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PRACTICAL HOUSING

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PRACTICAL HOUSING

BY

J. S. NETTLEFOLD

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With a Preface by the Right Hon. Alfred Lyttelton, K.C., M.P.

POPULAR EDITION

*Chapter IX. explains the Housing and Town Planning
Act, 1909*

T. FISHER UNWIN
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TO MY EDITOR

“The problem of the last generation was to provide gas and water ; the problem of the next is to provide light and air.”

PROFESSOR MUIRHEAD.

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PREFACE TO SECOND EDITION BY THE
RT. HON. ALFRED LYTTTELTON, M.P.

25204

MY DEAR NETTLEFOLD,

The phrase is often misused—nevertheless, I am going without fear to say that I think it an honour to comply with your invitation to write a brief preface to this book. Ever since those days when you showed me in Birmingham the evidences of the work of the committee of which you were the chairman I had looked forward to the publication of "Practical Housing," for I knew that if you could set forth the methods which you have there pursued, the feet of many willing and ardent reformers would be set upon an ordered and well defined track. I for one would gladly traverse many dusty miles to achieve the ends to which you aspire; but there is no dust in the pleasant paths of this volume, which I read at a single sitting with absorbed interest and with general and cordial agreement.

In the problems of social reform presented by an old and complex civilisation such as ours we are often confronted by the pathetic spectacle of men so inflamed by the contemplation of evil and suffering that in their reforms they choose speed and violence in preference to patient persuasion. The strong hand is of course here and there necessary and must always be known to be in reserve. But good constructive workers in fields strewn with the débris of past mistakes must be cautious; must not enlist on the side of ancient abuses the sentiment of Justice which revolts against the sacrifice of the individual for those general errors for which the community is responsible, and must bear steadily in mind that impatience of financial burthen especially in the form of rates which, as we must all recognise, is a primary and powerful political motive among our people.

The student of your book will find illustrations of your firm grasp of these truths in your preference of the slower and far cheaper methods of Part II. of the Housing Act of 1890 (recently confirmed by a valuable and weighty report of the Mansion House Council, 1908), and in the general attitude you advocate as becoming in a public authority towards property owners; by your suggestion of careful and patient explanation of the precise improvements which owners are compellable to make, their specification and cost; by your

pleas for some reasonable elasticity in respect of bye-laws, and for time for making improvements so necessary in this sphere of business, and by your recognition of the value of conference and co-operation as distinguished from official decrees made without consultation and enforced without consideration.

As one who has had a fruitful practical experience of town planning at the Garden Suburb at Hampstead, I have naturally looked at the part of the book dealing with that subject with peculiar interest. No branch of the Housing problem more imperatively demands the application of the principles above set forth, which I believe we hold in common. If compulsion is looked to rather than persuasion as the rule, not the exception, in the acquisition of land, if hard and fast schemes are driven through against dissenting owners, if local opinion—even local prejudice—is not attended to, if conferences with local worthies accustomed to respectful audience in village gatherings are neglected or hurried, the machinery for bringing Town Planning Reform into prosperous operation will creak and groan from the first; the co-operative spirit will be damped, open spaces, recreation fields, public concert and reading rooms—the symbols of friendly association, good fellowship and civic sympathy—will lose their significance and will be started in a discordant environment, greatly impeding if not destroying their full opportunity of success.

But I am drawing nigh the perilous regions of the didactic, and must hasten to a close.

This popular edition should be read and digested by everyone who aspires to doing something for the greatest of all social causes. If my warrant can add anything to the just reputation of the book, here it is for what it may be worth under my hand and seal.

The book is good reading, lucid, is stamped with the hallmark of ripe experience, penetrated throughout by sense, knowledge, sympathy and rational enthusiasm. You are to be envied for having written it; soon I shall pity those who have not read it.

Yours very faithfully,

ALFRED LYTTTELTON.

AUTHOR'S PREFACE TO FIRST EDITION

SINCE "A Housing Policy" was written, it has been my good fortune to discuss this question with leading public men and officials in various countries, and by correspondence to obtain information from many others. It is impossible to thank by name all who have helped in the production of this book. I have done my best to avoid taking credit to myself that is due to others.

Great pains have been taken to verify every fact and figure given. When these are used as the basis of an argument in favour of my own view, care has been taken to understate the case; whereas, with regard to opinions contrary to my own, an exactly opposite method has been adopted. While holding my own views strongly, I have endeavoured to be absolutely fair to opponents.

Many who disagree with the policy of self-help will yet accept some of the proposals made, while strenuously disagreeing with others. I hope it is possible for us to differ without quarrelling. Our object is the same; we are both striving for the social ideal. Our methods, not our motives, differ.

Differences of opinion amongst those genuinely desirous of reform are natural, and, indeed, essential to a successful solution; but quarrels amongst ourselves are merely waste of time.

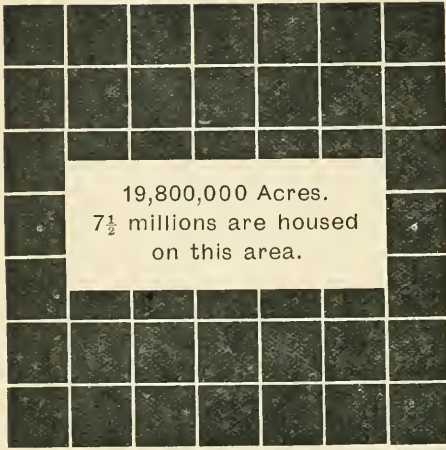
On this, at any rate, we are agreed—that the present conditions are thoroughly bad. Not only are lives lost through insanitary housing conditions, but, worse still, a chronic condition of low vitality and ill-health is fostered in our towns.

This moves to compassion on the sentimental side, but it should also rouse to energy on the commercial side. That is the point of view I have endeavoured to put. I believe everything advocated here is commercially sound, and a sound economic basis is essential to reforms if they are to be permanently successful and generally acceptable to this hardheaded nation.

If business energy and business methods can be combined with a just compassion, then the Housing problem will be on the way to solution.

AUTHOR'S PREFACE TO SECOND EDITION

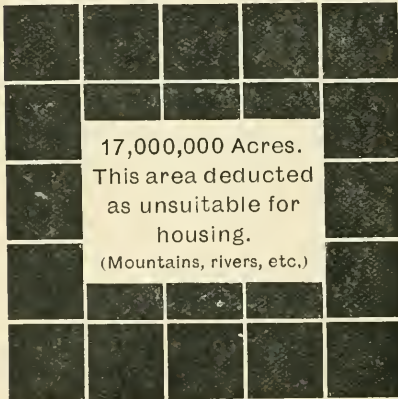
I HAVE to express my sincere thanks for the way in which " Practical Housing " has been received by the public. In this Second Edition an attempt has been made to cut down the size of the book so as to bring it within reach of an even larger public, and some parts have been re-written in order to bring them up to date. I have also endeavoured to explain what can be done under the 1909 Act.



152,000.
Acres



12 millions are housed
on this area.



48,000
Acres



13 millions are housed
on this area.

DIAGRAM SHOWING DISTRIBUTION OF POPULATION IN ENGLAND
AND WALES AT PRESENT.

AREA : 37,000,000 ACRES.

POPULATION : 32,500,000.

Practical Housing

BY

J. S. NETTLEFOLD

CHAPTER I

A GENERAL SURVEY



URING the last fifty years no fewer than twenty-eight Acts of Parliament have been passed dealing with the Housing Question, and for the last ten or twenty years a strenuous agitation in favour of Housing Reform has been steadily growing; yet up to the present little real improvement has been made, and England is only just realising

how badly her people are housed, and that the house itself is only the beginning of the Housing problem. Surroundings, means of transit, open spaces, and light and air have an equally important part to play.

We have to-day comparatively few good houses and a mass of slums—a few wide main arteries for through traffic, and a network of unordered streets—a few large parks, but no playgrounds for the children of the gutter. Worst of all, our towns are being extended on unhealthy, unlovely, and expensive lines.

There is still another important point to be remembered. The Housing Question must be dealt with on broad lines as a national question. The result of leaving it to individual municipalities without direction, has been that they have done a little building here and there without regarding the wider issues.

Considered as an experimental stage, this policy has certain advantages, but it would be fatal to prolong it.

Those engaged in solving the Rural and the Urban Housing problem must join hands. The two are closely dependent upon each other, and whereas the details of each must be left to specialists, the same general principles must be brought to bear on both, and the land of England must be dealt with as a whole, and not, as now, in piecemeal fashion. The best must be got out of it, with benefit to the community as well as to the owner. The light and air essential to human health must not, as at present, be denied to a large proportion of the population by overcrowding on the ground space. The rights of private property in land, as in other things, must be recognised, but there should be no monopoly in light and air.

A general survey of the whole country shows that only a very small proportion of the poorest classes are properly housed, and a great many of those who are a little better off are not provided for as healthily as they ought to be for the rent paid.

The total area of England and Wales is about 37,000,000 acres, and in 1901 the population was just over 32,500,000, which means that if the population were evenly distributed over the whole country, each man, woman, and child in England and Wales would have just over an acre of land to live upon. Any suggestion to disperse the population in this manner would quite rightly be considered insane. It is equally insane to go to the other extreme, as we do at present. The diagrams at the beginning of this chapter illustrate the case. These diagrams have been arrived at in the following manner: When considering the question of housing the people of England on the land of England, we must not forget that a large quantity of this land is unsuitable for building. In order to be well on the safe side, let us deduct 17,000,000 acres; there remains 20,000,000 acres, on which 32,500,000 people live and have to earn their bread; that is, just under three-quarters of an acre per person, or about three acres per house.

These figures show that even in England, which is the second most thickly populated country in the world, there is plenty of room and space to live upon, if organisation and business principles were applied to the Housing problem.

It is useless to attempt to overcome the forces that result in forming large centres of population on comparatively small areas of land; that is, we cannot abolish towns, but we might, by the exercise of foresight and co-operation, largely control their development and direct their growth on sensible lines.

Out of our total population of thirty-two and a half millions twenty-five millions live in County Boroughs, Boroughs, and

Urban Districts, whose area is rather less than 4,000,000 acres. The remaining 16,000,000 acres of rural building land provide housing accommodation for only 7,500,000 people.

The 4,000,000 acres which comprise our County Boroughs, Boroughs, and Urban Districts are divided into County Boroughs and Boroughs on 500,000 acres, and Urban Districts on 3,500,000 acres. We must deduct three-fourths from the 500,000 acres in County Boroughs as areas occupied by warehouses, manufactories, business premises, railways, etc., and also as areas of undeveloped land, and then we find that not more than one-fourth—that is, only 125,000 acres—are used for housing purposes. By the same method it has been ascertained from carefully prepared statistics that of the 3,500,000 acres comprising Urban Districts, not more than one-fiftieth is used for housing the people. One-fourth of 500,000 is 125,000 acres, and one-fiftieth of 3,500,000 is 70,000. Add these two results together and we get 195,000, say 200,000 acres, as the total amount of land on which 25,000,000, out of our total population of 32,500,000, are housed.

Thirteen millions of these 25,000,000 are living in 2,600,000 tenements of four rooms or less. Each of these tenements, including the air space round it, certainly does not, on the most liberal calculation, occupy more than 1,000 square feet. 2,600,000 tenements, at 1,000 square feet each, will together occupy about 60,000 acres, leaving 140,000 acres for the other 12,000,000 who live in County Boroughs and Urban Districts.

That is to say, two-fifths of the population of England and Wales are crowded together on just over one-eight-hundredth part of the total land of the country, another two-fifths occupy a little more than one two-hundred-and-fiftieth part, and the remaining fifth is scattered over the rest of the land. The first plate shows the proportions in diagrammatic form.

It is not suggested that diagrams of this sort can possibly be mathematically exact, but I am convinced after careful reckoning and checking that the diagrams give a correct impression of the way in which we “practical” Englishmen overcrowd dear land and leave cheap land vacant, regardless of the fact that it is much healthier and pleasanter to use cheap land, for the simple reason that for any given expenditure in rent much more of it can be obtained.

That is not all; those who have observed the existing Housing conditions in this country are aware that in the vast majority of cases poor people live on dear land and rich people live on cheap land, “which is absurd.”

The consideration of the question how to house properly the people of England on the land of England, reminds us that in theory the land of England all belongs to the Crown, and through the Crown to the people. In practice it belongs to a large number of individuals, whose object is (and under present circumstances, no fair-minded man can blame them) to get as much as possible out of their land. This is just what the business man does with his brains and the working man does with his labour; but all sorts of laws, from the Factory Acts onwards, have been enacted to prevent capitalists, brain workers, and hand-workers from making money by sweating their fellow-citizens, whereas no law has yet been enacted in this country to prevent land-sweating—that is the reckless overcrowding of human beings on the land in badly-planned towns. This omission has not only seriously injured the vitality, and therefore also the wealth-producing power of large numbers of English men and women, it has also resulted in the wasteful neglect of the food-producing possibilities of more than half the land in this country.

Town and country have been separated from each other, instead of being intermingled as they should be. Bring the producer and consumer of food nearer together by careful planning and organisation, and both would benefit. The producer would get more for his labour and the consumer pay less for his food, because the cost of transfer would be reduced. In addition to this, large tracts of land, now worth very little, would command a higher price.

Every patriot deplors the deterioration in the physique of our town dwellers, and every economist recognises that it will have to be stopped if England is to maintain her present high position among the commercial nations of the world.

By skilful organisation a man may get the most possible out of workshops and machinery without sweating his employees, and he thereby benefits the nation as well as himself; the man who gets the most possible out of land by putting fifty or sixty houses on the acre, does incalculable mischief to his fellow-citizens, and in the long run those who buy such houses find that it is very bad business. Sooner or later the Sanitary Authority is bound to come down upon them, and insist upon the heavy expenditure necessary to make the houses fit for human habitation.

The great energy already applied to the solution of the Housing problem by countless disinterested men and women has not, as yet, produced much tangible result, compared with what requires to be done; but it has made it possible

now to take a great step forward on more comprehensive lines, and Mr. Horsfall, of Manchester, has given to England at the psychological moment the inspiration required by his exposition of Town Planning.

We have been entangling ourselves with regulations as to the thickness of walls, the cubic contents of rooms, and the minimum width of roadways, without securing quality in the building material, and consequently sound houses. We also continue to allow disastrously excessive numbers of houses per acre, and we provide no playgrounds for the children or resting-places for the older people, except by private charity.

Mr. Horsfall has suggested how we can make our towns healthy, cheerful, and convenient, and careful consideration has shown that this suggestion can be carried out with material as well as moral benefit to all concerned.

Public opinion is more than ready for Housing Reform, and Town Planning will be found upon examination to be a sound business proposition for dealing with the difficulties in a comprehensive manner, instead of our present piecemeal fashion.

For the last century England has been developing her industrial possibilities with a rapidity unequalled in the history of the world, and at the same time has almost entirely neglected her agricultural opportunities.

Town Planning, together with cheap and rapid means of transit, now make it possible to combine the means of livelihood in our towns with the health-giving opportunities of the country.

It is not only ridiculous, but obviously unfair, that land in our country districts should only be worth tens of pounds per acre when land in our towns, which in itself is worth no more if as much, should fetch as many thousands. Under capable administration this state of affairs could certainly be improved upon.

It is not suggested that the introduction of Town Planning would immediately, or, indeed, ever entirely adjust this irrational discrepancy, but it will be obvious to the most casual observer that, by restricting the number of houses to be built per acre, a much larger amount of land will be brought into use than is the case under present conditions.

It will be my endeavour in the following pages to convince my readers that Town Planning and the other remedies advocated will, if applied with patience and justice, achieve the end in view with the least possible present hardship, and the greatest possible ultimate benefit, to all concerned.

CHAPTER II

EXISTING EVILS AND THEIR CAUSES



IN the preceding chapter it has been shown by a general survey of the country as a whole how extravagant and thoughtless we English are in the matter of Housing. We overcrowd dear land and leave cheap land vacant, despite the fact that it is better to live upon cheap land, because you can get more of it, and therefore more space, light, and air.

This statement is just as true of our towns taken individually as it is of the country taken as a whole. There are very few, if any, towns of any size in England where there is not enough land for the people to live upon in health and comfort, if only they were evenly distributed over the area available for the purpose.

On the one hand, there is in every town a considerable acreage, especially near the boundary, free from buildings, and there is also a considerable acreage grossly overcrowded. If this population now overcrowded in the slums were evenly distributed over the whole area, there would be plenty of room for everyone. Such distribution would also benefit the landowners, who would be better off than at present, because there would be so much more land bringing in a reasonable income, instead of a small proportion earning high ground rents, and a large proportion earning practically nothing at all.

It is the fashion nowadays with a certain class of social reformers to ascribe the present unsatisfactory state of affairs to the selfishness of landowners and property owners. I venture to suggest that the real cause lies much deeper. Our unhealthy, unlovely, cheerless, and expensive towns are, in my opinion, due more to the faults of our system than to the shortcomings of any class or of individuals. I do not suggest that the individuals concerned are faultless: they are human like the rest of us, and naturally look to the main

chance; but those engaged in town development and house building are no worse than the rest of us.

Our present inelastic bye-law system harasses them unceasingly on all sort of details without preventing land speculation and jerry building, and it does not attempt the one thing which might be useful—a comprehensive control of town development.

Far from assisting, it actually discourages co-operation between those engaged in the work of developing our towns and those responsible for supervising the work; that is to say, it gives no power to Local Authorities to differentiate between a public-spirited landowner and the most unscrupulous land speculator and jerry builder.

Our present system often prevents the respectable landowner and housebuilder from laying out his land in the best way, but the land speculator and jerry builder manage to evade hampering restrictions.

The holding up of land near large towns is one of the causes of overcrowded suburbs. This is not always due to greed of gain: landowners sometimes withhold their land because under present conditions this is the only means of protection against the jerry builder.

Town extension is a most difficult and complicated problem, and without complete co-operation between those engaged in the provision and supervision of proper Housing accommodation for the people, we are doomed to utter failure. This has been too often the case in the growth of English towns.

Accurate foresight is a gift possessed by no human being, but many have foresight in a greater or lesser degree. In the matter of town extension, there is no faculty more desirable or more economical to the pockets of the ratepayers than foresight, and yet, in this "practical" country of ours, Local Authorities and others responsible for the important business under consideration have no powers or encouragement whatever to exercise it.

