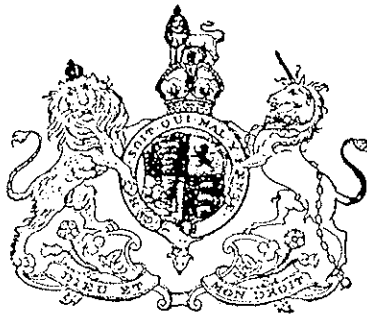


[6 Edw. 7.] *Hampstead Garden Suburb Act, 1906.* [Ch. cxcii.]



### CHAPTER cxcii.

An Act to confer powers upon the Hampstead Garden A.D. 1906.  
Suburb Trust Limited for the purpose of enabling that  
Company to develop and lay out lands as garden suburbs.  
[4th August 1906.]

**W**HEREAS by the London County Council (General Powers) 5 Edw. 7.  
Act 1905 the London County Council were authorised and c. cxi.  
empowered to purchase by agreement and to add to Hampstead  
Heath an area of land containing eighty acres (herein-after referred  
to as "the Heath Extension") in the county of Middlesex belonging  
to the trustees of Eton College:

And whereas there are in the county of Middlesex certain  
lands adjacent to or adjoining the Heath Extension which also  
belong to Eton College and are available for and may shortly be  
developed for building purposes:

And whereas it would be of public and local advantage that  
such lands should be developed and laid out on principles which  
will not detract from the public advantages accruing from the  
addition of the Heath Extension to Hampstead Heath and will  
enable a residential area (in this Act called "the Garden Suburb")  
to be created for persons of all classes with gardens and open  
spaces and other special amenities and facilities for persons of  
the working class and others:

And whereas the Heath Extension and the Garden Suburb  
are shown upon a plan signed in duplicate by Alfred Emmott the  
Chairman of the Committee of the House of Commons to whom  
the Bill for this Act was referred and the Heath Extension is  
thereon coloured light green and the Garden Suburb is thereon  
coloured dark green which plan is herein-after called "the signed

[Price 6d.]

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A.D. 1906. plan" and of which one copy is deposited in the Private Bill Office of the House of Commons and one copy is deposited in the Parliament Office of the House of Lords:

And whereas the Hampstead Garden Suburb Trust Limited (herein-after referred to as "the Company") is a Company incorporated under the provisions of the Companies Acts 1862 to 1900 with the object (inter alia) of acquiring the Garden Suburb and developing and laying out the same in manner aforesaid and such Company has accepted from Eton College an option to purchase the Garden Suburb and it is expedient that the powers of this Act in relation to the Garden Suburb be conferred upon the Company:

And whereas the Company in the development of the Garden Suburb and in the creation thereof proposes to form and lay out gardens recreation grounds and open spaces for the public use or the use of residents on their lands and to erect and maintain buildings and it is expedient that powers as in this Act contained should be conferred upon the Company to make charges for and to regulate the use of such gardens recreation grounds open spaces and buildings:

And whereas it is expedient that powers should be conferred upon the Company and the local and road authorities of the district in which the streets and roads laid out by the Company may be situate with respect to such streets and roads:

And whereas by the memorandum and articles of association of the Company the dividend payable to the shareholders in the Company is limited to five pounds per centum per annum:

And whereas it is expedient that the other provisions of this Act should be made:

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

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

Short title. 1. This Act may be cited as the Hampstead Garden Suburb Act 1906.

Rules as to building. 2.—(1) There shall not be built in the Garden Suburb on the average throughout a greater proportion of houses to the acre than eight.

(2) On every road in the Garden Suburb (whatever the width of the said road) there shall be between any two houses standing on opposite sides of the road a space of not less than fifty feet free of any buildings except walls fences or gates. A.D. 1906.

3. With respect to any gardens recreation grounds or open spaces provided by the Company for the common use of the inhabitants of any dwellings in the Garden Suburb the Company may make byelaws for the regulation thereof and for fixing the days and times of admission thereto and for the preservation of order and the prevention of nuisances therein and may by such byelaws impose penalties not exceeding five pounds for breaches thereof Provided that such byelaws shall not be of any force or effect unless or until the same shall have been approved by the Secretary of State for the Home Department which approval the Secretary of State is hereby empowered to give. Byelaws.

In making byelaws under this section regard shall be had by the Company to the views of the local authority of the district and of the inhabitants of the Garden Suburb or such of them as may be affected by the byelaws.

One month before the Company apply to the Secretary of State for approval of any byelaws under this section they shall give public notice of the byelaws in such manner as the Secretary of State may direct and shall send a copy to the local authority of the district.

