

ANNO SEXTO

GEORGII IV. REGIS.

CAP. XXXVIII.

An Act for extending the Jurisdiction of the Commissioners acting in Execution of an Act of the Fifth Year of His present Majesty, for paving and regulating the *Regent's Park*, together with the New Street from thence to *Pall Mall*; and for other Purposes relating thereto.

[10th *June* 1825.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for more effectually paving, lighting, watching, cleansing, and regulating the* Regent's Park, *together with the new Street from the* Regent's Park *to* Pall Mall, *and the new Streets and Improvements in the Neighbourhood of* Parliament Street *and* Privy Gardens, *and for maintaining a convenient Sewage for the same;* and by the said Act Commissioners were appointed for paving, lighting, watching, cleansing, and otherwise regulating and improving the several Streets, Squares, Circusses, Gardens, Ways, Passages, Courts, and Places made and laid out, and thereafter to be made and laid out, within the Limits mentioned and described in the said Act, and for other Purposes of the said Act: And whereas certain Parts of *New Palace Yard*, *Saint Margaret's* 5 G. 4. c. 100.

 Street,

Street, Old Palace Yard, and the Streets and Places adjoining thereto, are, as to the paving, lighting, and cleansing thereof, under the Charges and Management of the Surveyor General of His Majesty's Works; and it would be adviseable that the same should, from and after the passing of this Act, be placed under the Charge and Management of the Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty: And whereas it would also be adviseable that the Committee for paving, cleansing, and lighting the Parish of *Saint James Westminster* should be authorized and required to convert so much of the Carriage Pavement of *Pall Mall* as extends in front of *Carlton Palace*, and thence Eastward to *Cockspur Street*, into broken Stone Road; and it would be adviseable that the Committee for paving the Parish of *Saint Martin's in the Fields* should be authorized and required to convert so much of the Carriage Pavement of *Cockspur Street* and of *Charing Cross Street*, and that Part of *Pall Mall East*, Westward of *Suffolk Street*, as lies within their Jurisdiction, into broken Stone Road; and it would also be adviseable that the Committee for paving the Parishes of *Saint Margaret* and *Saint John the Evangelist* in *Westminster* should be authorized and required to convert the Carriage Pavement of that Part of *Parliament Street* which lies within their Jurisdiction, and that Part of *Bridge Street* to the Eastward of *Parliament Street*, into broken Stone Road; and that the Declarations and Provisions herein-after contained should be made with respect to all Streets and Places in the City and Liberty of *Westminster*, and the Parishes of *Saint Mary-le-bone* and *Saint Pancras*, in which broken Stone Road has been or hereafter shall be substituted for the ordinary Pavement: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Part of *New Palace Yard*, *Saint Margaret Street*, and *Old Palace Yard*, and the Streets and Places adjoining thereto, as are now, as to the paving, lighting, and cleansing thereof, under the Charge and Management of the Surveyor General of His Majesty's Works, shall from and after the passing of this Act be, and remain, as to the paving, lighting, and cleansing thereof, under the Charge and Management of the Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, and also be and remain to all Intents and Purposes subject to and within the Jurisdiction, Power, and Authority of the said Commissioners, in the same Manner as if the said Streets and Places, and Parts of Streets and Places, had been included in and delineated and set out in the Plan marked Number Three, mentioned in the said recited Act.

Streets now under Care of Surveyor General of Works to be placed under Care of the Commissioners acting under 5 G. 4. c. 106.

II. And whereas a Map or Plan, marked Number Four, has been prepared, for the Purpose of distinguishing which of the aforesaid Streets and Places, or what Parts thereof respectively are, as to the paving, lighting, and cleansing thereof, under the Charge and Management of the Surveyor General of His Majesty's Works, and on the said Map or Plan so much of the Carriage Pavement of the said Streets and Places as is under the Charge and Management of the Surveyor

Plan for the Purpose of distinguishing the Streets placed under the Commissioners.

General of His Majesty's Works, is coloured Brown; and so much of the Foot Pavement of the said Streets and Places as is under the Charge and Management of the said Surveyor General of His Majesty's Works, is coloured Pink; be it further enacted, That the said Map or Plan, after the same shall have been authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with and shall remain in the Custody of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and shall at all Times hereafter be conclusive Evidence for the Purpose of determining what Parts of the said Carriage and Foot Pavement are by this Act placed under the Charge and Management of the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty; and One Copy of the said Map or Plan, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited in the Parliament Office, and One other Copy so signed shall be deposited with the Clerk of the Peace for the County of *Middlesex*, within Three Months after the passing of this Act; and all Persons shall at all seasonable Times have Liberty to inspect the said Maps or Plans at their Will and Pleasure, paying the Sum of One Shilling for such Inspection, and to take Copies from the said Maps or Plans, or from any Part or Parts thereof, paying the Sum of One Shilling for every Copy taken.