As an example, Local Authorities have no power whatever, unless they buy land at a prohibitive price, to insist upon an adequate width for roads that are already, or will evidently soon become, main arteries of busy traffic. This has cost the ratepayers of England a very large sum of money.

Statistics collected from the County Boroughs and Boroughs of the Kingdom show that at least thirty millions of money have been expended during the last quarter of a century on street widenings and other absolutely necessary improvements of that nature. A very large proportion of this expenditure—it is impossible to say exactly how much, but between twenty and twenty-five millions—has been spent

on compensation for the demolition of buildings which never ought to have been put up, and never would have been put up on such sites if Local Authorities had possessed the Town Planning powers now advocated by almost everyone who has given the slightest attention to the subject.

Modern means of communication have made more land available for Housing purposes than was the case when people were obliged by the exigencies of their occupations and the absence of cheap, quick means of transit to congregate in very restricted areas. This means that it should now be possible, with good management, to get land for purely Housing purposes much cheaper than formerly, because there is an infinitely larger supply at our command. But in order to avail themselves to the utmost of the possibilities of modern means of cheap, rapid transit, it is essential to have much wider main thoroughfares than are at present to be found, except in a very few of our English towns. Under the present system, this essential to healthy Housing at reasonable rents is never thought of until the cost of street widening is almost prohibitive.

Passing from the exercise of foresight and returning to the practice of co-operation, we find that, owing to the absence of co-operation, not only between Local Authorities and landowners, but also between neighbouring landowners, the town dweller (who eventually has to suffer for all the mistakes that are made) is called upon to find much more in rent and rates than would be necessary under proper organisation, and has to put up with all sorts of inconveniences and annoyances that might quite easily have been avoided.

Let us examine what now takes place when a landowner decides to develop his land for building. Our present regulations stipulate that every new street must be of a certain minimum width largely regardless of what traffic is likely to go along it. The sides of the streets must be curbed and channelled and the footpaths paved with flagstones in a most expensive manner. This entails a very heavy expenditure in estate development, which, on the average, is about equal to the value of the land that is going to be developed. The result of this heavy expenditure is that the landowner, in order to get a return on the capital invested, crowds just as many houses per acre on to his land as the bye-laws will allow. That is, the model bye-laws allow fifty-six houses to the acre, whereas, from the hygienic point of view, there should not be more than twelve, and this would be economically feasible on Town Planning lines.

At present, if a progressive landowner expresses his willingness to restrict the number of houses per acre to twelve,

instead of fifty-six as allowed by the bye-laws—provided the Local Authority will meet him in the cost of estate development by allowing him to make the roadways as wide as, and no wider than is required for the traffic that will pass over them, although maintaining the present distances between the houses—he is told at once that the bye-laws are prohibitive. The Local Authorities are not to blame for this, but only our short-sighted, narrow-minded bye-law system. If Local Authorities had more latitude allowed to them in the administration of their bye-laws, they could materially reduce the cost of estate development, and thereby obtain a reduction in the number of houses built per acre, and ensure the provision of open spaces.

It is fortunately becoming more and more recognised every day that open spaces are as necessary to the health of a town, as streets are to its traffic. The provision of allotments, as a counter-attraction to the public-house, could also be arranged for, if only these things were thought of beforehand. Under our present system, these boons to the self-respecting working-man and his wife and children are never thought of until it is too late to provide them at a price within the means of the ratepayers or the rent-payers of our large towns.

I hope I have said enough to show the necessity for co-operation between Local Authorities and landowners. There is also urgent necessity for more co-operation between adjoining landowners. It is obvious on the face of it, that the community would be greatly benefited if the land in any neighbourhood were developed as a whole, and not piecemeal; but this aspect of the question, as well as every other aspect, must be considered from the point of view of those who own the land, as well as from the point of view of those who use it.

More than one practical land agent of good standing has informed me that there is no greater loss to landowners under our present incoherent system, than the power of one landowner to seriously depreciate his neighbour's property. Each landowner develops his own little bit in his own little way, and very often purposely plans his roads, and makes his other arrangements so as to inconvenience and injure his neighbour.

This is no doubt partly due to our national love of independence, which in its proper place is a most useful trait, and is largely responsible for England's present position among the nations of the world, but which, in this matter of housing, has resulted in great inconvenience and expense to those who use and live upon the land, as well as in serious

loss to the owners of land. The time has come to substitute large-minded co-operation for small-minded independence. A sound Town Planning Act, administered with vigour and discretion, would put an end to the silly bickerings that have done so much harm in the past.

It should be possible to approximate the poor man's housing conditions more nearly to the present circumstances of the rich man, and to relieve the rich classes of the constant dread that their houses may be spoilt and the value of their property diminished by the erection near them of a jerry-built suburb. It should also be possible to save money for landowners, house-builders, rent-payers, and rate-payers. Town Planning is urgently required quite as much in the interest of public and private economy, as in the interest of public health and well-being.

The present unnecessary waste of public and private money in our large towns is almost, if not quite as bad as the thoughtless destruction of human life and human health.

There is still another aspect that claims our thought and care, and that is the influence of beautiful surroundings on the enjoyment of life. How can we expect people to be happy and contented unless we provide them with some means of rational enjoyment? The rich can provide their own, but the poor have little or no means at their disposal in our modern English towns.

I have already dealt with open spaces, playgrounds and allotments. There are many other important details that might be mentioned. I will only deal with one. Under present conditions, when a new estate is developed for building, the first thing done is to cut down trees that have taken fifty or one hundred years to grow, and which, if left standing, would be of great value to the health of the district, as well as greatly adding to the cheerfulness of the neighbourhood. This is done because no street must be of less than a certain minimum width, and because, as already explained, the largest possible number of houses must be crowded on to the land in order to repay the cost of street development.

This may seem a small thing to those who, without thought, can look at trees every day and do consciously or unconsciously enjoy the changes that come over them at the different seasons of the year; but those who have seen the keen delight of slum children in country sights and sounds, may realise what the entire deprivation of such influences in their lives must mean to their development.

There is no country in the civilised world so well wooded as England is in its rural districts. There is no civilised country where the towns are so badly off for trees.

The rich man sets his house as far back as possible from the road, and has a tree-planted drive or footpath to the front door. The poor man is forced to live right on to a wide and dusty road, and has to pay extra for doing so, instead of being allowed to have a narrower roadway, with trees on either side. The rich man gets peace and quiet when he gets home after his day's work is done. The poor man often lives in a noise, night and day, and is charged extra for it.

On the one hand, not only unnecessary but actually wasteful expenditure, such as the cutting down of well-grown trees, etc., is forced on landowners and housebuilders, and on the other hand, the housing accommodation provided is just what is not required from the hygienic or any other point of view.

The net result of all this waste is that in the rent of a 6s. 6d. house, about 2s. 6d. is due to local rates—the interest on the cost of land and of estate development—an item which could be considerably reduced by the adoption of common-sense business principles.

Our inelastic bye-law system is infinitely better than what went before it, but the time has come to take advantage of the experience of the past. The time has come for more co-operation between all concerned with the development of our towns, and the exercise of greater foresight, which can only be made possible by the introduction of comprehensive municipal control.

Just as in business the absence of foresight inevitably results in failure, so in Housing most of our difficulties are due to want of foresight and the absence of co-operation. Without foresight and co-operation we shall continue to be recklessly extravagant with public and private money, as well as criminally destructive of the national health and well-being. With foresight and co-operation, there are great economies to be effected, as well as great public improvements to be made. At present Local Authorities have little power to carry out these principles themselves, and still less to encourage them in others.

Another cause of the failure to solve the Housing Problem—and no one claims it is yet solved, in spite of stupendous efforts in that direction—is that for the last fifty years all legislation passed with the object of ensuring that new houses built shall be sanitary and not too expensive, has been inspired with the idea of encouraging and assisting semi-philanthropic Trusts or Companies and Local Authorities to build the houses. No serious attempt has been made to encourage and control in a comprehensive manner the very

much larger number of people engaged in house-building on ordinary business lines. The operations of this body of house-builders are at least ten times as large as those of all the philanthropists and Local Authorities put together, and must of necessity always be so.

The result of the omission to effectively control this large body of housebuilders has been, as was only to be expected, a very few good houses and a great many bad ones.

It is still open to Parliament to strike out a new line by introducing legislation to encourage, assist, and control all and sundry concerned in such an important native industry—the housing of the people. Opinions may differ—they do differ—as to the wisdom or unwisdom of Municipal House building, but all must agree that no Local Authority can raise enough money to build houses for more than a very small proportion of the population whose local affairs they are called upon to administrate.

It is therefore essential that Local Authorities should be given effective control over all the developments and building operations in their districts, and not merely, as at present, power to harass on details.

Finally, in considering the evils from which our towns are suffering, let us remember that they are the growth of ages. Other conditions have arisen comparatively recently, which have not only aggravated these evils, but have also called our attention to them.

We are distressed that we cannot find the right remedy at once, or that when found it would not at once alter the conditions we deplore. But nothing is truer than that Rome was not built in a day, nor will our towns be re-built in a day. But Rome *was* built, and with patience and persistence our towns may be re-built. Housing reformers must not expect to see the complete fulfilment of their wishes in their own lifetime. They must be content to lay the foundation of a sound policy which others will be able to carry on for the benefit of a future England.

CHAPTER III

REMOVAL OF EXISTING EVILS—I



THE last chapter dealt with the causes of existing evils in suburbs that have been built under the model bye-laws. These were designed to ensure that town populations should have healthy dwellings with cheerful surroundings, but they have failed dismally to achieve their purpose.

The present chapter and the next will deal with the removal of existing evils, more especially in the older parts of the towns. No one approves of the modern suburb, but at any rate it is better than what went before it.

The worst conditions are found in the centres of our towns ; but we already possess considerable power for dealing with them, which, as Mr. John Burns says, have not been used as fully as they might have been.

The causes of the fearful congestion of town houses may be summarised under the following heads :—

1. The necessity for working people to live close to their work, owing to the want of cheap, quick means of transit.
2. The absence in earlier times of proper police protection outside the city.
3. General ignorance concerning the vital importance of light and air.

These causes, coupled with the fact that the necessity for building bye-laws was not then recognised, are largely responsible for the hovels and dens which should be swept away as soon as possible. It is quite true that since these places were built there has been plenty of time to write off all the capital expenditure incurred, and in any well-managed business this would have been done long ago, but the owners of small house property have seldom had a sound business education, and therefore some allowance should be made for

their business inaptitude. This necessity is recognised by Section 38 of the Housing of the Working Classes Act, 1890, which gives Local Authorities power to pay compensation for the demolition of buildings that obstruct the light and air to adjacent dwellings.

Prudence and patience are essential to permanent success in this work. Those who try to undo in a year or two the evil results of centuries of ignorance, are doomed to failure before they start. I yield to none in feelings of distress at the present state of affairs in the central districts of our large towns, and I confess that my heart is often rent by the sufferings I have to witness, and can only hope slowly to alleviate; but those who allow their hearts to run away with their heads always do more harm than good. The heart is an excellent motive power, and without it little or no progress would be made; but when it is not governed by the head, the results are disastrous.

There are two forms of procedure for the improvement of bad housing conditions in large towns; (*a*) those who want to do everything at once adopt Part I. of the Housing of the Working Classes Act, 1890; and (*b*) those who prefer to hasten slowly take Part II. of the same Act.

The consideration of a few general principles should precede the explanation of these methods.

1. A policy of Housing Reform cannot be satisfactory unless it is capable of being applied to the whole district that requires dealing with. Some policies are so expensive in practice that all the available funds are exhausted long before one-tenth of the improvements have been executed. I am not one of those who vote against all expenditure of any kind; I have seen too many cases where this attitude of mind has resulted in saving a penny and spending a pound. Thoughtless economy—or, rather, parsimony—is often quite as expensive in the long run as thoughtless extravagance. We must, however, before advocating any policy of reform, consider whether it is possible to raise sufficient money to complete the work. This is just where so many housing reformers have failed; they see an unhealthy area and determine that at any price it must be re-built. It is impossible not to sympathise with their feelings, but municipal building is very costly, and such action has often committed reformers to huge expenditure on small areas, leaving them without sufficient resources to deal with the rest of the district.

The enormous expense incurred for the reformation of small areas has discredited Housing Reform with the general public, and driven the ratepayers as a whole into opposition. Useful members have lost their seats by the economy cry that

has not unnaturally arisen as the result of extravagant and unnecessary expenditure on this and kindred reforms.

2. Another most important matter for consideration is the general moral influence exerted upon property-owners by the policy adopted in the district. One policy will encourage owners to neglect their property in order that the Local Authority may buy it up, at a profit to the owner and a loss to the ratepayers. Another policy may be purely negative in its action. What is wanted is a policy that will encourage property owners to take care of their houses and make their tenants as comfortable as possible. In these days of rising rates it is of vital importance for the administrators of local affairs to strain every nerve to make the public money go as far as possible, and avoid using public funds for what can be done by private means.

3. A third important point to be remembered is to avoid inflicting hardship on those whom it is desired to help. The sudden demolition of a large number of houses on a small area must inflict great hardship on the tenants. If only a few houses at a time are dealt with in each district, the tenants have plenty of time and opportunity to look round for other accommodation, with the great advantage that no house famine is created.

It is also necessary to avoid as far as possible inflicting hardships on the owners of small house property. This entails great labour, but it is time well spent, because so much more work is done when those concerned are pulling together instead of different ways.

4. Another main principle must be the preservation of low-rented houses, and the increase of the supply of good cheap houses. The best authorities all agree that it is unsound to reduce rents to meet low wages, and that it is far better from every point of view to raise wages to meet rents. It is further recognised by reliable authorities that, speaking generally, wages follow rents. Where rents are high, wages are high, and where rents are low, wages are low. At the same time, a sudden large rise in house rent in any district would inflict great hardship on the poorer classes; they could not suddenly get a rise in wages to meet the rise in rent. A small rise in rent for a sanitary house, instead of the former insanitary hovel, has been found by the tenants to actually pay them in the long run. In a good home they have not the same temptation to go out in the evening and lose their money.

An increase in the supply of good cheap houses can be obtained by steady pressure towards repairing houses unfit for human habitation, and by the policy of Town Planning

advocated in other parts of this book. This will make it impossible for landlords to charge tenants more than a fair rent.

5. That brings us to the next main principle. It should be the endeavour of every Housing Reformer to encourage and assist the people to spread themselves out over a larger area of land in order that they may get a proper amount of light and air. Do not, however, destroy insanitary town houses for the pleasure of doing so if by any means they can be made fit to live in, because a certain percentage of the poorer classes are obliged by their occupations to live in the centres of our towns, and good cheap houses must be provided for them. At the same time, there are a great many (the number is increasing every week) who are able to, and who would, move outside if they were encouraged and assisted. That being so, it is quite safe from the point of view of supply and demand, as well as necessary from the point of view of sanitation, to destroy those houses which, in the words of the 1903 Act, are unfit for human habitation, and incapable of being made fit. It is also sound to remove all houses that prevent the admission of light and the free circulation of air to other dwellings. This gradual reduction of living accommodation in the centres of towns, coupled with Town Planning on the outskirts, will exert a steady outward pressure into the fresher country air, that must have a beneficial effect on the national physique.

It is only quite recently that the necessity for a steady outward pressure has been recognised by housing legislators and administrators. The old idea, unfortunately not yet dead, was that if any small houses in a town were demolished, then new housing accommodation must be provided in the same place for the same number of people as those displaced by the demolitions. The effect of this has been to perpetuate the crowding of town dwellings, the very thing that ought to be slowly but surely discontinued.

6. It must never be forgotten that the structure of a house is but the beginning of a dwelling. Proper surroundings are essential to a home. The most important of these are open spaces, which could in new districts be provided on business lines, without the assistance of charity, if Local Authorities were given Town Planning powers; and these powers could also ensure the provision of the wide main arteries necessary to enable people to get in and out of town quickly and cheaply.

A most important item in our general programme is the provision of small open spaces in congested neighbourhoods, which is a more difficult and expensive business, but by no means impossible, if attacked on comprehensive lines. These

should slowly but surely work up to a complete scheme, carefully planned out beforehand. If this method is adopted, great good can be effected at very small cost to the ratepayers.

Passing now from policy to methods, there are, as I have already indicated, two distinct ways of dealing with insanitary property; one by means of Part I. of the Housing of the Working Classes Act, 1890, and the other by means of Part II. of the same Act. I will first give short explanations of these two systems, and the amount of work done under each, and then we will consider their advantages and disadvantages.

Under Part I. the Local Authority must satisfy itself that the sanitary defects of any area cannot be effectually remedied otherwise than by making an improvement scheme for the rearrangement and reconstruction of the streets and houses on the area. This entails heavy expense and great delay in the preparation and exhaustive reports and minute detailed maps and estimates. The scheme has to be advertised several weeks; notice has to be given to every owner and an answer obtained; the Local Government Board has to be petitioned, and names of dissenting owners have to be given. The Local Government Board has to hold an inquiry to ascertain the correctness and sufficiency of the scheme and to hear objections. An Act of Parliament has to be obtained to confirm the order of the Local Government Board, and either House of Parliament may refer the scheme to a Committee of the House. The costs of the Local Authority in promoting the scheme, the costs of the Local Government Board itself, and also the costs of any owners opposing the scheme, may be charged to the Local Authority by the Local Government Board.

In addition to all this, there is a probable obligation to provide accommodation in a congested district for a working-class population equal in number to that displaced. It is the almost invariable experience of these schemes that the population displaced does not return to the new houses, but finds accommodation elsewhere; while others move in who would be much wiser to live outside the town.

All the land and buildings have to be bought up by the Local Authority on the terms of compulsory purchase, which entails paying anything from 10 per cent. to 50 per cent. above the real value. All the old buildings must come down, good and bad together. Very often manufactories and public-houses have to be purchased and demolished. The worse the neighbourhood, the more the ratepayers have to pay for the public-houses; whilst the demolition of the manufactories deprives the inhabitants of their means of livelihood.

Most schemes under Part I. entail the construction by the Corporation of new roads, new sewers, and new water-mains. On the top of this comes the rebuilding of the houses, some of which—indeed, often many of which—were quite satisfactory.

The expenditure incurred is very large for the result obtained; but that is not the worst feature. Bad landlords are rewarded for neglecting their houses, whilst good landlords are often penalised.