4. The Company may make such charges for the use of buildings gardens recreation grounds and open spaces as they may think fit. Power to make charges.

5.—(1) The Company may in the Garden Suburb make form and lay out roads of such width and in such manner and with or without such footways riding tracks and grass margins as they may think fit but the following provisions shall have effect in relation to such roads (that is to say):— Power to make roads and agreements with local authorities in respect thereto.

(A) Any road not exceeding five hundred feet in length constructed primarily for the purpose of giving access to a group of houses in the Garden Suburb and not designed for purposes of through traffic (in this section referred to as "an accommodation road") may with the consent of the urban district council of Hendon (hereafter referred to as "the local authority") be exempt from any operation of any byelaws of the local authority relating to the width of new streets and to footways

A.D. 1906.

but shall be subject nevertheless to all other byelaws of the local authority so far as such byelaws are applicable provided that no such accommodation road shall be of less width than twenty feet :

- (B) The provisions of the Public Health Act 1875 as to the levelling paving metalling flagging channelling and making good of streets not being highways repairable by the inhabitants at large and as to the declaration and dedication of such streets as highways and any statutory modification of such provisions shall not save with the consent of the Company apply to any accommodation road so long as the same is maintained in good order to the reasonable satisfaction of the local authority :
- (c) Any road other than an accommodation road shall be of the width of forty feet at the least but need not be of any greater width notwithstanding any future provision of any byelaws of the local authority relating to the width of new streets :
- (D) If the Company make any road other than an accommodation road of a greater width than forty feet so much of the width of the said road as exceeds forty feet (herein-after referred to as "the unmetalled part") may consist of grass margins or ground planted with trees or laid out as gardens and shall not without the consent of the Company be levelled paved metalled flagged channelled made good or taken over by the local authority and the powers of the local authority under section 150 of the Public Health Act 1875 or any statutory modification thereof shall not be put in force with reference to the unmetalled part of the said road without the consent of the Company so long as such unmetalled part is maintained in good order to the reasonable satisfaction of the local authority :
- (E) Subject to the provisions of this section any road other than an accommodation road shall be subject to all byelaws of the local authority so far as such byelaws are applicable :
- (F) The local authority may if they think fit with the consent of the Company take over and maintain as highways repairable by the inhabitants at large any roads made by the Company when such roads shall have been made

up sewered drained levelled kerbed paved metalled  
flagged channelled made good and provided with proper  
means of lighting to the reasonable satisfaction of the  
local authority notwithstanding that such roads may  
not be of the full width prescribed by or may not be  
otherwise in accordance with the byelaws relating to  
new streets and footways for the time being in force  
in the district of such local authority: A.D. 1906.

- (c) If where the consent of the local authority or the consent of the Company is prescribed by this section such consent be withheld or if any other difference arises under this section between the Company and the local authority the matter in question shall be referred to the determination of an arbitrator to be appointed by the Local Government Board on the application of either party.

(2) The provisions of this section in relation to roads (other than accommodation roads) shall extend to the roads coloured brown on the said plan signed as aforesaid so far as regards the width thereof.

6. The Company may out of any money which they may have raised pay interest at such rate not exceeding three pounds per centum per annum as the directors may determine on the amount from time to time paid up on the share capital of the Company from the respective times of such payments until the expiration of five years from the date of the passing of this Act or such less period as the directors may determine but subject always to the conditions herein-after stated (that is to say):—

Power to pay interest out of capital.

- (A) No such interest shall begin to accrue until the Company shall have deposited with the Board of Trade a statutory declaration by two of the directors and the secretary of the Company that one-half at least of the capital of the Company in respect of which such interest may be paid has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same:
- (B) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear:
- (c) The aggregate amount to be so paid for interest shall not exceed seven thousand five hundred pounds:

[Ch. cxcii.] *Hampstead Garden Suburb Act, 1906.* [6 Edw. 7.]

A.D. 1906. (d) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus issued by the Company as a prospectus within the meaning of the Companies Act 1900.

For protection of Metropolitan Water Board. 7. Nothing in this Act contained shall take away lessen prejudice or diminish any of the rights powers or privileges of the Metropolitan Water Board (as successors to the Governor and Company of the New River brought from Chadwell and Amwell to London) under the provisions of the New River Company's Act 1897.

Copy of Act to be registered. 8. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1862 on registration of any document other than a memorandum of association.

Costs of Act. 9. All costs charges and expenses of and incident and preliminary to the applying for preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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