. 3 c. 38
Birmingham Canal (Birmingham Level)	The Jesson branch from its commencement by a junction with the Halford branch 25 yards south of Ridgacre Bridge carrying Church Lane over the Halford branch to its termination near Greswold Street all in the county borough of West Bromwich.	34 Geo. 3 c. 87
Birmingham Canal (Birmingham Level)	The Roway branch connecting the canal from Pudding Green Junction to Tipton with the canal from the said junction to Walsall between points on the said canals respectively 330 yards north-west and 280 yards north from the said junction all in the county borough of West Bromwich.	34 Geo. 3 c. 87
Birmingham Canal (Birmingham Level)	Part of the Union branch between a point 83 yards south of its junction with the said canal from Pudding Green Junction to Tipton and its termination 140 yards west	34 Geo. 3 c. 87

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Name of canal (1)	Portion to be closed to navigation (2)	Authorising Act (3)
Birmingham Canal (Birmingham Level) <i>cont.</i>	of the bridge carrying the railway from Albion to Oldbury over the said branch all in the county borough of West Bromwich.	34 Geo. 3 c. 87
Birmingham Canal (Birmingham Level)	Part of Dixon's branch from a point 240 yards north-east of the bridge carrying Horseley Road over the said branch to its termination 415 yards north-east of the said bridge all in the borough of Tipton in the county of Stafford.	34 Geo. 3 c. 87
Birmingham Canal (Wolverhampton Level)	Part of the loop known as the Oldbury Old Canal from a point 7 yards west of Cocks Croft Bridge carrying the road from Oldbury to Tividale over the said loop to a point 7 yards south of Bustle Bridge carrying the road from Oldbury to Smethwick over the said loop all in the borough of Oldbury in the county of Worcester.	8 Geo. 3 c. 38
Birmingham Canal (Two Locks Line)	From its commencement by a junction with the Netherton branch to its termination by a junction with the Birmingham Canal near Woodside Bridge all in the county borough of Dudley.	Birmingham Canal Navigations Act 1855.
Titford Canal ...	Part of the Causeway Green branch from a point 280 yards south-east of Swan Bridge carrying the road from Causeway Green to Oakham over the said branch to its termination all in the borough of Oldbury in the county of Worcester.	5 Wm. 4 c. xxxiv

THIRD SCHEDULE

LANDS REFERRED TO IN SUBSECTION (2) OF SECTION 17 (POWER
TO ACQUIRE LANDS) OF THIS ACT

Area (1)	No. on deposited plans (2)	Purposes for which the lands may be used (3)
In the county of Essex— Borough of Leyton ...	1 2 3	To carry out alterations and improve- ments of the railway between Totten- ham and Stratford.
Borough of Leyton ...	4 to 16 (inclusive)	To carry out alterations and improve- ments of the Commission's railway marshalling yard at Temple Mills and to divert a footpath in manner provided by this Act.
Borough of Leyton ...	18	To provide land of the Commission on the south-east side of Ruckholt Road with a means of access to and from Ruckholt Road.
In the county of the Isle of Ely— Urban district of the city of Ely	1	To extend the embankment of the railway between Newmarket and Ely.
In the county of Lan- caster— Parish of Rixton-with- Glazebrook in the rural district of Warrington	1 to 3 (inclusive)	To carry out alterations and improve- ments of the railway between Warrington and Manchester.
Urban district of Irlam	1 to 4 (inclusive)	To carry out alterations and improve- ments of the railway between Warrington and Manchester.
Urban district of Irlam	11 12	To carry out alterations and improve- ments of the railway between Warrington and Manchester and to provide the land numbered 11 on the deposited plans with a means of access to and from Liverpool Road.
In the county of Middle- sex— Urban district of Potters Bar	1 to 5 (inclusive)	To deposit spoil resulting from the construction of the widening of the Commission's railway authorised by section 13 of the Great Northern Railway Act 1882 and to provide any railway sidings and works required for that purpose.