Under Part II. the procedure is by no means as easy as it might be, but it is far simpler, fairer, and less expensive than Part I.

It is the duty of the medical officer of health to draw the attention of the Local Authority to any houses in his district that in his opinion are unfit for human habitation. The Local Authority considers the representation of the medical officer of health, and, if it is thought to be justified, then an order is made that notices shall be served on the owners to repair their houses at their own expense, and not as under Part I., at the expense of the ratepayers. If the necessary repairs are not executed within a reasonable time, then the magistrates are asked to make a closing order, on the ground that the houses are unfit for human habitation. The object of applying for a closing order is to enable the Local Authority to prevent the owner from receiving rents for houses that are unfit to live in. If the closing order is granted, then the houses remain empty until the necessary repairs are executed, or until the time has elapsed (three months) which the Act allows the owner for doing what is required. If at the end of that time the owner has done nothing, then the case is again considered by the Local Authority, and, if circumstances justify such a course, a resolution is passed deeming it advisable that the houses shall be demolished. The owner is advised of the passing of this resolution and invited to attend a statutory meeting of those who have passed it, and state his reasons why the houses should not be demolished. If the Local Authority is satisfied with the reasons given, then the houses are allowed to remain standing. If it is not satisfied, a demolition order is made, against which the owner has a right of appeal to Quarter Sessions.

In my experience, which is now fairly long, this right of appeal has never been exercised, owing, perhaps, to the fact that demolition is not resorted to unless there are very strong grounds for doing so.

If a property-owner shows the slightest inclination to meet the authorities, it is always advisable to exercise patience, and give him a chance of carrying out his promises,

The object of Part II. is to ensure that houses that are unfit for human habitation shall be made fit to live in or demolished. It is generally impossible to achieve this end without removing one or more of the adjacent buildings, because the most insanitary houses of all are generally found in thickly-built neighbourhoods.

This necessity for the removal of obstructive buildings is specially provided for in Part II. Section 38 of the 1890 Act, which empowers Local Authorities to pay compensation in these cases. This power, carefully used with due consideration for the interests of the ratepayers, and sympathetic consideration of the wishes of property-owners, not only facilitates the work of slum reform, it also makes it possible to ensure thorough repair in place of the slum patching which is only too prevalent.

By dealing with individual houses in this gradual manner only bad property is repaired or demolished, whilst what is sound is left standing, thereby avoiding one of the causes of great waste under Part I., and also all danger of creating a house famine.

The procedure under Part II. is not only far less expensive than under Part I., it is also fairer, because it puts the cost of repairing insanitary houses on the right shoulders, and makes the neglect of small house property unprofitable. There are some who would amend Part I. in order to make it more workable, and no doubt the procedure might be improved in detail; but my contention is that Part I. is thoroughly unsound in principle, whereas Part II. is fair in principle, besides being efficient, and in practice very cheap.

Both Part I. and Part II. might be improved by amendment in detail, but the underlying principles would remain as they are. Part I. puts the burden of repairing insanitary houses on the ratepayers. Part II. puts it on the owners who are responsible for the bad conditions, which is a much fairer procedure, and which exercises an excellent moral effect on other owners. It is to be hoped that more attention will be given to Part II. With efficient administration this is much easier to work than may appear on the surface.

We now have to consider the tangible results of these systems.

The amount of work done under Part I. is so considerable and varied that space will not allow of giving it in detail. I shall therefore content myself with giving:—

1. The total amount of money spent on those houses of which the cost is ascertainable;
2. The number of houses provided for the money; and
3. The number of persons housed;

Up to 1907-8.

This will enable us to arrive at the cost per head of those provided for.

A very large number of houses provided by Local Authorities under Part I. have had to be omitted from these figures because, in spite of searching all the records published by those in favour of this policy, and also making special inquiries, it has been impossible to ascertain the cost.

So little has been done under Part II. dealing with individual houses, that fuller details can be given; but here again there is unfortunately no information as to cost, except in the case of Liverpool, Manchester, and Birmingham. It will, however, give a general impression as to the average costs of the two methods, estimates of such as will enable us to judge of the financial capabilities of Part I. for slum clearance. We can further consider whether Part II. is not worthy of a fairer and fuller trial.

My experience is that Part II., administered with vigour and discretion, is capable of doing what is required without putting any serious burden on the ratepayers, and it should be much more freely used. One thing, at any rate, is quite clear: Part I. has not failed for want of being tried.

It is probable that far better results would be obtained if Part II. were adopted all over the country instead of Part I.

To avoid confusion I will take only those houses provided under Part I., the cost of which is clearly given:—

10,805 houses have been dealt with;
 £4,202,655 has been spent;
 54,030 persons re-housed; giving an average of
 £77 15s. per person.

The cost per head of re-housing varies from £40 19s. in some places to £197 4s. in others.

Very many more than 10,805 houses have been dealt with under Part I., and, of course, a great deal more money spent; but the data are not sufficiently clear and reliable to justify their inclusion in this calculation and comparison.

The London County Council have been very active under Part III.,* which is less extravagant than wholesale schemes of purchase and reconstruction under Parts I. and II., which have also claimed a great deal of their attention. They give as the total amount spent to March 31st, 1906, as £4,115,890 under Parts I., II., and III., and they estimate their dwellings completed at that date accommodate 33,853 persons, which gives a cost of £121 11s. 7d. per person housed.

Since that date a great deal more has been done, and we

* Part III. enables Local Authorities to buy land and build houses in undeveloped districts.

are told that when all their schemes are completed, they will have housed 97,000 persons. We are not told what the total expenditure will be, and we notice in the accounts various ways of making things look better, such as taking the land—often bought at huge prices—into their accounts at what is called Housing Value, and putting the actual figure spent somewhere else.

WORK DONE UNDER PART II. (*see next page*).

Sheffield experimented with Part II. on their Scotland Street area, with the result that they rejected Part I. for that area, and completed the work under Part II.

Birkenhead, Bury, Merthyr Tydfil, Northampton, Walthamstow, have all worked under Part II., but no figures have been taken out.

WORK DONE UNDER PRIVATE ACTS, SIMILAR IN PRINCIPLE TO PART II., BUT GIVING THE LOCAL AUTHORITY POWER TO CLOSE INSANITARY HOUSES WITHOUT HAVING TO APPLY TO THE MAGISTRATES.

Newcastle.—Two hundred and forty-nine houses dealt with under their private Act, and only four under Part II.

Liverpool has demolished several thousand houses since the passing of their private Act of 1864. For some of these compensation was paid averaging £10 to £20 per house; for others no compensation was paid.

Manchester, up to 1901, had dealt with 8,000 insanitary houses, only finding it necessary to demolish 600. Average cost to the Corporation, £16 per house demolished.

From 1901 to 1907.—Represented, 5,573; repaired, 2,050; demolished, 711; pending lapse of notices, etc., 2,812.

Blackburn has closed 800 houses.

Leeds and other places have carried out schemes under Part II. that are similar in principle to Part I. Particulars of these schemes are not given, because in comparing Parts I. and II. I am only considering that portion of Part II. which enables Local Authorities to deal with individual houses. The portion of Part II. that provides for the carrying out of schemes is similar in principle to Part I., and therefore the same arguments apply, with the exception that the methods are less wholesale, and therefore less expensive to the ratepayers; but they are very much more expensive than the principle of dealing with individual houses, and calling upon the owners of insanitary houses to put them right at their own expense.

The cost per head of re-housing under Part I. averages

WORK DONE UNDER PART II.

| | Represented. | Thoroughly Repaired. | Demolished. | Under Repair. | Pending lapse of Notices, etc. | Remarks. |
|---|--------------|----------------------|-------------|---------------|--------------------------------|--|
| Birmingham | | | | | | |
| From January 1st, 1902, to January 1st, 1908 - | 4,111 | 1,446 | 981 | 342 | 1,309 | |
| Without Representation | | 334 | 24 | | | Thirty-three houses were repaired under magisterial supervision. |
| | | 1,780 | 1,005 | | | |

(22)

One hundred and thirty-five obstructive buildings have been removed at an average cost for compensation of about £33, and amounting to £4,422 5s. The administrative expenses have been £6,370 6s. 6d., making in all £10,792 11s. 6d. for 1,780 good cheap houses, that is £6 1s. 3d. per house, or taking five persons to a house, £1 4s. 3d. per person housed. The total annual charge on the rates has averaged half a farthing in the pound.

| | Represented. | Repaired. | Demolished. | Under Repair. | Pending lapse of Notices, etc. | Remarks. |
|-----------------------|--------------|-----------|-------------|---------------|--------------------------------|----------|
| Cardiff - - - | 147 | 96 | — | | 51 | |
| Hull - - - | 810 | 75 | 615 | | 120 | |
| Liverpool - - - | 937 | 259 | 304 | | 374 | |
| Since September, 1905 | | | | | | |
| Warrington - - - | 134 | 47 | 59 | | 28 | |
| York - - - | 335 | 174 | 62 | | 199 | |

Cost £7 per house dealt with.



LIVERPOOL : HORNBY STREET AREA : A TYPICAL COURT.

£77 15s. all over the country; but let us for the purposes of this comparison take it at £50.

The cost of replacing hovels with good cheap houses under Part II. works out in Liverpool at £7 per house. Taking the usual average of five persons to a house, this works out at £1 8s. per head. The cost per head in Birmingham of similar work under Part II. comes to £1 4s. 3d.

Other towns ought to be able to show equally good results; but in order to be on the safe side, let us suppose that, if Part II. were generally adopted, the cost might amount to £3 per head.

It is, I think, understating the case to say that there are at the very least 5,000,000 people in this country living in houses that urgently require improvement either in their fabric or surroundings. If the tenants are relieved under Part I. at a cost of £50 per head, the total sum required will be £250,000,000 which is far more than the Local Authorities could possibly raise for Housing Reform, even if they and their constituents so willed. If relief were secured under Part II. at a cost of £3 per head, the total amount of money required over the next ten or twenty years would be only £15,000,000—a large sum, but not an impossible amount, divided amongst 300 or so boroughs and county boroughs, and spread over a number of years.

Under Part II. it is possible to remove all the existing housing evils. Under Part I. it is a financial impossibility, no matter how generous and enthusiastic the ratepayers might be.

There are many other arguments against Part I., such as the undesirability of substituting tenement dwellings for self-contained houses, etc., but inherent financial difficulties make further criticism superfluous.

As Liverpool gives the best example of work done under Part I., a short description of their Hornby Street scheme (for which I am indebted to Mr. F. T. Turton) will be interesting, and may be compared with what has been done in Birmingham, where Part II. has been used to a greater extent than anywhere else.

“When the Hornby Street area was scheduled as an ‘Unhealthy Area’ in 1902, under the Housing of the Working Classes Act, 1890, the number of insanitary houses which it contained was 511, in addition to which there were 23 sanitary houses, making a total of 534, representing a population of 2,431.

“The insanitary houses were of the back to back type, situated in narrow and ill-ventilated courts, each court containing from ten to twelve houses. The sanitary

arrangements were very defective, in many cases one convenience being used by the occupants of five or six houses.

“ The total contents of the area was 27,600 square yards, and the freehold of the land and buildings was acquired at a total cost of £56,000, or £2 per yard; but it must be mentioned that five licensed public-houses were included in the area. Excluding these public-houses, the cost of acquiring the area represents 33s. per square yard.

“ Hornby Street is thirty-six feet wide, but by setting the buildings back from the existing building line for a considerable length of the street, the width between the main line of the buildings is now about seventy feet.

“ The frontages to the dwellings in Hornby Street have been laid out as grass plots flanked with a low wrought-iron ornamental railing, and here and there strong seats are provided for the use of the tenants only; while at the rear of all the buildings, separate yards have been avoided, and the whole space thus available finished so as to form large playgrounds for the children, it being expected that by this means the children may have room to play their games away from the dangers of street traffic.

“ The whole of the area comprises, as previously stated, a total of 27,600 square yards. Of this amount 2,019 square yards have been voluntarily given up for street widening, and 3,200 square yards allocated for the provision of grass plots in front of the dwellings.

“ In addition, the scheme provides for a recreation ground of 1,633 square yards in the centre of the area, surrounded on three sides by shrubberies six feet wide, and provided with gymnastic apparatus and a sand-pit about forty feet by twenty feet. A large shelter is placed in one corner of the ground, and a drinking fountain near by for the use of the children.

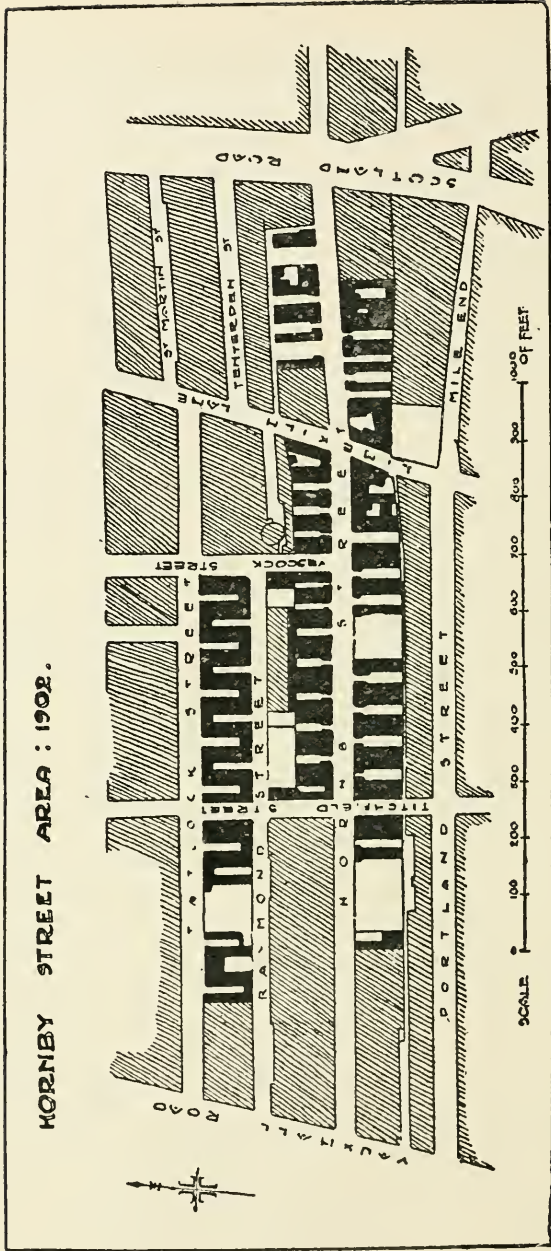
“ The new dwellings comprise twenty-three blocks containing 453 tenements, which it is estimated will accommodate 2,446 persons. There are 50 four-roomed, 221 three-roomed, 173 two-roomed, and 9 one-roomed dwellings, together with a superintendent's house, office, and stores, seven shops, a coal-yard, and a recreation ground of about a third of an acre in extent.

“ The buildings, with the exception of the superintendent's house, are three storeys in height, the height from floor to floor being, generally speaking, nine feet ten inches.

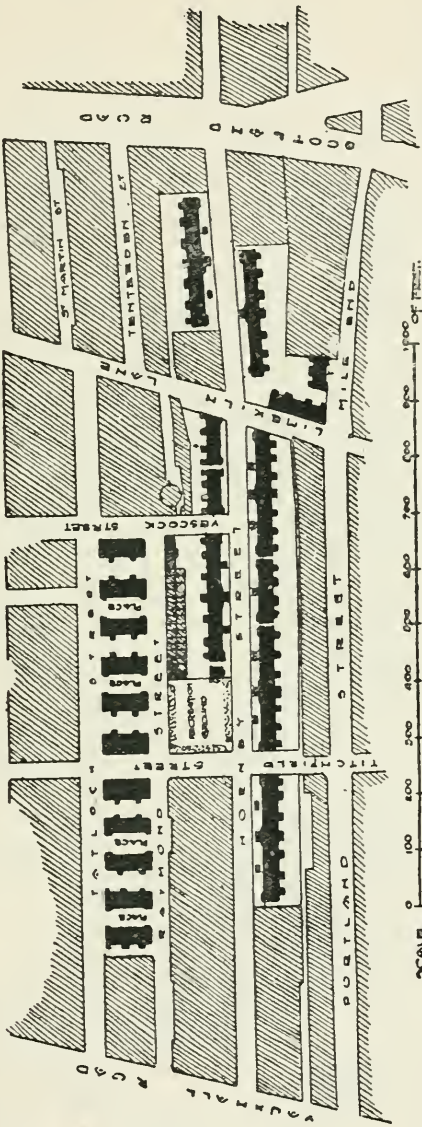
“ The construction of the buildings is of a fireproof character, the sub-floors consisting of rolled steel joists spaced about three feet apart and embedded all round in a thickness of seven inches of coke breeze concrete.

“ In the first place, a portion of the area was demolished

HORNBY STREET AREA : 1902.



HORNBY: STREET AREA: 1907.



which contained a population of 724 persons, and on the site so cleared new dwellings were erected to accommodate 768 persons.

“ A second portion was then demolished, and the persons dispossessed, viz., 822, had the opportunity of inhabiting the new dwellings erected on the first portion rebuilt. In like manner a third portion was cleared, from which 885 persons were dispossessed, and were accommodated in the new dwellings erected on the site of the second portion cleared. The new dwellings to be erected on the third portion are in course of erection at the present time.

“ As is generally known, a special feature of the work in Liverpool is that the Corporation will only accept as tenants those persons who have been dispossessed through the demolition of insanitary property; and in this connection it may be mentioned that when the first portion of the Hornby Street area was demolished, 71 per cent. of the persons dispossessed became tenants of the Corporation in their various blocks of dwellings in the vicinity.

“ When the portion at present in course of erection is completed, the disposition and rents of the whole area will be as under, viz. :—

GROUND FLOOR.

| | | | |
|----|--------------------------|-----|----------------|
| 15 | four-roomed tenements at | 5/3 | per week each. |
| 72 | three-roomed | „ | 4/6 |
| 61 | two-roomed | „ | 3/6 |
| 3 | one-roomed | „ | 2/6 |

And six shops with tenements, one let at 14/-, one at 12/6, and four at 12/- respectively, per week, and coalyard at 7/6 weekly.