Powers and Property of Surveyor General in Streets, &c. to cease.

III. And be it further enacted, That from and after the passing of this Act, all the Duties and Powers of the Surveyor General of His Majesty's Works, with respect to the paving, lighting, and cleansing of the Streets and Places, and Parts of Streets and Places, which are by this Act placed under the Jurisdiction of the Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, and also the Property of the said Surveyor General in the Materials of the Pavement of, and also in all Lamps, Lamp Irons, Posts, Rails, Fences, and Gates, in and upon and belonging to the said Streets and Places, and Parts of Streets and Places, shall cease and be determined.

Property now vested in Surveyor General to be vested in Commissioners.

IV. And be it further enacted, That from and after the passing of this Act, the Stone, Granite, and other Materials forming the present Pavement of the Streets and Places, or Parts of Streets and Places, hereby placed under the Jurisdiction of the Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, the Property of which is now vested in the Surveyor General of His Majesty's Works, and also all Lamps, Lamp Irons, Posts, Rails, Fences, and Gates, in and upon and belonging to the said Streets and Places, and the Property of which is now vested in the Surveyor General of His Majesty's Works, shall be the Property of and vested in the said last-mentioned Commissioners.

Streets to be lighted and repaired as heretofore.

V. And be it further enacted, That so much of the Carriage and Foot Pavement of the Streets and Places, and Parts of Streets and Places, hereby placed under the Jurisdiction of the Commissioners acting in Execution of the said recited Act of the Fifth Year of the

Reign

Reign of His present Majesty, as up to the Time of the passing of this Act hath been kept in repair by the Surveyor General of His Majesty's Works, shall from and after the passing of this Act be kept in repair by the said Commissioners; and the said Streets and Places, and Parts of Streets and Places, shall from and after the passing of this Act be lighted and cleansed by the said Commissioners, in the same Manner as the same have been heretofore lighted and cleansed by the Surveyor General of His Majesty's Works.

Commissioners may break up Pavement, and replace the same with broken Materials.

VI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, and they are hereby authorized and empowered to take up the Whole or any Part of the Carriage Pavement hereby placed under their Charge and Management, and to replace the same with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, as they the said Commissioners shall judge fit, upon such Levels and in such Manner as they shall think best, and from Time to Time to amend and keep in repair the same with the like Materials; and if any Person shall, without the Consent of the said Commissioners, alter the Form of or break up any Part of the Carriage or Foot Pavement hereby placed under the Charge and Management of the said Commissioners, or any Part of the new Road to be formed by the replacing of any Part of the said Carriage Pavement in Manner hereinbefore mentioned, every Person so offending shall forfeit any Sum not exceeding Ten Pounds for every such Offence, and shall also pay all the Expences of restoring such Pavement or Road to its former State.

Powers of former Act extended to Streets now placed under Care of Commissioners.

VII. And be it further enacted, That all the several Powers and Authorities given by the said recited Act of the Fifth Year of the Reign of His present Majesty to the Commissioners acting in Execution thereof, and all the several Clauses and Provisions therein contained respecting the Streets and Places which are by that Act placed under the Jurisdiction of the said Commissioners, or such of the said Clauses and Provisions as can be in any Manner considered applicable to the Streets and Places, or Parts of Streets and Places, hereby placed under the Jurisdiction of the said Commissioners, shall be and the same are hereby extended and made applicable to the Streets and Places, and Parts of Streets and Places, which are by this Act placed under the Jurisdiction of the said Commissioners, in the same Manner, to all Intents and Purposes, as if the said Powers, Authorities, Clauses, and Provisions had been hereby severally repeated and re-enacted with Reference to the said last-mentioned Streets and Places, and Parts of Streets and Places.

Rates to be made by the Commissioners.

