

PART IV
—cont.

(b) Where the Hammersmith Council propose to exercise in respect of any part of the lands any of the powers conferred upon them by the said section 33 for the purposes of any agreement to be made under subsection (3) of that section any person having an estate or interest in the adjacent premises (not being a tenant for a year or any period less than a year) shall be deemed to have the like estate or interest in that part.

(8) In this section "adjacent premises" in relation to any part of the lands means the premises which abut upon Lower Mall or Upper Mall (as the case may be) on the northerly side thereof and are situate opposite to that part of the lands.

33.—(1) No person not being an authorised person shall place or drive or cause to be placed or driven any vehicle on or over any part of the lands. Regulation of traffic over the lands.

(2) The Hammersmith Council shall erect and maintain in the borough at or near to the junction of Rivercourt Road and Upper Mall and at or near to the junction of Wellje Road and Upper Mall and at such other places (if any) on or near to the lands as they may consider necessary notices of the effect of subsection (1) of this section.

is this being done.

(3) In this section "authorised person" in relation to any part of the lands means—

(a) a person who is—

(i) entitled by virtue of an estate or interest in that part or in any premises abutting upon Lower Mall or Upper Mall (as the case may be); or

(ii) duly authorised by a person so entitled as aforesaid;

to place or drive a vehicle on or over that part; and

(b) a person going upon that part with a vehicle for the purpose of the exercise of any statutory powers;

and in relation to so much of the lands as forms part of or abuts on Upper Mall includes also any person bona fide proceeding with a vehicle to or from any premises abutting upon Upper Mall.

(4) ~~Nothing in this section shall~~

(a) ~~prohibit the placing or wheeling on or over any part of the lands by any person of a bicycle which is not being ridden; or~~

(b) confer upon any person any right to place or drive or to authorise the placing or driving of any vehicle on or over any part of the lands in relation to which he would not have been entitled to exercise such a right if this section had not been enacted.

PART IV
—cont.
Offences.

34. Any person who—

- (a) contravenes the provisions of subsection (1) of section 32 (As to erection of structures and removal of trees etc.) or of subsection (1) of section 33 (Regulation of traffic over the lands) of this Act; or
- (b) fails to comply with any condition subject to which any consent under subsection (1) of the said section 32 was granted to him;

shall be liable on summary conviction to a fine not exceeding forty shillings.

Vesting of materials etc. in Hammersmith Council and saving for rights and liabilities.

35.—(1) Any paving or other materials or things provided and used by the Hammersmith Council for the purposes of this Part of this Act (including any growing things planted by the Hammersmith Council in any part of the lands) shall be and remain vested in the Hammersmith Council but subject as aforesaid nothing in this Part of this Act shall be construed to vest the lands or any part thereof in the Hammersmith Council.

(2) Save as expressly provided therein nothing in this Part of this Act or done thereunder shall derogate from any estate right or interest of any person in any part of the lands or in relation to the embankment wall of the river Thames adjacent to the lands.

(3) Nothing in this Part of this Act shall affect the incidence of any liability to provide for the execution of any flood works under the Thames River (Prevention of Floods) Acts 1879 to 1929

(4) Except with the consent of the occupier of any boathouse the powers conferred upon the Hammersmith Council by this Part of this Act shall not be exercised in such a manner as to prevent the passage of boats between such boathouse and the river or the reasonable use by such occupier for the temporary deposit of boats thereon of a part of the lands which such occupier was entitled to use for that purpose before the passing of this Act.

Note (5) Nothing in this Part of this Act shall derogate from any power of the Council under the Act of 1936 in relation to sewers and any expense reasonably incurred by the Council in carrying out any alteration to any manhole or other works connected with a sewer vested in the Council which the Council may consider necessary by reason of anything done by the Hammersmith Council under this Part of this Act shall be repaid to the Council by the Hammersmith Council.

(6) Except as may be otherwise agreed between the Hammersmith Council and the London Electricity Board (hereinafter in this subsection referred to as "the board") the Hammersmith Council shall so exercise the powers conferred upon them by

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