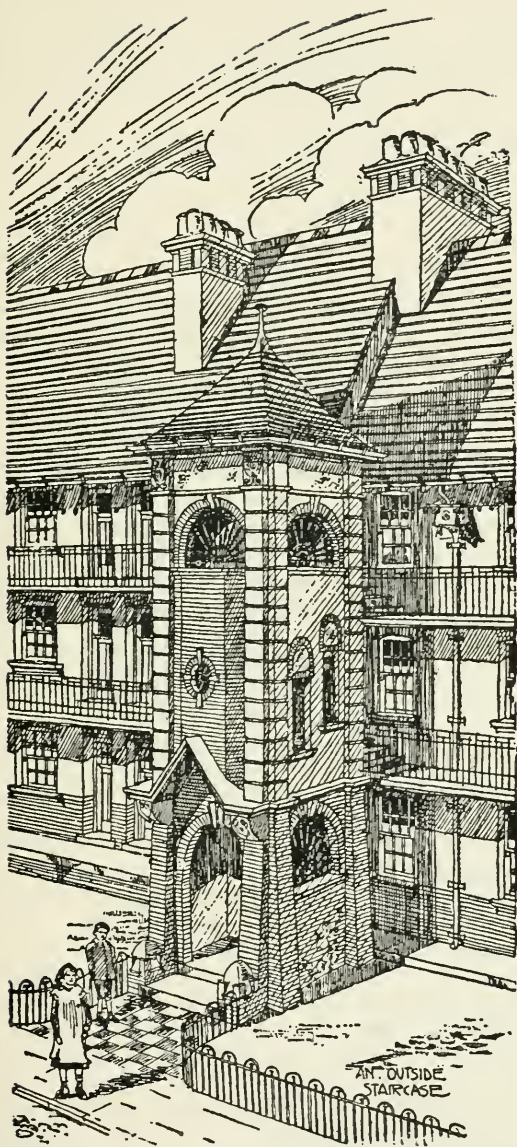
FIRST FLOOR.

| | | | |
|----|--------------------------|-----|----------------|
| 16 | four-roomed tenements at | 5/- | per week each. |
| 76 | three-roomed | „ | 4/3 |
| 56 | two-roomed | „ | 3/- |
| 5 | one-roomed | „ | 2/- |

SECOND FLOOR.

| | | | |
|--------------------------------|--------------------------|--------|----------------|
| 18 | four-roomed tenements at | 4/6 | per week each. |
| 72 | three-roomed | „ | 4/- |
| 48 | two-roomed | „ | 2/9 |
| 1 | one-roomed | „ | 1/9 |
| “ Total gross rental per week | ... | £89 | 9s. 6d. |
| “ Total gross rental per annum | ... | £4,652 | 14s. |

“ When the portion of the buildings at present in course of erection is completed, the total cost of the dwellings on the



whole of the area will be about £80,786, to which must be added £56,000, the total cost of the land, including Parliamentary and general expenses, which makes a total expenditure of £136,786, without counting a few odd extras which, I think, may fairly be omitted. The tenements provided are:—

| | | | |
|---|------|---------------|--------|
| 49 | with | 4 | rooms. |
| 220 | ,, | 3 | ,, |
| 165 | ,, | 2 | ,, |
| 9 | ,, | 1 | room. |
| <hr style="width: 10%; margin: 0 auto;"/> | | | |
| 443 | | Total number. | |

“ These 443 tenements are allowed by the Local Government Board to provide accommodation for 2,446 persons. £136,786 total expenditure, divided by 2,446, gives an expenditure of just under £56 per head.

“ For building alone the cost represents 5.77d. per cubic foot; but taking into account the formation of back streets, passages, and open spaces, it represents 6.06d. per cubic foot, or £66 per room.

“ In granting the loans necessary for carrying out of this work, the Local Government Board allowed eighty years for the repayment of the loan for the purchase of the land, and sixty years for the repayment of the loan in respect of the buildings.

“ The rents charged are as high as the tenants can afford to pay, and approximate very nearly to the rents paid by them in their former insanitary habitations.

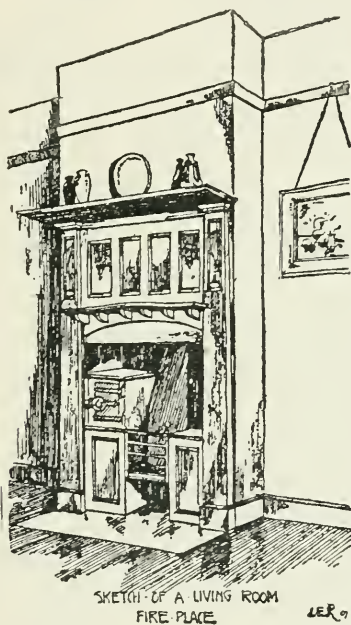
“ The poverty of the tenants generally can be imagined when it is stated that several thousand families in this city subsist on an average of less than 10s. per week, and a greater number on less than 15s. per week.

“ The improvement in the condition of the tenants in their new surroundings is very noticeable. The cleanliness of their houses has greatly improved, and in the general condition of the neighbourhood there is a distinct change for the better.

“ That these and other dwellings provided by the Corporation under similar conditions are appreciated by the tenants is best shown by the fact that there are rarely any to let, and that during last year 96 per cent. of the rent actually due was collected.”

The Birmingham work requires little description, as it has already been fully dealt with in “ A Housing Policy.” Photograph I. shows a row of houses when represented by the medical officer of health as unfit for human habitation.

Photograph II. shows a row of houses built in place of those shown in Photograph I. Each house has its own sanitary convenience, washing accommodation, etc., and the rents are 5s. 3d. per week per house of four rooms. The whole of this work was carried out at the expense of the owner, and all the money the ratepayers had to find was a few pounds for administration expenses. It is true that this particular case cost one or two members of the City Council



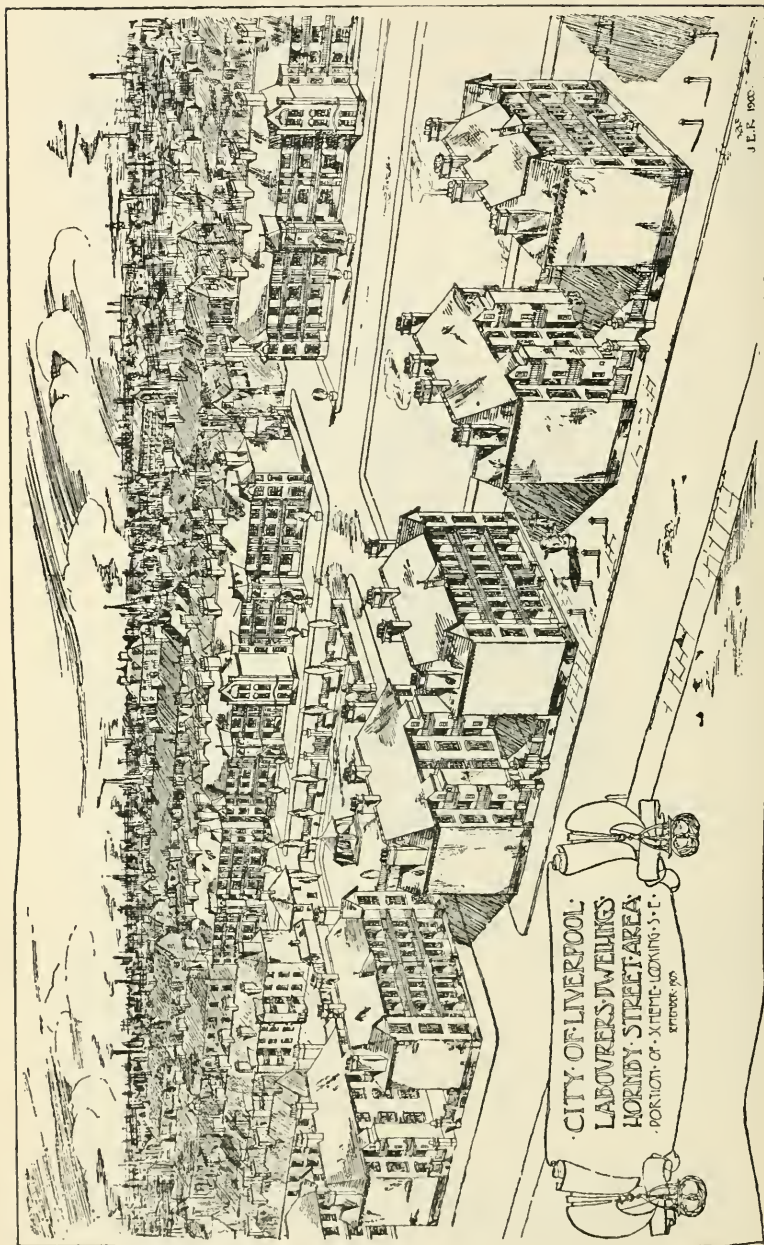
SKETCH OF A LIVING ROOM
FIRE PLACE

LER

a great amount of time and trouble, but if men are not prepared to take trouble they should not go into public life.

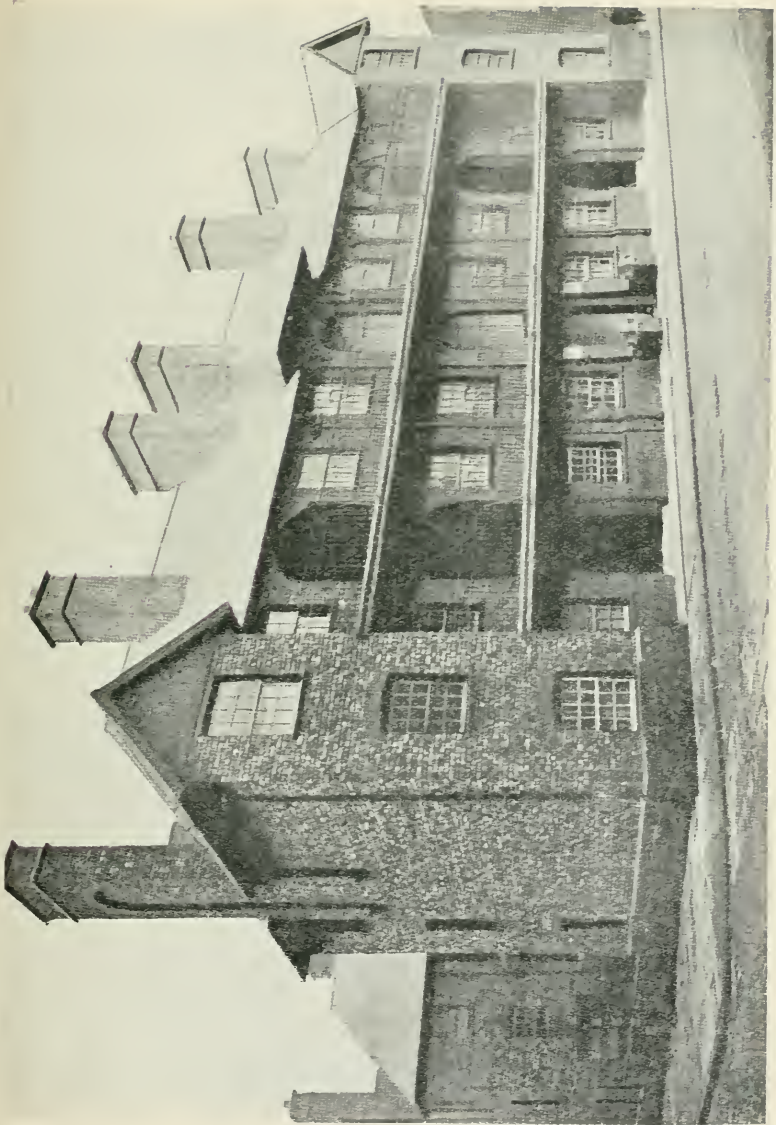
Photograph III. shows a court as we found it. The plan shows how this and two other courts that were quite as bad have been converted into terraces, and as much light and air provided as is obtainable in a large town. Photograph IV. shows a view of these three terraces from the street after the work has been completed. Photograph V. shows one of the terraces.

Each house has been provided with a proper sanitary sink. The pantries for food were cleaned and ventilated. Out-houses were rearranged so that they should not ventilate into the houses, as is so often the case at present. The ceilings were

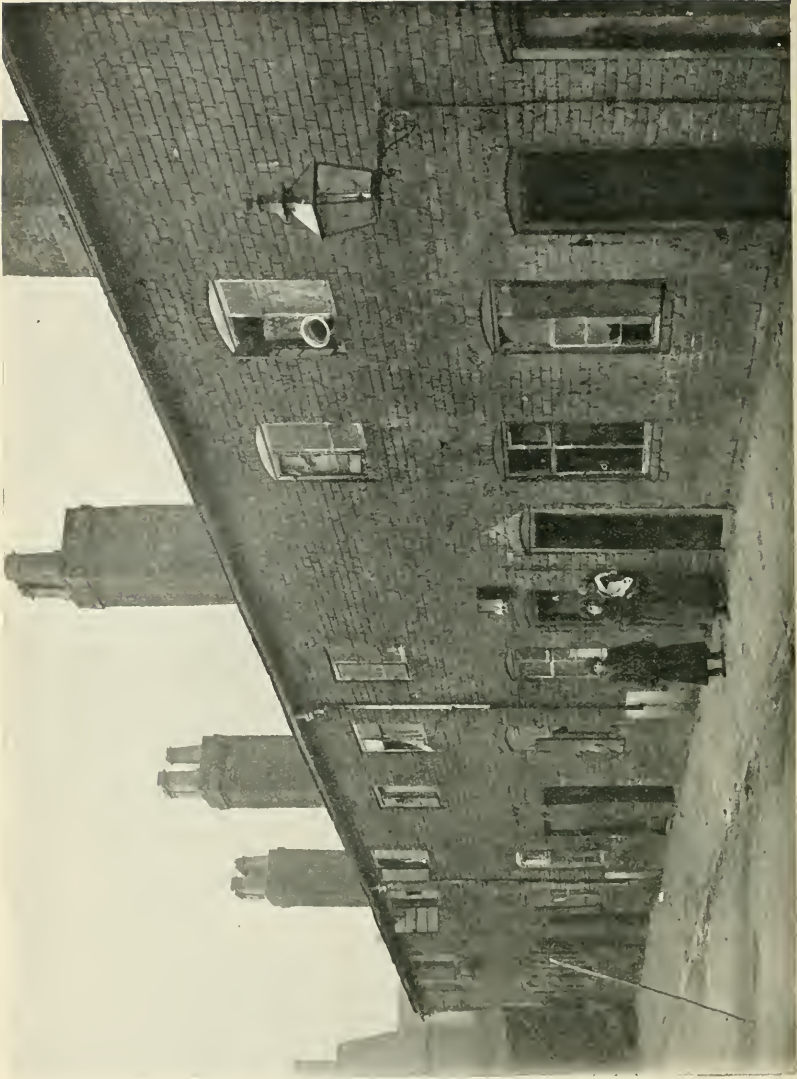


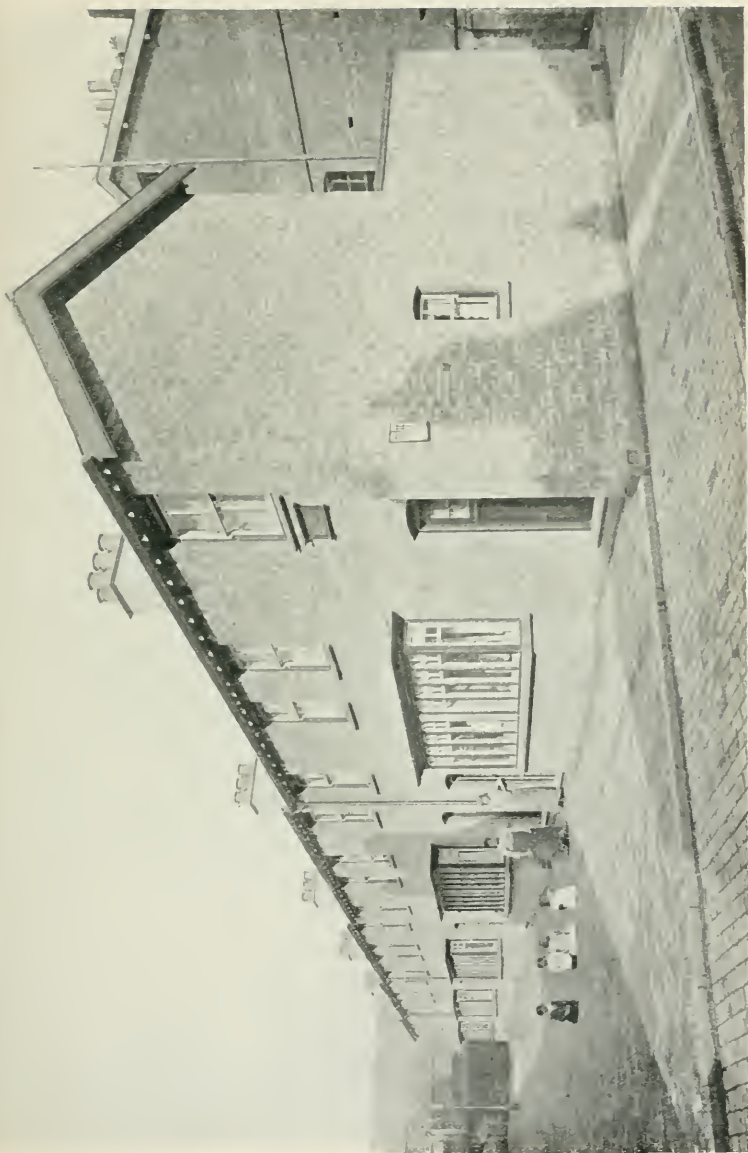
J. E. N. 1900.