VIII. And be it further enacted, That one or more Rate or Rates, Assessment or Assessments, shall, for the Purpose of paving or repairing, cleansing, lighting, or watering the Streets and Places, and Parts of Streets and Places, which are hereby placed under the Jurisdiction of the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, be

be laid and assessed by the said Commissioners Once in every Year, if they shall judge it needful, upon all or any of the Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, or Tenements, in any such Streets or Places, or Parts of Streets or Places, in such Manner and in such Proportions amongst the said Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, or Tenements, and in such Sum or Sums of Money as the said Commissioners shall order and direct; but so nevertheless as that such Rate or Rates, Assessment or Assessments, do not exceed in the whole in any one Year the Sums of Money next herein-after mentioned; (that is to say), for paving and repairing, cleansing and lighting the said Streets and Places, the Sum of Two Shillings in the Pound, according to the Yearly Rent or Value of such Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Buildings, and Tenements, and for watering the said Streets and Places, the Sum of Sixpence in the Pound, according to the Yearly Rent or Value of the said Houses, and other Tenements.

Powers for Collection thereof.

IX. And be it further enacted, That all the several Clauses, Powers, and Provisions contained in the said recited Act of the Fifth Year of the Reign of His present Majesty, with Reference to the making of the Rates in that Act authorized to be made, and with Reference to the Payment thereof, and the Liability to pay the same, and with Reference to the Recovery thereof when in arrear, and also with Reference to the borrowing of Money by the said Commissioners on the Security of such Rates, shall be, and the same are hereby extended and made applicable to the making of the Rates by this Act authorized to be made, and to the Payment and Recovery thereof, and to the enabling the said Commissioners to borrow any Sum or Sums of Money on the Security thereof, in the same Manner to all Intents and Purposes as if the said Clauses, Powers, and Provisions had been severally hereby repeated and re-enacted with Reference thereto.

Sum to be borrowed not to exceed 20,000*l.*

X. Provided always, and be it further enacted, That no greater Sum in the whole than the Sum of Twenty thousand Pounds shall be borrowed by the said Commissioners, on the Security of the Rates hereby authorized to be made.

Accounts to be made up.

XI. And be it further enacted, That the said Commissioners shall, at their Second Meeting in every Year, cause an Account of the Monies received and disbursed by them for the Purposes of this Act in the preceding Year, and the Amount of the Arrears then due of Rates made under the Authority of this Act, and of the Balance of Cash in Hand, to be made out; which Account it shall be lawful for all Persons rated or assessed by the said Commissioners under the Authority of this Act, and all Persons interested therein, at all seasonable Times to inspect.

Act not to affect Liability of other

XII. Provided always, and be it further enacted, That nothing herein before contained shall extend to remove or diminish the Liability of

Persons to repair.

of any Parish, Person, or Body Politic or Corporate whatsoever, other than and except the said Surveyor General of His Majesty's Works with respect to the paving, repairing, lighting, watching, and cleansing of the Streets and Places, and Parts of Streets and Places, hereby placed under the Jurisdiction of the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, but such Liability shall continue as if this Act had not passed; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Powers of recited Act as to the Admiralty repealed.

XIII. And be it further enacted, That the several Clauses, Powers, and Provisions contained in the said Act relative to the *Admiralty*, be and hereby are repealed.

The Street opposite to the Admiralty Office to be placed, as to paving, &c. under the Charge of the Commissioners under recited Act, &c.

XIV. And be it further enacted, That so much of the Street in front of the Admiralty Office and its Appurtenances as is or has been vested in the Lord High Admiral or the Commissioners of the Admiralty, or his or their Secretary in their Behalf, shall hereafter be and remain, as to the paving, lighting, or cleansing thereof, under the Charge and Management of the Commissioners acting in Execution of the said Act: Provided always, that nothing herein contained shall be construed to prevent the Commissioners for executing the Office of Lord High Admiral from making any Alteration in or Addition to the Buildings of the *Admiralty Office* or its Appurtenances, or the Entrances and Access to the same, or in the Lamps or Lights attached to the said Buildings.

Commissioners of Admiralty to act conjointly with Commissioners under this Act.

XV. And be it further enacted, That the Commissioners of the Admiralty and their Secretaries for the Time being shall be Commissioners for executing this and the said recited Act, conjointly with the Commissioners acting in Execution of the said recited Act,

Saint James's Paving Commissioners to replace certain Pavements with broken Materials.

XVI. And be it further enacted, That it shall be lawful for the Committee for the Time being for paving, cleansing, and lighting, or other Persons having the Controul of the Pavements in the Parish of *Saint James Westminster*, and they are hereby authorized and required, to convert the Carriage Pavement of so much of *Pall Mall* as extends in front of *Carlton Palace*, and thence Eastward to *Cockspur Street*, into a broken Stone Road, and for that Purpose to take up the present Pavement, and replace the same with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, in like Manner and in every respect to correspond with *Waterloo Place*, and from Time to Time to amend and keep in repair the same with the like Materials; and the Expences of converting the said Pavement into broken Stone Road, and of repairing and amending the same, shall be paid by the said Committee out of the Monies arising from the Rates made by them for the paving, cleansing, and lighting the said Parish.