FOURTH SCHEDULE

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY BE
TAKEN COMPULSORILY

Area	No. on deposited plans
WORK NO. 4 AND ADDITIONAL LANDS AT IRLAM	
Urban district of Irlam	11 12
Parish of Rixton-with-Glazebrook	1
WORK NO. 5	
City of London	3 4
ADDITIONAL LANDS AT LEYTON	
Borough of Leyton	3 4 5 9

FIFTH SCHEDULE

LANDS THE PERIOD FOR THE COMPULSORY PURCHASE OF WHICH
IS EXTENDED BY THIS ACT TO 31ST DECEMBER 1957The lands authorised to be acquired by section 18 (Power to
acquire lands) of the Act of 1951—(a) for the purposes of work No. 10 authorised by Part II
(Works) of the said Act;

(b) in the places hereinafter mentioned:—

In the county of Essex—

In the urban district of Brentwood;

In the urban district of Billericay;

In the county borough of East Ham;

In the county borough of Southend-on-Sea (except the
lands numbered 1 2 5 and 6 on the plans deposited
in respect of the Bill for the said Act).

Table of Statutes referred to in this Act

Short title	Session and chapter
Highway (Railway Crossings) Act 1839	2 & 3 Vict. c. 45.
Railway Regulation Act 1842	5 & 6 Vict. c. 55.
Lands Clauses Consolidation Act 1845	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845	8 & 9 Vict. c. 20.
Railways Clauses Consolidation (Scotland) Act 1845	8 & 9 Vict. c. 33.
Harbours Docks and Piers Clauses Act 1847	10 & 11 Vict. c. 27.
Birmingham Canal Navigations Act 1855	18 & 19 Vict. c. cxxi.
Railways Clauses Act 1863	26 & 27 Vict. c. 92.
Public Health Act 1875	38 & 39 Vict. c. 55.
Telegraph Act 1878	41 & 42 Vict. c. 76.
Great Northern Railway Act 1882	45 & 46 Vict. c. cxxi.
Rhymney Railway Act 1882	45 & 46 Vict. c. cclx.
Rhymney Railway Act 1885	48 & 49 Vict. c. clxxviii.
Railway and Canal Traffic Act 1888	51 & 52 Vict. c. 25.
Norwich Electric Tramways Act 1897	60 & 61 Vict. c. ccliv.
Great Eastern Railway (General Powers) Act 1899 Acquisition of Land (Assessment of Compensation) Act 1919	62 & 63 Vict. c. ccxxviii. 9 & 10 Geo. 5 c. 57.
Public Health Act 1925	15 & 16 Geo. 5 c. 71.
Land Drainage Act 1930	20 & 21 Geo. 5 c. 44.
Local Government Act 1933	23 & 24 Geo. 5 c. 51.
Norwich Electric Tramways Act 1935	25 & 26 Geo. 5 c. xxv.
Public Health Act 1936	26 Geo. 5 & 1 Edw. 8 c. 49.
London Midland and Scottish Railway Act 1944 Transport Act 1947	7 & 8 Geo. 6 c. i. 10 & 11 Geo. 6 c. 49.
Town and Country Planning Act 1947	10 & 11 Geo. 6 c. 51.
Local Government Act 1948	11 & 12 Geo. 6 c. 26.
River Boards Act 1948	11 & 12 Geo. 6 c. 32.
British Transport Commission Act 1949	12 & 13 Geo. 6 c. xxix.
Lands Tribunal Act 1949	12 13 & 14 Geo. 6 c. 42.
Highways (Provision of Cattle Grids) Act 1950	14 Geo. 6 c. 24.
Arbitration Act 1950	14 Geo. 6 c. 27.
Public Utilities Street Works Act 1950	14 Geo. 6 c. 39.
British Transport Commission Act 1950	14 Geo. 6 c. liii.
Rivers (Prevention of Pollution) Act 1951	14 & 15 Geo. 6 c. 64.
British Transport Commission Act 1951	14 & 15 Geo. 6 c. xxxix.
British Transport Commission Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2 c. xxxiv.
Transport Act 1953	1 & 2 Eliz. 2 c. 13.

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