CITY OF LIVERPOOL.
LABOURERS' DWELLINGS
HORNDY STREET AREA.
PORTION OF 'X' PLAN, LONDON, S. C.
SERIES 100



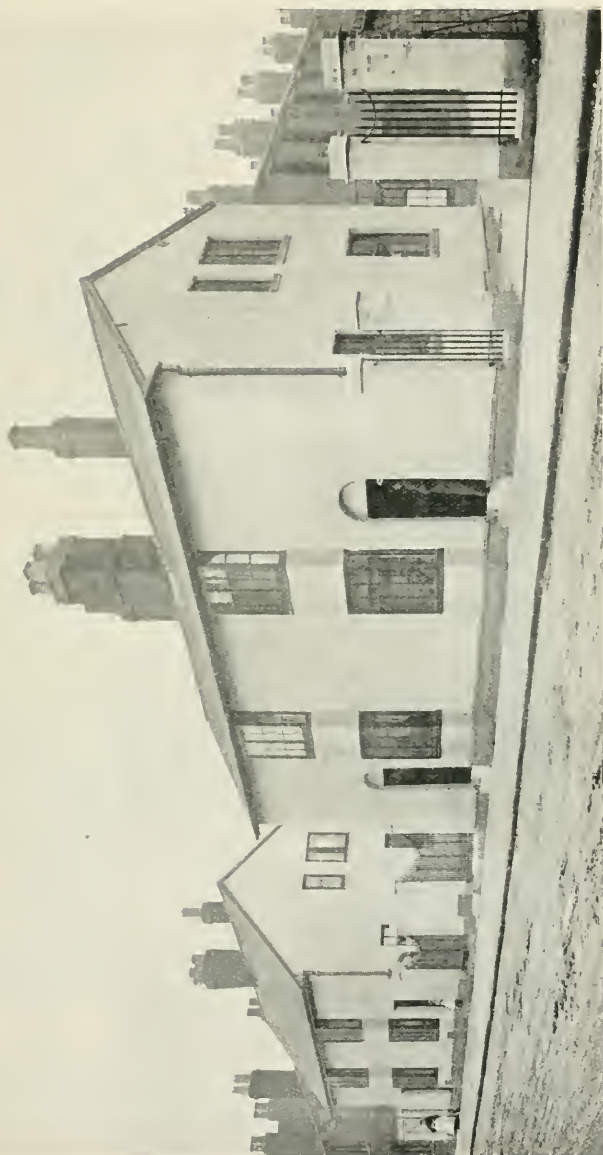
LIVERPOOL: HORNBY STREET AREA. ONE OF THE NEW BLOCKS.





PHOTOGRAPH II.—AFTER REPAIR.





PHOTOGRAPH IV.—FRONT ELEVATION, SHOWING HOW LIGHT AND AIR ARE LET INTO THE COURTS.

(37)
25204

taken out and the cavities cleared of all filth. The walls were hacked and re-plastered, and bay windows provided. In short, the houses have been thoroughly repaired.

The rents are :—21 houses each containing three rooms, at 3s. 6d., and four front houses, of four rooms each, at 4s. 3d.

The total number of persons provided with good, cheap houses in the four terraces illustrated is 175, and the total cost to the Corporation in compensation for obstructive buildings, and in administration expenses, is £125, which, divided by 175, comes to just under 15s. per head. The cost of thorough repair has all fallen on the owners of the insanitary property.

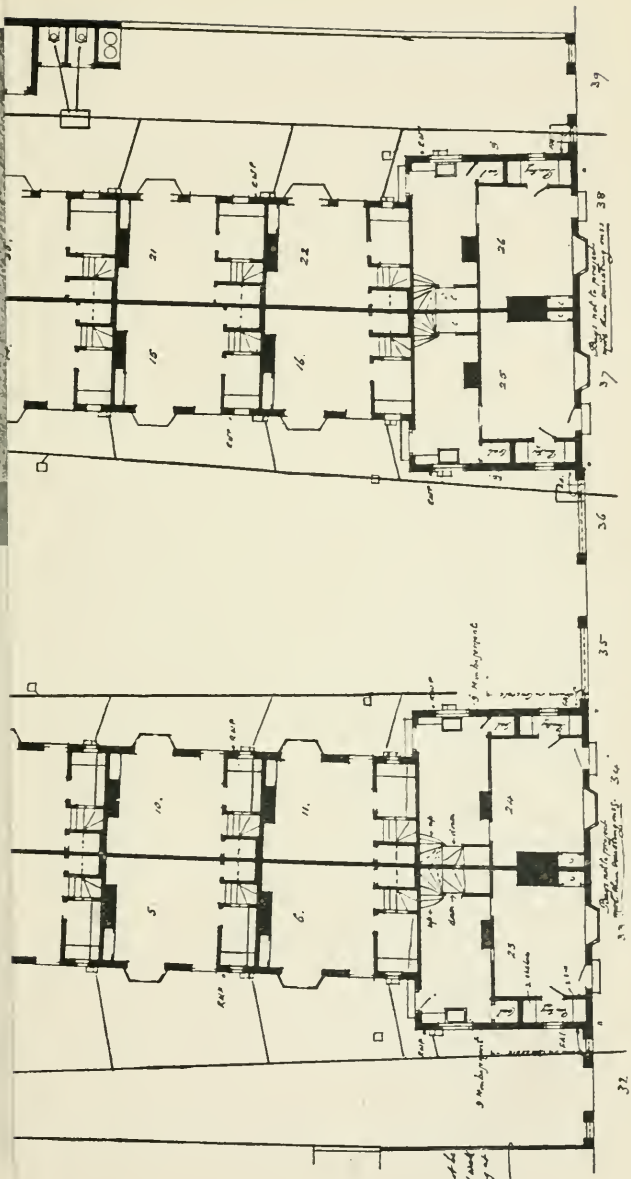
The cost to Birmingham ratepayers, which in this case was only 15s. per head under Part II., compares very favourably with the cost of £56 per head to the Liverpool ratepayers for the same result arrived at under Part I. The Liverpool Housing Committee and officials have done as well as could be done under that system, and during my recent visit to Liverpool I was much impressed by the great care and attention given to the work. It must not, for one moment, be thought that I am attacking another Corporation, or, indeed, any individual; on the contrary, I sincerely admire the thoroughness of the Liverpool work. It is the system that in my opinion is at fault, and not any Corporation or any individual. I prefer the economy of Part II. to the expensiveness of Part I., and to my mind, the preservation of self-contained houses is far preferable to the erection of tenement dwellings.

Municipal house-builders prefer Part I.; but although this system has had every opportunity, it is yet an indisputable fact that only the fringe of the problem has been touched, and its resources are obviously inadequate to the whole evil. One of their writers says :—“ Our slums are gilt-edged securities. People who want to get rich quickly and who do not care very much what methods they adopt to attain that end, buy slums. The worse the slum, the better the owner's chances of realising huge profits on his investments.” The same writer goes on to say, “ The Local Authorities are helpless, and it is half-hearted, interested, and inadequate legislation that has made them so.”

Information from various parts of the country corroborates this contention, that in many places where Part I. is enforced, slums are very profitable to their owners, but this is most certainly not the case where Part II., dealing with individual houses, is used.

It is unfair to attribute the result of adopting Part I. instead of Part II. to “ interested and inadequate legislation.”

Robinson & Pullman
 Architects
 Edmund Street
 Birmingham
 No. 419
 May 17 1906

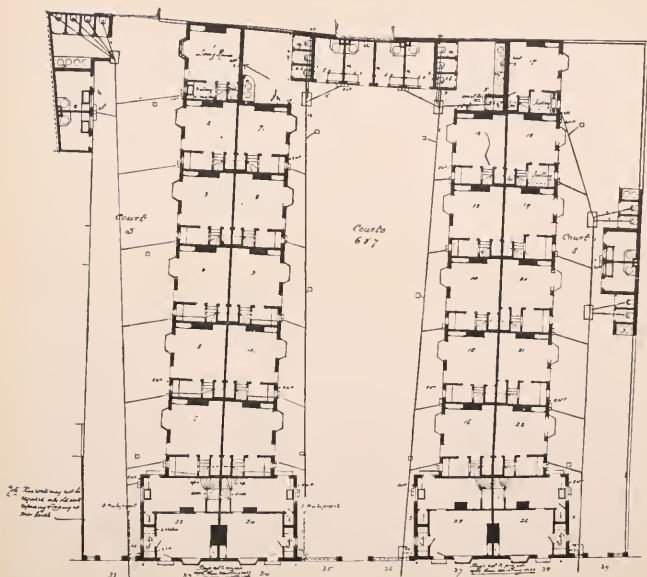


Note: These walls may not be
 required, and all work
 depending thereon may be
 done later

GROUND PLAN SHOWING THE CONVERSION OF THREE COURTS INTO TERRACES.



PHOTOGRAPH V.—ONE OF THE TERRACES AFTER THOROUGH REPAIR.



GROUND PLAN SHOWING THE CONVERSION OF THREE COURTS INTO TERRACES.

Robertson & Robertson
Architects
101 N. 3rd St.
Phila. Pa.

Part II. is far from perfect, but even as it stands is capable of effecting great improvements, as has been shown.

It is encouraging to hear that municipal house-builders are not satisfied with their present results. This gives ground to hope that some, at any rate, who have tried Part I. and discovered its weakness, will now try what they can do with Part II. This leads to a noteworthy point in the Housing question.

There have always been a small number of clever and unscrupulous property-owners who saw it was to their advantage to encourage local authorities to occupy themselves with municipal building, thereby diverting their attention from supervising private property in their district. This latter affects a wider area and benefits a larger population. It is, in fact, their primary duty, but is almost invariably neglected when large municipal building schemes enter into competition.

Municipal house-builders should take this into account before advocating a public building policy, and refuse to be made the catspaw of a few unscrupulous individuals. Local Authorities should not allow any proposal, however plausible and popular it may be at the moment, to divert their attention from the powers and possibilities for good that have been given to them by Part II. of the Housing of the Working Classes Act, 1890, dealing with individual houses.

CHAPTER IV

REMOVAL OF EXISTING EVILS—II



IN the previous chapter, Part II. of the 1890 Act was advocated in preference to Part I. It is of little use recommending a system without suggesting methods for putting it into practice. I will, therefore, explain as shortly as possible the Birmingham procedure.

For many years past the owners of small house property in towns have been allowed to make very comfortable incomes out of unhealthy dwellings. The prevailing conditions have not even obliged them to provide a sinking fund for the renewal of their property, as other business men have to do.

Public opinion is now far too strong to allow this state of affairs to continue. Some enthusiasts take the view that insanitary houses should be destroyed without compensation, in the same way that bad food is destroyed. This contention is not illogical, but public opinion is not yet ripe for such drastic action. Also it must be remembered that the erection of many of the unhealthy dwellings that now trouble us was tacitly, if not definitely, permitted by the Local Authority; and although there has been plenty of time "to write these dwellings off," yet such has not hitherto been the custom.

Every change in the public interest entails hardships on individuals, and nowhere is this more true than in slum reform. This is a point that must not be forgotten by those carrying out Part II. with regard to individual houses.

A Sanitary Authority must see that its constituents are properly housed; but in carrying out this duty they should remember that their work often entails hardships on individuals, and no pains should be spared to mitigate those hardships, as far as is consistent with their duty to the public.

1. In Birmingham, when notices to repair or close their houses are served on owners, a printed circular is also sent

expressing the willingness of the Corporation representatives to see them and explain what repairs will be considered satisfactory and what will not. This is done in order to avoid the owners' money being wasted in doing repairs that will afterwards be condemned by the Local Authority.

Sometimes property owners set to work at once on a little "slum patching," which they hope will pass muster, and when the Inspector pays his visit, he is obliged to condemn the work, which entails a considerable extra expense to the owner. The Birmingham Corporation, by means of their circular, try to prevent this unnecessary loss.

There is, of course, no legal obligation to take this extra trouble in order to save the pockets of property owners, but by this means other difficulties are avoided and better work is done.

2. For the same reason, specifications of the work required are supplied to the owners when they are asked for. These specifications are based on general principles, such as the stripping of wall papers, the provision of proper ventilation, the insertion of damp courses, the removal of filth from behind wainscoting, floors, and ceilings, etc.; but each case is a little different from the others, and it is one of our guiding principles that each case must be treated on its own merits. The Housing Committee always try to avoid red tape; such methods would be fatal to success in work of this nature.

The discussion with owners of the details in these specifications often costs the Committee and the Department a great amount of time and trouble. This is amply repaid by smoother working and better results.

3. When the specification is settled, the Housing Department are always ready, if requested, to assist in keeping the cost of carrying out the work as low as possible.

4. Another way in which the Corporation has often been able to assist owners of insanitary property, the lease of which has only a few more years to run, is by approaching the ground landlord and persuading him to grant an extension of lease, provided the property is thoroughly repaired.

The most painful and difficult cases to deal with are those where people with small means, often old people, have invested all their savings in some wretched property, and cannot by any means raise a penny for the necessary repairs (the property is often heavily mortgaged already). It is often very tempting to leave this property alone, but that cannot be done with justice to the town. The Visiting Committee make a practice of deciding on the repairs required before learning the financial position of the owner. Otherwise

stories of indigence would rapidly increase, and each fresh owner would claim special indulgence. In each house, whether owned by rich or poor, there are on an average five human beings, who have at least as much claim to our consideration as their landlord. It is a case of five to one in favour of carrying out the law. At the same time, it is often possible, by allowing a little extra time, and by taking special trouble, to considerably ease matters for poor owners, and no pains are spared in this direction. It is to be hoped that it will be found possible under the new Act to assist poor property owners by means of loans from the Municipality on easy terms.

5. Complaints are often made by property owners that they are continually being harassed by the Sanitary Authority no sooner has one repair been executed than another is asked for. In some cases at any rate, this complaint is fully justified by the facts, and is caused by insufficient repairs being passed as satisfactory. The Birmingham Housing Committee try to meet this difficulty, and never countenance slum patching, but ask that everything shall be done that is necessary to make the houses thoroughly fit for human habitation. There is so much to be done that they cannot afford the time to do things twice over, just as property owners, not unnaturally, object to spending money twice over.

From time to time there has been considerable controversy as to whether "slum patching" is sufficient, or whether "thorough repair" should be insisted upon. I am convinced that in the long run "thorough repair" is far cheaper for the landlord as well as better for the tenant.

6. If space permitted, many other details might be given as to how Birmingham property owners are conciliated by the Corporation, and considering the nature of the work, we have been remarkably successful in this direction. At the same time, there are still, and probably always will be, a few irreconcilables who prefer private gain to the public interest.

I hope I have said enough to suggest the general line of policy, which is that in every case the point of view of the landlord must be carefully considered as well as the interests of the tenants, and compromises must be agreed to wherever possible. That the Corporation's endeavours in this direction have on the whole been successful is proved by the fact that about one-sixth of the insanitary houses that have been thoroughly repaired during the last seven years have been dealt with by the owners without any notice whatever being served upon them. The owners have come voluntarily to the Housing Department and asked for advice. And even where notices have been served, the number of cases that it

has been necessary to take into court is very small compared with the total number of houses dealt with.

The Department has often been specially thanked by property owners for the trouble taken and consideration shown, than which there can be no more convincing testimony to the reasonableness of those responsible for slum reform in Birmingham.

The objections raised to these methods of slum reform come principally from a few private owners, and from the advocates of municipal house building. These objections must now be dealt with:—

1. The first difficulty raised is that public opinion in favour of Housing Reform is not strong enough to enable other Local Authorities to do what has been done in Birmingham.

Seven years ago there was no public opinion in Birmingham in favour of Part II. It was created by those who believed in the work which is now being successfully carried out. It is laborious and was at first unpopular, but what Birmingham has done others can do, provided they really want to. If they only want to say pretty things, and can bear nothing but praise, then by all means let them shelter themselves behind the excuse that public opinion is not strong enough.

2. The next objection raised is that if insanitary houses are closed without any provision of new housing accommodation by the Corporation, a house famine will be created. This bogey was raised in Birmingham, and much has been made of it by local municipal house builders, and also by owners of insanitary property, who have loudly asserted that a house famine and overcrowding have been caused by Birmingham's slum reform. Actual results are most unkind to these critics. There are to-day in Birmingham more void houses than when the Birmingham Housing Committee commenced its operations. The maintenance of a sufficient supply of small houses in the centre of the city is a matter that has been carefully watched throughout, and all the information available goes to show that the number of void houses in Birmingham has increased rather than decreased during the last eight years, with the result that "Housing Reformers" whose houses have been represented as unfit for human habitation have not been able, after repairs have been executed, to raise rents as much as they would have liked to do. This has led them to attack Housing Reform in Birmingham with all sorts of false accusations, such as the statement in question. As showing that there is ample small house accommodation in Birmingham, we can instance the experience of the Great Western Railway Company, who were quite recently able to satisfy the Local Government

Board that owing to the large number of void houses there was no call on them to rehouse the tenants displaced by their railway extensions, which were of considerable magnitude, and did away with a large number of small houses.

There was also a census taken in 1908 by the Education Committee, quite independently of the Housing Committee, which showed that a very large number of small houses in the city were empty, owing partly to cheap quick trams enabling the people to move into the suburbs, and also to other causes that need not be enumerated.

With regard to the statement about overcrowding, it is well known that at times of bad trade, however great the supply of houses is, two families often go into one house, because neither family can afford to pay the whole rent. No Housing Committee can be justly blamed for bad trade.

It is quite true that tenants of insanitary property often say they cannot find another house. In these cases the Corporation Authorities always undertake to find one for them, and if the offer is accepted there is never the slightest difficulty in executing it. Many tenants who say they cannot find another house have never made the slightest effort to do so.

3. The next accusation is that Part II. ruins property owners. A Medical Officer who has dealt with a few insanitary houses on this system says:—"One of the greatest difficulties in the way of action under Part II. is that it means financial ruin to certain thrifty people, who, attracted by the large return afforded while the houses are occupied, and knowing nothing of the risk of owning such property, have invested their life savings in purchasing them. On the closure of the houses the income of these people ceases, and they have no money to rehabilitate them. Some steps ought to be taken to warn people and deter them from buying decayed property, however large the immediate return from it."

This difficulty was touched upon earlier in the chapter, and will now be dealt with more fully. So far as warning people that it is not safe to expect a large return on their capital out of houses unfit for human habitation, I can conceive of no way that will be so effectual as the enforcement of Part II. This will very soon teach people the risks of owning insanitary property.

The suggestion that no action should be taken until the owners of such houses have been warned, seems to me futile. So long as Part II. is not enforced, and owners are allowed to make money out of insanitary property, no mere verbal or written "warning" will have the slightest effect.

The slow but steady enforcement of Part II. seems to me

not only the fairest but also the only effective warning that can be given. Those who administer these powers are in no way responsible for the condition of the houses represented to them as unfit for human habitation; all they are responsible for is to carry out the duties laid upon them by the Act of Parliament.

One of the causes why the slums of large towns give so much trouble to Local Authorities is that the slum landlords too often adopt the policy of taking every penny they can get out of their property and putting little or nothing in. They are, in fact, living on their capital. This is always a fatal policy.