Saint Martin's Paving Commissioners to

XVII. And be it further enacted, That it shall be lawful for the Committee for the Time being, for paving, lighting, and cleansing

the Parish of *Saint Martin's in the Fields*, and they are hereby authorized and required to convert the Carriage Pavement of so much of *Cockspur Street* and *Charing Cross Street*, and of that Part of *Pall Mall East* lying to the Westward of *Suffolk Street*, as lies within their Jurisdiction, into a broken Stone Road, and for that Purpose to take up the present Pavement, and replace the same with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, in like Manner and in every respect to correspond with that Portion of *Charing Cross Street* within the Jurisdiction of the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, which lies to the Southward, and immediately communicates therewith, and from Time to Time to amend and keep in repair the same with like Materials; and the Expences of converting the said Pavement into broken Stone Road, and of repairing and amending the same, shall be paid by the said Committee out of the Monies arising from the Rates made by them for the paving, lighting, and cleansing of the said Parish: Provided always, that it shall not be lawful for the said Committee for the Time being for paving, lighting, and cleansing the Parish of *Saint Martin's in the Fields*, to alter the present Level of the Street commonly called *Charing Cross Street* so as in any way to raise the Foot Pavement or Carriage Pavement on the Eastern Side of the said Street, without the Consent of Two-thirds of the Inhabitants or Occupiers of the several Houses on the Eastern Side of the said Street, from Nos. 9. to 28. inclusive, first had and obtained.

replace certain Pavements with broken Materials.

Committee for paving, &c. St. Martin's in the Fields, not to alter the Level of the Charing Cross Street, so as to raise the Pavement on the Eastern Side, without Consent of Two-thirds of the Inhabitants.

XVIII. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty-six, it shall not be lawful for any Person to stand and ply for Hire with any Hackney Coach or Chariot, or any Carriage on Two Wheels, in any Part of *Cockspur Street*, or in any Place in that Portion of *Charing Cross Street* which lies to the Northward of the *Admiralty*.

No Stand for Coaches for Hire to be permitted in Cockspur Street, &c.

XIX. And be it further enacted, That if after the said First Day of *January* One thousand eight hundred and twenty-six, any Person shall stand and ply for Hire with any such Coach or Chariot, or any Carriage on Two Wheels, in any Part of *Cockspur Street*, or in any Place in that Portion of *Charing Cross Street* which lies to the Northward of the *Admiralty*, the Party so offending shall, on the Conviction thereof by the Oath of One or more credible Witness or Witnesses (and the Informer is hereby rendered a credible Witness) before One or more of His Majesty's Justices of the Peace for the County of *Middlesex*, or before the Commissioners acting under and by virtue of the several Acts of Parliament for the licensing and regulating of Hackney Coaches and Chairs in the Cities of *London* and *Westminster*, and the Suburbs thereof, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings, for every such Offence, one Moiety of which Penalty shall be paid to the Informer, and the other Moiety to the Use of the King's most Excellent Majesty, His Heirs and Successors; and if such Offender shall not pay the said Penalty immediately on Conviction, he shall be committed to the House of Correction,

Penalty on Persons so offending.

Correction, there to be kept to Hard Labour for any Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid: Provided always, that all such last mentioned Offences shall be prosecuted within Seven Days next after the same shall be committed.

Saint Margaret's and Saint John's Paving Commissioners to replace certain Pavements with broken Materials.

XX. And be it further enacted, That it shall be lawful for the Committee for Paving, or other Persons having the Controul of the Pavements in the Parishes of *Saint Margaret* and *Saint John the Evangelist Westminster*, and they are hereby authorized and required to convert the Carriage Pavement of so much of *Parliament Street* as lies within their Jurisdiction, and that Part of *Bridge Street* extending from the East Side of *Parliament Street* to *Westminster Bridge*, into a broken Stone Road, and for that Purpose to take up the present Pavement, and replace the same with broken Stone, Granite, Flint, Gravel, or other firm and sufficient Materials, in like Manner as and to correspond in every respect with that Portion of *Parliament Street* under the Jurisdiction of the said Commissioners acting in Execution of the said recited Act of the Fifth Year of the Reign of His present Majesty, and from Time to Time to amend and keep in repair the same with like Materials; and the Expences of converting the said last-mentioned Pavement into broken Stone Road, and of repairing and amending the same, shall be paid by the said last-mentioned Committee out of the Monies arising from the Rates made by them for the paving, lighting, and cleansing of the said Two last-mentioned Parishes.

Streets, though formed of broken Materials, to be deemed paved Streets.

XXI. And whereas Doubts may be entertained whether those Streets or Places in the City and Liberty of *Westminster*, and the Parishes of *Saint Mary-le-bone* and *Saint Pancras* in the County of *Middlesex*, in which a Roadway formed of broken Granite, Flint, Stone, Gravel, or other Materials, has been or hereafter shall be substituted for the ordinary Pavement, are to be deemed and considered as paved Streets or Places within the meaning of the several Acts relating to paved Streets and Places within the said City and Liberty and Parishes; for obviating such Doubts, be it further enacted and declared, That all such Streets and Places as aforesaid shall be deemed and considered, to all Intents and Purposes whatsoever, as paved Streets and Places within the meaning of the several Acts relating to paved Streets and Places within the said City and Liberty and Parishes; and all Houses, Buildings, and other Tenements shall be subject and liable to the same Rates as they would have been subject and liable to, in case the said Streets and Places had been and remained paved in the ordinary Manner.

Watering Streets.

57 G. 3. c. xxix.

XXII. And whereas it will be expedient that the several Streets and Places aforesaid should be kept properly watered: And whereas by an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein*, certain Powers are given to the Commissioners or Trustees, or other Persons having the

Control of the Pavements of any parochial or other District within the Cities of *London* and *Westminster*, and Borough of *Southwark*, and any other Parts of the Metropolis which are included within the Weekly Bills of Mortality, and within the said Parishes of *Saint Pancras* and *Saint Mary-le-bone*, except such Parts thereof as are in the said Act particularly mentioned, with respect to the watering of the Streets and other public Places within their respective Jurisdictions, and with respect to the doing of all Matters and Things necessary for that Purpose, and with respect to the making of Rates for defraying the Charges thereof, but subject to a Proviso, that the said Commissioners or Trustees, or other Persons as aforesaid, may not rate or assess the Inhabitants or Occupiers of any Houses, Hereditaments, or Premises, or other rateable Property within any Street or public Place in any parochial or other District within the Jurisdiction of that Act with any such further or additional Rate or Assessment as in that Act mentioned, unless a Majority of the Inhabitants or Occupiers of such Houses, Hereditaments, and Premises, and other rateable Property, (such Majority not being less than Three-fourths of such Inhabitants or Occupiers within such Streets or public Places), shall, at the same or some previous Time, have signified and expressed their Wish and Consent in Writing, that such Street or public Place should be watered, and shall have signed their Names to such Writing, and delivered or caused the same to be delivered to the said Commissioners or Trustees, or such other Persons as aforesaid, or to their Clerk or Clerks for the Time being; be it further enacted, That the said last-mentioned Proviso shall be and the same is hereby repealed and made void, as to all those Streets and Places in the said City and Liberty of *Westminster*, and in the said Parishes of *Saint Mary-le-bone* and *Saint Pancras*, in which a Roadway formed of broken Granite, Flint, Stone, Gravel, or other Materials, has been or hereafter shall be substituted for the ordinary Pavement.

This Act not to affect the Powers of Commissioners of Sewers.

XXIII. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster*, and Part of the County of *Middlesex*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Premises not liable to any other local Rate than that made by the Commissioners, except Poor and Church Rate.

XXIV. And be it further enacted, That no Land, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Premises whatever, within the Limits of the Jurisdiction of the Commissioners under the said recited Act or of this Act, and the Occupier or Owner whereof shall be rated and assessed in respect thereof by the said Commissioners under the Provisions of the said recited Act or of this Act, shall, after the making of such Rate, be liable to any local Rate or Assessment under any other Act or Acts of Parliament, or otherwise, Poor Rate and Church Rate only excepted, any thing in any Act or Acts of Parliament to the contrary notwithstanding.

XXV. Pro-

Not to affect the Highway Rates of St. Mary-le-bone.

XXV. Provided always, That nothing herein contained shall exempt from the Highway Rates of the Parish of *Saint Mary-le-bone* any Land, House, Shop, Warehouse, Coach House, Stable, Cellar, Vault, Building, Tenement, or Premises which shall abut immediately upon any Road or Highway now or hereafter to be maintained by the Highway Rates of the said Parish.

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