A bankrupt who attempted to lay the blame for his failure on his creditors would be laughed out of court.

There is no valid reason for treating owners of small house property differently from other people. Part II. should not be condemned as unfair because a few individuals have mismanaged their business affairs.

At the same time, as already explained, no pains are spared in Birmingham to help landlords with small means who have got into trouble through ignorance. Fortunately for Housing Reformers, the number of those in such a position is very small in proportion to the total.

Those who sympathise with these people might do great good by forming Town Dwellings Improvement Trusts. These organisations could buy insanitary houses from needy owners at fair prices, and thoroughly repair them on lines similar to those of the Glasgow Workmen's Dwellings Company, of 137, West George Street, and administer them on Miss Hill's system.

Most of those owning the worst houses are quite able to take care of themselves, and the plea that they must not be interfered with does not deceive those who know the full facts. It is sometimes suggested that Local Authorities should be compelled to purchase condemned houses. Such a system would no doubt suit the speculators in small house property, but would be most unfair to the ratepayers.

These speculators in human misery complain that the action of the Birmingham Housing Committee has made insanitary small house property unsaleable. This is a testimonial to the success of the Birmingham Corporation's efforts, and is all the more valuable because it is quite unintentional. No impartial person would wish that owners of insanitary small house property should be able to pass it off on to some unsuspecting person whose capital is probably as small as their experience of "business" transactions. Those who are annoyed at no longer finding it so easy as it used to be

to get rid of insanitary property loudly complain that the fair but firm administration of Part II. has depreciated small house property 50 per cent. They ignore the fact that out of some 110,000 houses or thereabouts in Birmingham, only 5,000 or less than 5 per cent. of the total have been dealt with during the last eight years, which means that the "average landlord" who, in the words of a leading local solicitor, "seeks a decent house for his tenant and regular payment of rent" has not been touched, nor is there any necessity to interfere with him. At the same time, it is obviously impossible to penalise houses unfit for human habitation without depreciating their market value; but it is to life among such surroundings and in such conditions that the present national physical degeneration is largely due, and as a purely business proposition it is surely wiser and better to depreciate the market value of the houses rather than of the tenants, that is, of our national human assets. The latter proceeding is infinitely more serious and even dangerous.

So long as no one takes any notice of houses unfit for human habitation, and so long as the owners are allowed to collect rents for such places, so long, of course, will they be of much more value than when the Sanitary Authority steps in and forbids what is generally admitted by all impartial people to be the cause of serious national loss.

It is obviously impossible to condemn insanitary property without seriously depreciating its value. The question impartial people have to decide is, which is the lesser evil—to depreciate the property of those who own houses unfit for human habitation or to allow these gentlemen to depreciate the value of our human asset? The public must decide this point, and in making that decision, I would warn them not to be misled by the protestations of the owners of such property that they are in favour of Housing Reform. At a recent meeting in Birmingham summoned by these gentlemen, one of the leading architects moved a resolution: "That this meeting expresses its approval of a policy of Housing Reform in Birmingham so framed and administered that small house property may not be allowed to remain in a condition detrimental to the safety or health of occupants or the community." The "Housing Reformers" directly and indirectly interested in insanitary property, refused to have anything whatever to do with this resolution.

Reasonable men must see the wisdom of preserving material property as far as possible, but the "life capital" of the nation is in my opinion more important still.

4. Another objection raised is: "That the number of bad

houses is so great that the process of selection can only be arbitrary." In other words, there is so much to do that nothing ought to be done. Every administrator of Part II. will naturally do his best to take the worst first. There will be no difficulty in most of our large towns in finding plenty of houses where action ought to be taken; but, of course, it is difficult to make quite sure that the particular house represented is positively the worst in the neighbourhood. Administrators can only do their best, and so long as they are never convicted of proceeding against a house that is really fit to live in, they cannot justly be accused of being arbitrary or unfair.

There have in the past been many tussles in the Birmingham Police Court between the Corporation and owners of insanitary property, and the Corporation has not always got its own way; but never once has a magistrate even suggested that the house proceeded against was fit for human habitation.

5. The next objection has only been raised locally, but as it may occur in other places, it will be useful to mention it. The Birmingham Housing Committee is sometimes complained of for being too drastic,* and some owners of insanitary property claim the right to repair it according to their own ideas. Defaulters are not usually allowed to be judges in their own cases. This duty must be left with the Local Authority, who ought to see that the work is well done.

Experience shows that slum patching is both expensive and unsatisfactory.

It is instructive to notice that these complaints come from those who consider that "houses are better without a clean well ventilated pantry for food"; that "damp-courses are mere fads"; that "proper washing accommodation is a luxury"; and that "dirt between the floors and ceilings is one of the necessities of things."

Professions in favour of "Housing Reform on proper lines" from this type of owner are of little value. Their practical worth is exemplified by the quaint admission overheard at a public meeting, that "they trust to luck not to be dropped on" for allowing their property to get into an insanitary condition. As superior landlords, the expensive repairs they exact from their lessees are often in striking contrast to what they consider reasonable demands on the part of the Corporation. It would appear that in the opinion of some slum-owners the protection of private property is far more important than the protection of the public health. Will the general public endorse this opinion?

* For the information of slum reformers in other places, the procedure and requirements of the Birmingham Housing Committee are given in Appendix A.

6. Those who consider municipal house-building the only satisfactory remedy, object to the Birmingham work because the houses dealt with are not all "brought up to the present bye-laws standard." In my opinion, what is done in Birmingham under Part II. is much better than the barrack dwellings built by municipalities elsewhere under Part I.; but that question cannot be settled by argument. Those interested are cordially invited to come and see for themselves.

As a matter of fact, the modern building bye-laws are not applicable to old houses that were built long before such regulations came into force. If bye-laws drawn up for controlling the erection of new buildings were applied to old buildings, there would be an unnecessarily heavy burden on the owners of property, which would result in many houses being demolished that can quite well be thoroughly repaired. Owners would lose property that need not be destroyed, and this large reduction in the supply of small houses would inflict great hardship on the tenants. The local property owners' champion who has advocated the application of Building bye-laws to Slum Reform will very seriously injure the interests of those whom he professes to represent if ever he should carry his view against the wiser and more considered judgment of the Housing Committee.

7. Another objection is the rise in rents consequent on repairs. In Birmingham, the average rise has been 7d. per week. (See Dr. Robertson's Report, 1905.)

Under Part I., which entails the erection of new buildings in accordance with the bye-laws, when there is no charge, direct or indirect, overt or covert (such as taking the land at "Housing value" instead of at its real value, etc.), the rise in rents is nearer 2s. 6d. than 7d., and, in consequence, very few of the tenants turned out of the old houses are able to go into the new ones, except in the special case of Liverpool, where this point has been particularly watched. Under Part I., therefore, slum reform is either a considerable charge on the rates, or else the rise in rents is prohibitive to the old tenants.

Under Part II., on the other hand, tenants have often been asked about this average rise of 7d. per week, and their general reply is that this small rise in rent for a "house" instead of a "hovel" pays them very well in the long run. As was said before, they have not the same temptation to spend the evening in the public-house.

Of course, everyone wants to get things as cheaply as possible, but a wise man knows that he cannot get a good article as cheaply as a shoddy one.

8. Another objection raised is that the property is so

thoroughly saturated with filth that no "so-called repair" can last more than a few years, and must therefore be unsatisfactory.

No one who has inspected the work done under the Birmingham Housing Department can truthfully bring such an accusation against their work. There are houses in Birmingham that have been repaired by the owners "according to their own ideas" without the supervision of the Housing Department, and these are far from satisfactory, but they are a negligible quantity compared with the total amount of work done. Also it does happen that some of the houses that have been properly repaired soon revert to their former condition owing to the habits of the tenants. These results are due to causes beyond the control of the Housing Committee.

The relations between landlord and tenant are dealt with in Chapter X. For the present it is sufficient to point out that those landlords who complain of what they call the "scum" are largely responsible for the habits of their tenants. It is impossible for tenants to be clean unless proper washing accommodation is provided, and yet some landlords strenuously resist such expenditure.

9. Another objection which comes from outside is that the "Birmingham Bench of Magistrates will not enforce really adequate improvement of the dwellings." A well-known case is cited where houses were passed by a local Bench as fit for human habitation in which—

(a) The filth had not been removed from any of the cavities between the floors and ceilings;

(b) None of the houses had been provided with proper washing accommodation;

(c) The closets were, in the opinion of the medical officer of health, arranged in a most unsatisfactory manner;

(d) The sashes and frames of windows were decayed and broken;

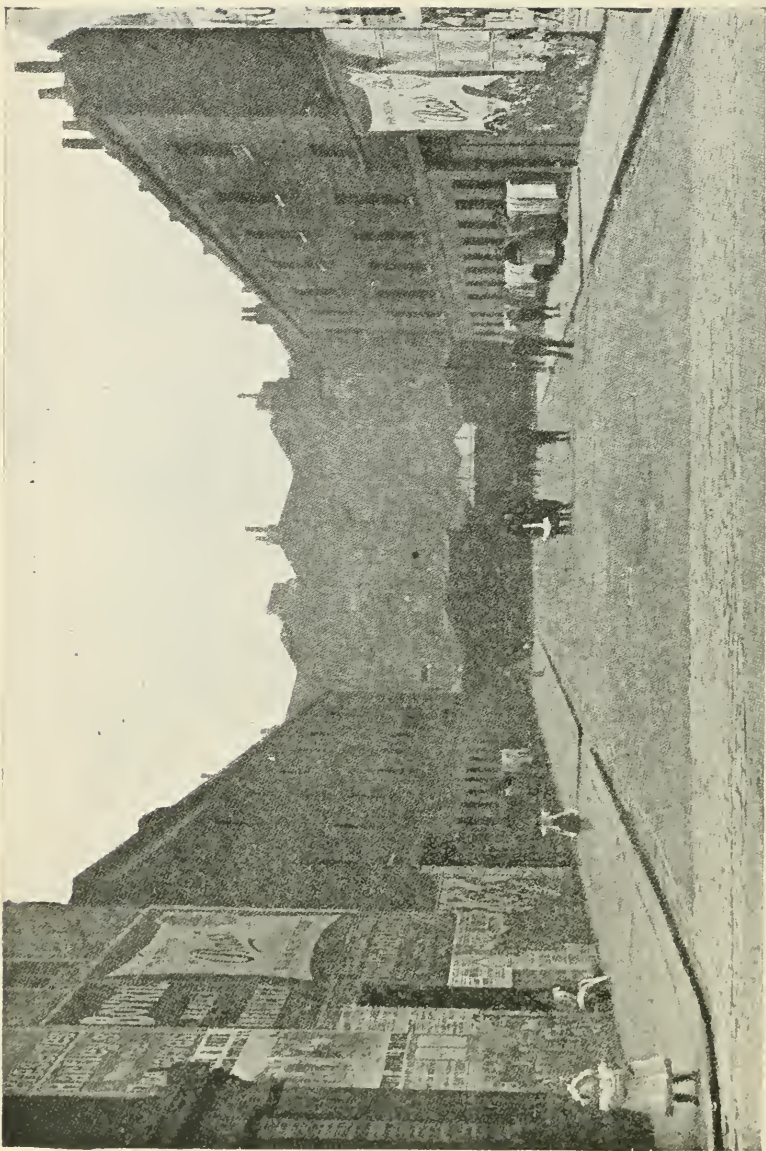
(e) The matchboarding, which hides damp, harbours filth, and prevents thorough disinfection, had not been removed; and

(f) The quarry floors had not been properly relaid.

This, however, was only an isolated instance, and the criticism in any case only applies to about fifty houses out of a total of 2,000 repaired during the last seven years.

The supervision of the repairs done to these fifty houses was taken out of the hands of those qualified and appointed to do the work, and put into the hands of those responsible for allowing the houses to get into such a condition.

This was merely a passing episode incidental to pioneer



A STREET IN ONE OF THE LONDON SUBURBS RATHER BROADER AND MORE AIRY THAN USUAL, THOUGH DISFIGURED BY ADVERTISEMENTS AND UNTIDINESS. THE ONLY PLAYGROUND OF THE CHILDREN.

work, and will probably not recur in Birmingham. Similar difficulties are sure to arise, but they must not be allowed to dishearten or weaken the Sanitary Authority. Whatever the temptations, the Department must steer a straight course, and maintain an uniform high standard. It will then eventually be rewarded by the confidence and support of the public. On no account must the public authority make itself responsible for shoddy work.

This explanation should make it clear that these difficulties



A CHILDREN'S PLAYGROUND IN A CO-PARTNERSHIP VILLAGE, EALING.

have not detracted from the soundness of the policy, or seriously interfered with the efficiency of the work done.

Other objections have of course been raised, but those dealt with above are the principal ones, and the answers given will, I hope, enable impartial persons to rate at its proper value the special pleading of those reformers who are also owners of insanitary property. It is naturally from this source that the greatest opposition comes, and the methods of obstruction are most plausible. They express approval of the policy, but object to its execution; they always sympathise and always oppose.

At the same time, it is only fair to say that a very large proportion of the Birmingham property owners and agents have worked most amicably with the Corporation, and the credit for the results achieved is due in no small degree to them. Work of this sort must be administered on business-like give-and-take lines. Those who are willing to give as well as take, have many times thanked the Corporation for the courtesy and consideration shown to them. No Local Authority can hope to satisfy those who want everything their own way, who take as much as they can get, and still ask for more.

Open Spaces.—No proposals for the removal of existing evils would be complete without suggestions for the provision of a large number of small open spaces in the congested districts of large towns. I will therefore conclude this chapter by sketching out a line of action by which this essential object can be achieved.

The first thing necessary is to educate public opinion, and obtain sufficient public support to carry the matter through to a successful conclusion. This pioneer propagandist work is best done through a few people in a more or less private manner. The more influential people who can be got to give their names to the movement, the more chance of ultimate success; but in the initial stages the actual work is better done by a small select circle than by a large number of popularly-elected representatives.

There is always at the beginning much to learn as to the best way to set about the work, and when the time comes for taking action, it is easier to work with a few.

The position must be made clear, and the necessary plain speaking is far better done by a pioneer society than by those who will afterwards carry on the work day by day and year by year.

The first business of the pioneer society should be to prepare an outline map of the district they are working for on some such lines as those of the map opposite, which shows the open spaces and the black deserts of house-covered land.

Maps like this will educate public opinion very quickly, and their influence will be greatly assisted by the collection of a few figures showing how many inhabitants there are to each acre of open space. These figures will strike home, and the map will complete the story by showing what long distances most of the people have to go before they get to any open space at all. Public parks on the outskirts are excellent for high days and holidays, but they are of no use for little children to go to by themselves on ordinary week-days.



BLACK represents land built on and developed.
WURTZ, inside boundary shown by black line, represents land at present uncovered or undeveloped.
GREEN represents present parks. BLUE represents reservoirs and pools.
RED represents playgrounds.

The next business for this pioneer society is to go about quietly and ascertain what land is available for their purpose, and at what price. They will probably be offered plenty of sites with all sorts of enticing suggestions, but when they come to close quarters the majority of these sites will have to be rejected because the price asked is much too high.

When suitable sites have been selected, a public appeal must be made for the total sum required to complete the various proposed purchases. When a large proportion of the total sum has been raised by voluntary subscription, the sites should be offered to the Local Authority, on condition that they complete the purchase, and find the money required to lay out and maintain the land as public playgrounds. Some Local Authorities are far too extravagant in their methods of fencing in and laying out small playgrounds. In such cases it will be necessary to demonstrate how the work ought to be done. Shrewd and patient bargaining must be exercised in the purchase of the necessary land, and the laying out must be done in the simplest possible manner. Little children will derive no benefit from handsome gates or expensive landscape gardening. When this policy has been established, then the movement should be handed over to a democratic organisation with branch committees in every ward of the town. These branch committees will supply information about available land; and, when the time comes for the Local Authority to do its share of the work, the organisation will provide useful support.

When the open spaces are laid out, the branch committee concerned will take a special interest in their being properly cared for, and can take measures that will make it impossible for hooligans to destroy what has been done for the good of the neighbourhood.

Housing Reform and Open Spaces Associations have great possibilities in all sorts of ways for the benefit of the people, and they should be founded on the sound principle of the people doing something for themselves, instead of, as is sometimes the case, leaving it all to be done by others.

CHAPTER V

THE PREVENTION OF FUTURE EVILS—TOWN PLANNING



MOST town dwellers have to earn their living in a factory or an office, where light and air is comparatively restricted, and they cannot lead such a life with the greatest advantage to themselves and to the community, unless they have means within easy reach for rest and recreation in fresh air, as well as for work.

The most insular of Englishmen will scarcely attempt to maintain that opportunities of this nature are in any sense adequately provided in our towns. Millions of English town children have no playground within practical reach except the streets. The young men find it extremely difficult to obtain suitable cricket and football fields. Miss Elliston's expression, "Ain't got nowheres to play," exactly describes the circumstances of an overwhelming proportion of our rising generation, on whom depends England's future strength and prosperity.

Each year makes it harder for men to get allotments on which they can not only get rational enjoyment, but also materially increase the family food supply. The women have no place to go out to where they can enjoy an odd hour, and often find no better choice than the front-door step, or the nearest public-house.

We cannot by legislation make people healthy and happy, but we can give our town dwellers fewer temptations to irrational excitement, and more opportunities for beneficial enjoyment than they have at present.

We can, if we will, let light and air into our towns; we can, if we will, make the most and not the least of the sunshine.

Far from assisting rational town development, modern means of communication are at present only spoiling the beautiful and life-giving country districts, whereas they might

be used to the great advantage of the whole nation, if only the rapid development and extension of our towns were carried out on a coherent and cohesive plan.

This unhappy state of affairs has drawn attention to our towns, and many clear-sighted cautious men are thinking that the remedy lies in giving Local Authorities comprehensive control over the development of the districts under their administration, with power to encourage and direct the numerous private agencies engaged in house-building rather than in encouraging them to undertake municipal house-building schemes, which can at the best only assist the very small proportion of the population directly provided for.

It has been already shown that existing legislation has resulted in a few good houses and a great many bad ones. It has discouraged instead of encouraged the provision of open spaces and playgrounds for the people, as part of the ordinary business of estate-development and house-building. No housing enterprise is generally useful unless it is carried out on sound business lines, which all and sundry can copy if they will.

In other countries the importance of town development has long been recognised, and some of their cleverest men have for many years past been engaged on the solution of the hundred and one difficult and complicated problems connected with such extension. Here in England, we have only just begun to realise the necessity for attending to the question at all, and yet there is none of greater national importance.

It has been thought by some that "Back to the Land" would solve all our difficulties, and with the underlying idea of this popular cry I confess considerable agreement; but as practical men we must realise the conveniences for production and distribution afforded by our towns, the concentration of population caused by the introduction of machinery, and the fact that man is a gregarious animal. We must seek some way by which to bring the country to the town, and the town to the country.

It is with this idea in their minds that those most intimately connected with the practical work of housing reform in England, are so earnestly and strenuously advocating the policy of Town Planning.

The primary objects of Town Planning are :—

1. To facilitate and encourage thorough *co-operation* between all concerned in the provision and supervision of housing accommodation for the people, in order to provide town populations with the light, air, and space essential to human health. Such co-operation would avoid the waste now caused by inelastic bye-laws, which give Local Authorities no

power to meet landowners in the cost of estate-development, even when they are willing to restrict the number of houses per acre, and provide open spaces for rest and recreation. Town extension is a business question, and should be dealt with on give-and-take business lines. Red tape is fatal.

2. To ensure the exercise of *foresight* in reserving plenty of room where eventually main thoroughfares will be required. During the last thirty years a vast expenditure has fallen on the ratepayers of England for the demolition of buildings which never ought to have been put up.

3. To take into account *everything* that helps to make life worth living, to consider the surroundings of a house as well as the house itself. Cheerful surroundings are quite as important as healthy homes.

Town Planning may be considered as an endeavour to do for a town what an architect does for a house, when he sits down to draw out the plans before digging his foundations. He considers what he wants, and then does his best to fit in his various requirements to a harmonious whole. It is only by this means that he obtains what is required at a reasonable cost.

The wise development of a town is of vital importance, not merely to one individual, but to a very large number of people, and the questions to be considered are much more numerous and complicated than the questions involved in the erection of a single house.

If it is necessary (and everyone recognises that it is) to plan out a house as a whole before starting to build, then a thousand times more it is necessary in the interests of public health, public convenience, and public economy, to plan out towns as a whole before new developments are allowed.

The first principle of Town Planning is to consider beforehand the constituent parts of a modern town, and then to arrange them in such a way that the result shall show an ordered harmony.

We cannot suddenly undo all the mistakes of the past, but at least we can try to prevent mistakes in the future by planning out in a comprehensive manner urban and suburban districts before the work of development is commenced. If we had power to consider first how existing towns ought to have been planned, and then year by year to make our town improvements in accordance with that plan, we might by degrees correct past mistakes, and on systematic economical lines gradually bring our centres of population up to the standard required by modern conditions of life. Instead of that we remedy a bit here and a bit there, in the piecemeal and extravagant fashion now accepted as satisfactory by those

Englishmen who do not know how much better things could be managed and in fact are managed, elsewhere.

The principle of Town Planning has proved of great assistance in other countries in the co-ordination of town improvements, and could be used in a similar direction in England. But there is a much larger possibility of usefulness in the planning out beforehand of new districts. It is so much easier, as well as so much cheaper, to prevent evils than to undo them.

The constituent parts of a town may be roughly divided under the following heads :—

1. Manufactories.
2. Warehouses.
3. Offices.
4. Shops.
5. Public parks, playgrounds, and small spaces.
6. Public buildings.
7. Private dwelling houses.
8. Public streets and other means of communication.

A town extension plan contemplates and provides for the development as a whole of every urban, suburban, and rural area likely to be built upon during the next thirty or fifty years. Wide avenues are provided for the main traffic between the centres and the outskirts, narrower streets for ordinary traffic, and again narrower and less expensive roads or drives for purely residential quarters. Parks and small open spaces and playgrounds are provided for beforehand, instead of waiting till the land required has risen to an impossible price, and in a sensible plan these "lungs" are located on back land, not on valuable frontage, as is so often the case to-day in this country. Districts are allocated for factories on the opposite side of the town to that from which the prevailing winds come, and here there are railway lines, and, where possible, water communications.

The future town is divided into districts, and these districts are graded. High buildings close to each other are allowed in the centre and on the main arteries; in residential districts buildings must be lower and more dispersed the further they are from the centre of the city or its main arteries. In those streets where traffic is light, and a sufficient distance is maintained between the opposite lines of houses, narrow and inexpensive roadways or drives are allowed in order to keep down the cost of estate development, which in modern English suburbs is responsible for at least 1s. per week on a 6s. 6d. house.

Warehouses should be placed in a convenient position for the factories and other consumers of the goods stored there.

Business offices should be in the centre of the town, where land is dear, because the heavy ground rent is more than met by the time and money saved by the convenience of this position.

Public buildings should also, as far as is convenient for the work they have to do, be placed in the centre of the town in commanding positions, not only for the sake of the time and money saved by the convenience of the position, but also as a reminder of the town's corporate existence, and a daily inspiration to local patriotism.

The natural position for shops is on the main thoroughfares, where customers are continually passing to and fro. The shop-keepers will have heavier rents and rates to pay in main thoroughfares than in side streets, but their position acts as an advertisement, and they will make more money with which to meet their increased liabilities.

This question as to how far shop-keepers benefit from wide streets is a controversial point. It is obvious that if there were two main thoroughfares running parallel to each other, the one wide and the other narrow, more people would use the wider street, assuming, as we must, that both streets provided an equally short route between different parts of the town. On the other hand, experienced shop-keepers in Bond Street, London, contend that they get more trade in a narrow street where customers can, from either footpath, see the goods displayed in any given shop. It is quite possible that the people who use Bond Street spend more money per head than the people who use Regent Street, but I venture to think that the total business done in a given length of Bond Street shopping, is very much less than in the same length of equally well-managed Regent Street shopping, because in the latter street so many more people are able to pass backwards and forwards. If this view is correct, then shop-keepers, as well as other business men, can afford to pay in their ground rents a great part, if not all the cost of the wide main avenues necessary for through traffic.

Public parks, playgrounds, and open spaces, on the other hand, should, as far as possible, be situated on cheap land—what is technically known as back land. It is a lamentable waste of money to use up valuable frontage with a park, which would be far more pleasant and healthful for those who frequent it, if placed as far as possible from the noise and bustle of the town. These places are required for rest and recreation, and therefore it is more efficient, as well as more economical, to put them in side streets or at the backs of houses.

This is specially important in the case of playgrounds for little children. A mother of the poorer classes has no time to take her babies to the park; they have to fend for themselves, and cannot go more than a very short distance from home, nor is it safe for them to cross main thoroughfares. One of the first essentials to an efficient town plan is to have dotted about at very frequent intervals, on cheap land, small plots of open ground, where the little ones can amuse themselves without being a nuisance to others, or in danger themselves, as they now are when playing in the streets.

The same principle applies with equal force to the situation of the houses themselves. Under present arrangements, a considerable item in the rent of small houses is the ground rent for the land on which they and their back yards stand, and this is due to the fact that poor men live on dear land, whereas rich men live on cheap land. The time has come for recognising this unfortunate anomaly, and redressing it to the utmost of the power of those responsible for the management of national and local affairs.

Landowners who at first opposed Town Planning are now, with very few exceptions, strong supporters of the policy, and frequently assist in drawing out the plans. They find in the long run that Town Planning *pays them*, besides benefiting the community.

That is a short description of Town Planning. It is not essential to the policy that Local Authorities should have power to make complete definite and unalterable plans of the undeveloped land within their boundaries; on the contrary, it would be far better in practice that the general plan should be more or less flexible. In Germany, the making and publishing of complete plans by the Local Authority has led to considerable trouble and expense to the ratepayers. As time goes on, and the work of development is carried out, if those responsible are efficient people, they are sure to see possibilities of improvement in detail. The general skeleton scheme must, of course, be adhered to, but it is often discovered, in carrying out the scheme, that greater convenience would be ensured, and less expense incurred by some change in detail in, for instance, the curve of a main thoroughfare, or the juncture of some side street. Perhaps this results in the reduction in value of land that in the original plan was front land, but after the alteration, is in a less advantageous position. If this land has already changed hands on the assumption that it was valuable front land, as has happened abroad, then heavy compensation will have to be paid by the ratepayers.

Another essential provision is that there must be full right of appeal to the Local Government Board for everyone interested in the development of new districts.

This chapter began by reminding my readers that while the places where town-dwellers work may be, and probably must be in clustered districts, where light and air are restricted, yet their dwellings should preferably be on the open outskirts, and therefore we now have to consider how to get the people from their homes to their work and back again.

For that purpose, the first requirement is wide main thoroughfares, and if forethought is exercised, it is comparatively easy and inexpensive to make these main thoroughfares pleasant and healthful; healthful, because they are wide, and therefore act as long ventilators for the town, and pleasant as well as healthful, by planting trees, which are most useful, by their property of absorbing noxious gases, as well as being pleasant to the eye.

In London, the greatest city in the world, the necessity for wide main thoroughfares was not recognised by public opinion until it was too late to provide them, except at overwhelming expense, due to the enormous cost of compensating the owners of the buildings that had to be demolished. In provincial towns it is not yet too late to provide for the wider distribution of our population, because expensive buildings have not yet been erected very far from the centre.

Illustrations must assist written explanations, and I am much indebted to Dr. Ludwig Hercher for permission to reproduce his ideal town plan. This is an imaginary plan arranged to provide for all the requirements of town work and town life in a complete, harmonious, and economical manner.

Wide tree-planted avenues are provided for the convenience of main traffic, and here are located the shops and business premises of those whose commercial enterprises will be greatly benefited by the position of their establishments.

Narrower streets for ordinary traffic, and again narrower and less expensive roads or drives for purely the residential quarters of the poorer as well as of the richer classes, so that the weekly rents of small houses may not be artificially forced up by the interest on the money spent on road making, where a narrower roadway with trees and grass on either side would be all sufficient for the traffic, and infinitely healthier and pleasanter for the residents.

Parks and small open spaces and playgrounds are provided for beforehand, instead of waiting till the land required has risen to an impossible price, and these lungs are located on back land, not on valuable frontage.





Public and other principal Buildings
and future extensions thereof.



Business
Premises.



Manufacturing Districts.
Also Residential Districts.

IMAGINARY PLAN, SHOWING SOME OF THE MAIN PRINCIPLES OF TOWN PLANNING.

Prepared by Dr. Hettner, a German Expert.

A special district is set aside for factories, presumably on the leeward side of the future town, and here are provided means for getting in cheaply and easily the raw materials required, and sending out the finished articles produced.

On this plan is also shown in skeleton the future town divided into districts according to the class of buildings allowed, and the various districts are carefully graded. High buildings close to each other are only allowed in the centre and on main arteries. In residential districts buildings must be lower and more dispersed, the further they are from the centre of the city or from main arteries.

In England, this dispersion of small houses, or, to use the current expression, the restriction of the number of houses per acre, cannot be carried out in practice without charging house rents beyond the means of the poorer classes, owing to the heavy cost of estate development caused by our expensive regulations. In Bournville, for instance, Mr. Cadbury's model village, the house rents might have been considerably lower if the Local Authority had been able and willing to allow narrower macadam, whilst maintaining the width between the houses, where nothing heavier than an occasional cart is ever seen.

The photographs on next page illustrate the point. No. 1 shows a road at Earswick, a model village founded by Mr. Rowntree. It is in a rural district, and subject to rural bye-laws. No. 2 shows a road at Bournville, which is in an urban district, and subject to urban bye-laws. The Earswick Road is quite wide enough for all the requirements of the tenants, and the rents of the houses are well within the means of working men. The Bournville road is much wider than necessary for the convenience of the frontagers, and great expense has been incurred in curbing and channelling, which expenditure was saved at Earswick. The result is that the rents of most of the houses at Bournville are above the means of the lower paid working man.

The difference between the rents at Bournville and Earswick must not be understood, or rather, misunderstood, to be in any sense a criticism of Mr. Cadbury's great work. There is, in my opinion, no one who has done more for housing reform by example as well as precept. His influence for good in this direction is not confined to England alone; it is widely recognised abroad, and by no means the least of the services he has rendered to the cause is his practical demonstration of the fact that our inelastic English bye-law system presses most hardly on the very people it was designed to help.

Mr. Cadbury saw at the very beginning of his work that



A VIEW OF EARSWICK, SHOWING ECONOMICAL ESTATE DEVELOPMENT.



A VIEW OF BOURNVILLE, SHOWING UNNECESSARY EXPENDITURE ON ROAD-MAKING.

nothing he did would be of any general use unless he did it on lines that any other individual or company could copy—that is, unless he insisted on a return for the Trust of 4 per cent. even if it devoted, as it does, the interest to public purposes or extension. It is his steady adherence to this sound business principle that has brought out the object-lesson I have endeavoured to explain.

I might have compared Bournville with the ordinary modern suburb, but that would have been misleading, and therefore I have purposely compared estates, both of which have been developed by public-spirited landlords, using all their brains and energy to do the best possible for their tenants, and the result shows the imperfections of our urban bye-laws. Earswick, under bye-laws suitable to small house districts, is much more satisfactory to the working man's pocket than Bournville, under what are commonly known as the model bye-laws. In both cases the capitalist has received 4 per cent. and no more.

This comparison is certainly fair; I hope it may prove useful, but we must not forget that at least nine-tenths of the house-builders of this country are engaged in the business simply and solely to make a living, and we must consider how existing regulations and administration affect this body of men.

The heavy expense of estate development compels the ordinary landowner to put as many houses to the acre as the bye-laws allow, in order to earn interest on the capital invested.

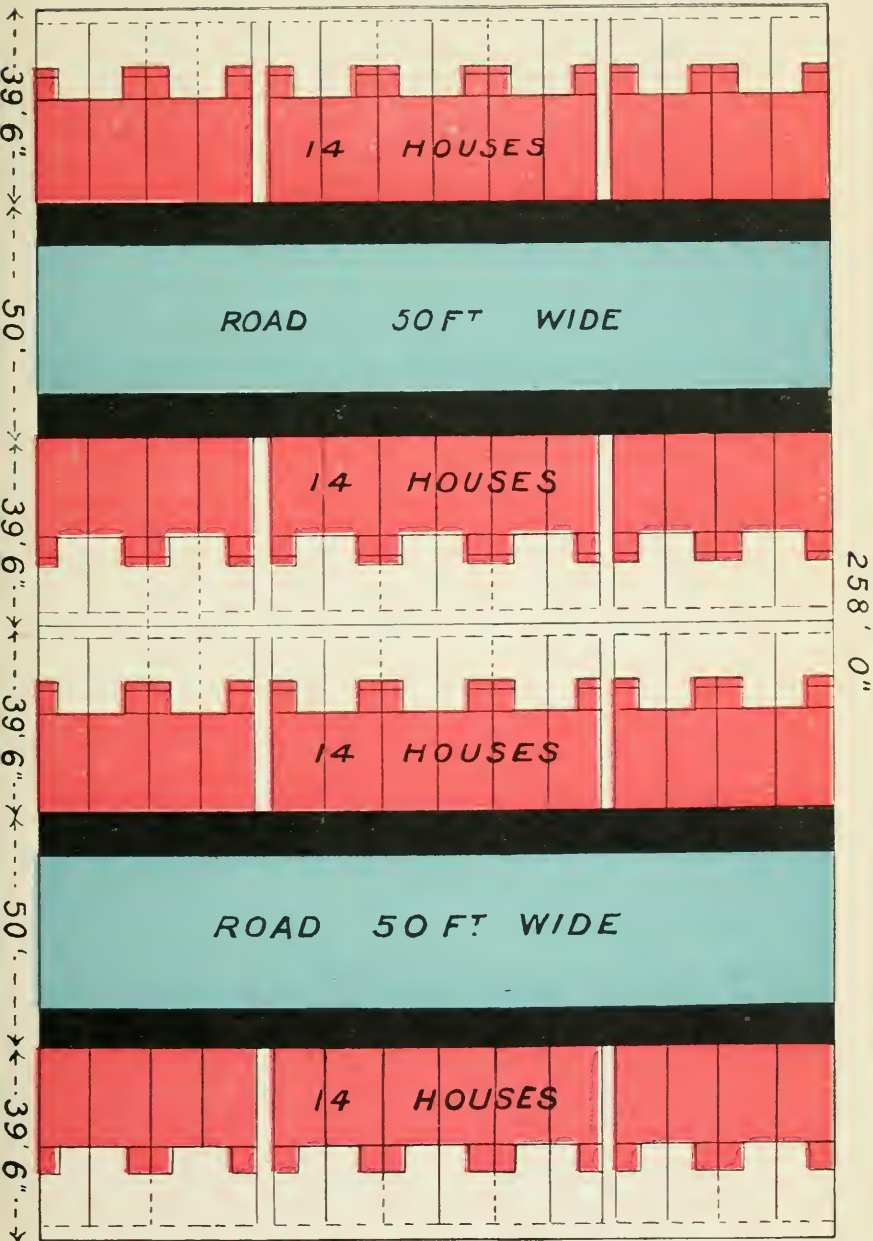
The following photograph and plan illustrate the direful results of the present utter absence of co-operation between those engaged in the provision, and those engaged in the supervision of housing accommodation for the people. The photograph shows one of the many dreary deserts of macadam on which people of small means have to "feast" their eyes in the modern English suburb. The plan shows fifty-six houses to the acre, an arrangement which is not only not prevented, but is actually encouraged by the model bye-laws.

No thoughtful man will advocate the letting of houses below their economic rent, by means of subsidies from the rates, in one form or another, either overt or covert.

Wages follow rents, and therefore that policy would only result in providing capitalists with cheap labour at the expense of the general body of ratepayers. Capitalists, as a body, are quite able to take care of themselves without any outside assistance, and there is no reason for providing them with cheap labour at the expense of the general body of ratepayers.



168' 0"



PLAN MADE IN CONFORMITY WITH THE BIRMINGHAM BYE-LAWS, SHOWING FIFTY-SIX HOUSES TO THE ACRE.

The object of housing reformers should be to level up, not to level down; we should endeavour to secure the best possible housing accommodation within the means of the people, and not to reduce rents by cutting quality or manipulating the local rates.

At the same time it must not be forgotten that if house rents are too high, owing to bad organisation or bad management, then either we shall not get the people we want to help into the houses provided, or if they do go in they will overcrowd them with lodgers in order to pay the rent.

Some may think that municipal inspection ought to prevent this evil; but practical men know that no amount of inspection will correct the results of a policy that is economically unsound. The driving forces behind unsound economic conditions are far too strong to be affected to an appreciable degree by any inspectorial arrangements, especially in this country, where we set so much store by the liberty of the subject.

CHAPTER VI

THE ECONOMIES TO BE EFFECTED BY TOWN PLANNING FOR LAND-OWNERS, HOUSE-BUILDERS, RENTPAYERS, AND RATEPAYERS



THE hygienic and æsthetic advantages to be obtained by Town Planning are now becoming more or less generally recognised, but the economic advantages obtainable have not been so often and so fully explained, and therefore I propose, even at the risk of some repetition, to gather together in one chapter the economies to be effected by Town Planning, and present them collectively, and I hope, convincingly before my readers.

Our two greatest national assets are the land and the people. I have shown in Chapter I. how wastefully the land of England is used for housing purposes. Our bad housing conditions are responsible for untold loss through the physical inefficiency of the people. The loss to the nation caused by large numbers of our wealth-producers always being in indifferent health, and therefore not able to do so much and such good work as they could if physically fit, is at least equal to the amount collected each year by the Chancellor of the Exchequer from the pockets of the people. The financial loss to the country—direct or indirect—through waste of human health, is largely caused by the conditions under which one-third of the population live.

There are many whose actions, both public and private, are based on the assumption that it does not matter to them what happens to the rest of the community. They forget that we are all members of one body politic, and injury or loss to any member is injury or loss to all.

Under our present system it is impossible to re-organise our towns because of the enormous expenditure that would be involved, nor is it possible without Town Planning to prevent the continuance of waste.

Those who have gone into the prime cost of providing houses for the people, are aware that healthy homes with cheerful surroundings cannot be provided at rents within the means of the poorer classes on land that costs more than £300 per acre. Millions of the poorer classes in this country are housed on land, the capital value of which is £3,000 per acre or more, and very large numbers* of our town-dwellers are living upon land worth £10,000 and over. I have purposely taken £3,000, and not £10,000, in comparison with £300, because it is always wise to understate rather than overstate a case, especially when it is as strong as this one is.

While on the one hand, the life and strength of the people are being frittered away by overcrowding them on land at £3,000 an acre, there is a practically unlimited supply of land now available for housing purposes, which at £300 an acre would now show the owners a very handsome profit.

Just as I have purposely understated the value per acre of overcrowded housing land in our towns, so also I have overstated the value per acre of empty land available for housing purposes on the outskirts of our towns.

A shrewd and patient man, going the right way to work, would have no difficulty in finding plenty of land for this purpose at considerably less than £300 per acre. The £3,000 land could be used to far better advantage in other ways, and the use of vacant land for housing purposes would bring large profits to the owners.

These two great national extravagances, *i.e.*, the unmethodical use of land and the destruction of the people's health, are so large and at the same time, so common, that few people take any notice, and still fewer take the trouble to master the figures involved.

Attention is often drawn to the inhumanity and the barbarous ugliness of our national housing, but few reformers explain the enormous waste of money that is involved, and still fewer realise the magnitude of the sums that are wasted. It is a negligible proportion of our population that has had the opportunity of acquiring the habit of thinking in millions, and few even of these have applied the habit to the solution of social problems.

The unnecessary waste of human health and human strength in this country is stupendous, and cannot be expressed in figures, but by dint of taking considerable trouble, it has been ascertained that at least £30,000,000 of the ratepayers' money has been lost in about thirty years, through lack

* Some quite poor people still live in the City of London where land changed hands recently at just under one million pounds per acre.

of Town Planning powers. In the early part of 1907, the Association of Municipal Corporations sent out inquiries on this point to 300 county boroughs and boroughs. It is true that replies were only received from a comparatively small number of places, and a considerable proportion of those who sent no figures were just those who had spent the most money. No reply, for instance, was received from any Local Authority in London.

Even so, the total expenditure confessed to, amounted to no less than £12,147,336 during ten years alone. Since the Association issued their report in May, 1907, further information has been obtained, and it is clear that the total amount stated above, viz., £30,000,000 in thirty years, is certainly well within the mark, and explains to a considerable extent the reason of our ever increasing local rates.

The ways in which this wanton waste of health and wealth could be stopped by the introduction into public affairs of better organisation and more co-ordination may be summarised as follows:—

- (1) Reduction in the cost of estate development.
- (2) The bringing into the market of more land for housing purposes.
- (3) Co-operation between Local Authorities and landowners, and landowners amongst themselves.
- (4) The pooling and redistribution of small plots of land.
- (5) Harmony between buildings located on adjacent sites.
- (6) Prevention of evils instead of heavy compensation for their cure later on.
- (7) The assistance of first-rate men in Town Planning, with business experience.

1. The various possibilities of reducing the cost of estate development have been so fully dealt with in other chapters that it is not necessary to explain them again here, but an interesting example of the expense and delay caused by our present system occurred the other day at Hull. The local bye-laws prevented the erection of a Garden Suburb. In order to get over the difficulty, the Local Government Board were appealed to, and they sanctioned the necessary change in the bye-laws. As a consequence, the Hull bye-laws are being specially altered to meet the case, which is excellent so far as it goes, but will take time, and occasions great delay. This is a serious matter to most men engaged in the business of house-building, because loss of time means loss of interest on capital.

Town Planning powers would enable Local Authorities to

co-operate with landowners without having to consider the exigencies of a central authority, in what is, after all, a purely local matter. These ought to be dealt with in a prompt and business-like manner, considering each case on its own merits. A cast-iron theory is disastrous.

The provision of main arteries for through traffic would, on the other hand, increase the cost of estate development, unless a change is made in our present practice. It has always seemed to me unreasonable that the cost of providing for main traffic should fall entirely on one set of people—that is, on those who suffer the annoyances, as well as benefit by the advantages of the site. This is inequitable.

One of the reasons why main streets in our towns, or on the outskirts are not now made as wide as they should be is, because the landowner has to pay the whole cost of road-making.

Impartial people will, I think, agree that the landowner ought not to be called upon to bear more than that proportion of the cost of a road or street that is necessary for the convenience or advantage of the frontagers. For instance, shop-keepers and other business men benefit materially from having premises on main thoroughfares—they do more business—they can afford to pay their share of the cost of road-making; but the tenants of private houses would, as a rule, much prefer to live away from the noise, dust, and motor smell of a main thoroughfare.

It is manifestly unfair, and therefore economically unsound, to make the tenants of private houses pay all the cost of a main road that is required by the Local Authority for the convenience of the general public. The frontagers on a main road ought to pay for what is clearly to their advantage; the general public ought to pay for what is done for their convenience. Those who call the tune should pay the piper.

If Local Authorities were able and willing to work with landowners on this principle, provided landowners would give up the land required free of charge, which, as far as I know, they are now willing to do, then foresight in Town Planning, combined with co-operation in town extension would undoubtedly result in saving the ratepayers' money, as well as reducing the cost of estate development.

Another way in which Town Planning pays the landowner, as well as providing the working classes with what they badly want, is by allocating for allotments back-land not required for public playgrounds. Allotments near a large town fetch as much as £10 per acre, and by the simple method just explained, the landowner gets, without any capital expenditure, about twice as much income from these

odd bits, as he could get even for accommodation agricultural land near a town. This immediate increase of income appreciably assists the financial position.

2. (a) The reduction in the cost of estate development would bring more land into the market for housing purposes, because it would help those owners who have some free capital, but not much. Under more favourable conditions they would be able and willing to develop their estates.

(b) There would still be left that large number of landowners who have no free money available. These at present hold up their land because they cannot develop it themselves, and they will not let the jerry-builder ruin the districts with which they may have many dear associations. Remove by Town Planning legislation the fear of the jerry-builder, and at once large blocks of land will come into the housing market all over the country.

(c) A third method is to bring land that is now inaccessible within easy reach of busy centres of population. The provision of main arteries for through traffic is one of the very first considerations of town planners.

(d) The result of such a policy, by increasing the supply, would, of course, be to increase competition among the owners of land rendered capable of being fully used by the nation. Free competition among sellers, or in this case it may be lessors, is always the best possible condition for consumers—that is, the public.

(e) Town Planning would also, as already explained in a previous chapter, suit the general body of landowners, for this reason: Town Planning would prevent land-sweating—that is to say, it would prevent a very small proportion of the landowning class overcrowding their land to such an extent with human beings, that there are no customers left for their neighbours.

This is exactly what is happening at the present time. Nor must it be forgotten that there is at present an immense majority of men who get very little from their land, compared with the few fortunate possessors of valuable urban estates.

3. There is at present too often a feeling of permanent antagonism between Local Authorities and landowners, no doubt based on the fact that whereas landowners, like every other class, are determined to get as much as they can for themselves, the duty of Local Authorities is to get as much as they can out of landowners for the benefit of the communities they serve.

It is not generally recognised that the expenditure of landowners in developing their land for building purposes, eventually falls on the community. The more a landowner

has to spend on developing his estate, the more he charges in rent. When this axiom is understood, then both Local Authorities and landowners will get much nearer what they are aiming at, because they will work together instead of pulling different ways.

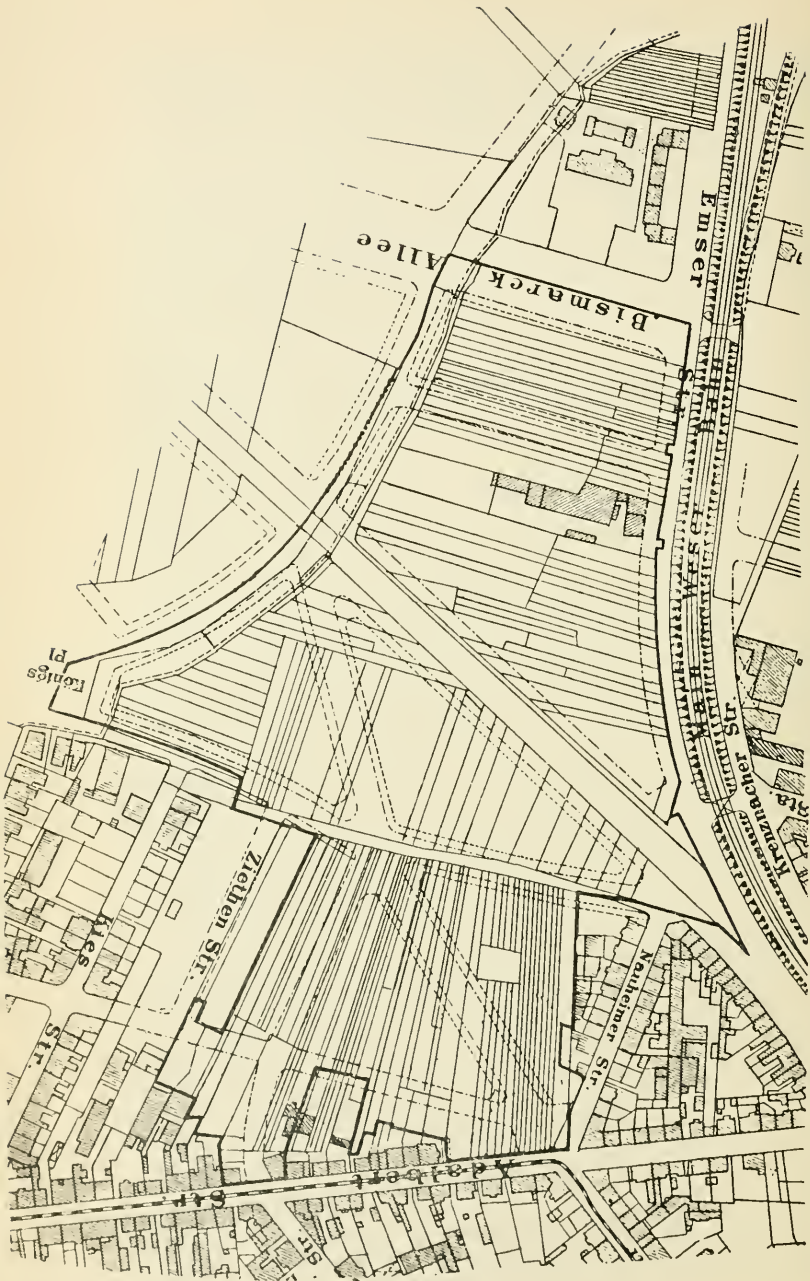
This principle has been followed in the administration of Part II. of the 1890 Act, already described in Chapter IV. of this book, with the eminently satisfactory result that the overwhelming majority of the property-owners of Birmingham are heartily assisting in the gradual reformation of our slums.

Town Planning would not only bring together Local Authorities, landowners, and house-builders to work for the same end—the good of all; it would also bring together neighbouring landowners, and avoid the loss described in Chapter II.

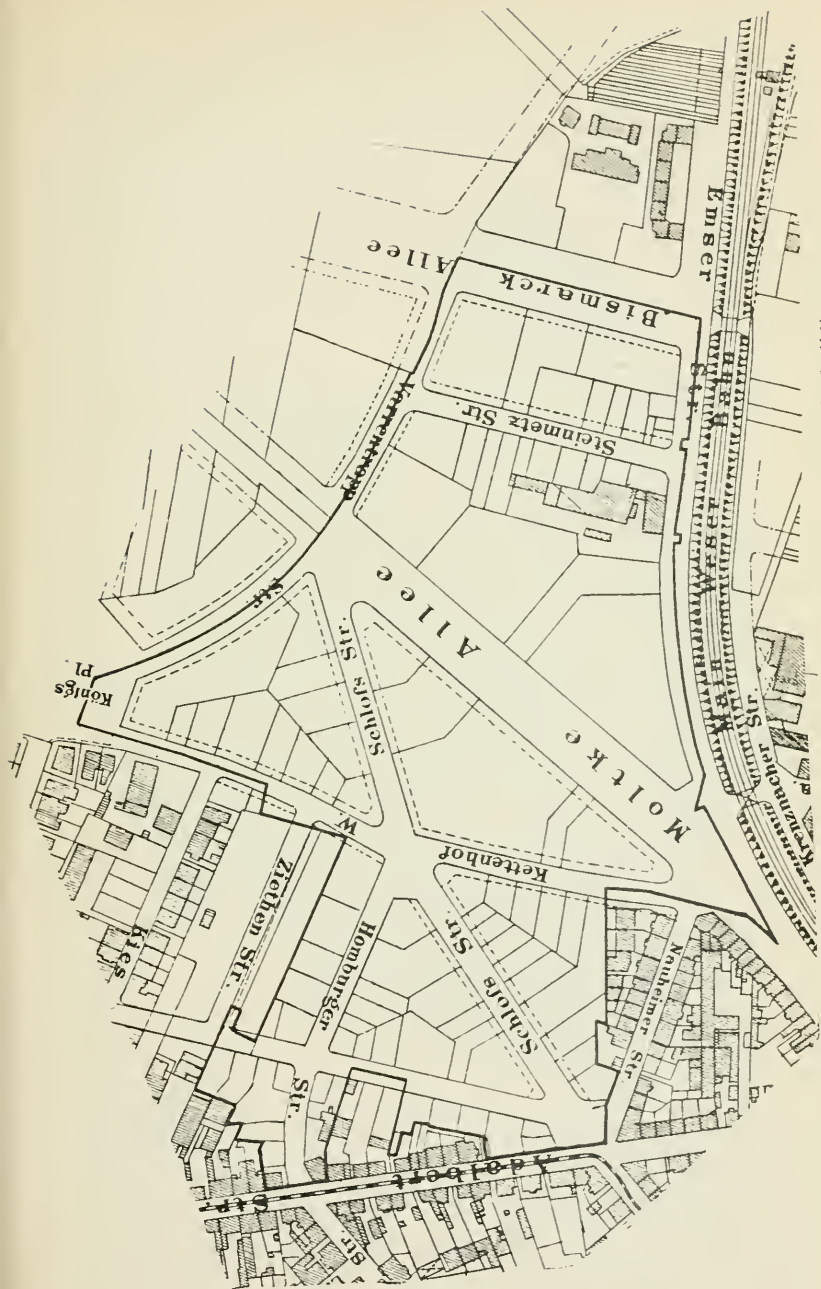
4. A method for attaining this object known as the redistribution method, works very well elsewhere, and could no doubt be adapted to English ideas and methods. A short explanation may prove interesting and suggestive.

Land, divided into plots among different owners, is considered as a whole, and planned out in a suitable manner, regardless of the difference in ownership, provision being made for the necessary streets and open spaces, etc. A calculation is then made to ascertain what percentage of the whole land involved is left available for building sites, and each landowner receives back a percentage of his original holding equal to the percentage of the whole area available for building. The new plot is given as near as possible to the old plot, and the question of corner sites, etc., is carefully considered and taken into account. It is invariably found that the smaller plot of land returned is more valuable than the larger plot originally held. The smaller plot is convenient for building—the larger was not.

The plans on the next two pages illustrate what happens. "A" shows the land inside the thick black line divided up into a large number of small ownerships, most of which are of little or no use for building purposes. The thin lines are boundaries between different ownerships. Plan "B" shows the land also divided into a large number of different ownerships; but now, owing to the redistribution that has taken place, each man's land is far more valuable than what he previously had. No wonder landowners approve of a system which in practice benefits, and indeed, protects them, as well as benefiting the rest of the community. There are, of course, points of detail, where one man's interests are inimical to another's, but on all important points, the things that really



PLAN A — BEFORE REDISTRIBUTION. The thin lines are boundaries between different ownerships. Very few of these plots are of any use for building purposes.



PLAN B. AFTER REDISTRIBUTION. Each man's plot is now available for building purposes.

count, the interests of those concerned, are identical, and the sooner this is realised the better.

At the same time, we must not forget that the argument of personal advantage to be obtained, does not always suffice to persuade everyone to come into an arrangement of this sort. There is generally the quarrelsome man who delights in cutting off his nose to spite his face, and is quite pleased to suffer considerable pecuniary loss himself, if only by so doing he is able to injure his neighbour. He does not put it quite like this to himself or to others, but this is what his actions amount to in practice. It is therefore necessary to give Local Authorities powers of comprehensive control, so that they may be able to compel the "odd men" of the landowning class to work with others.

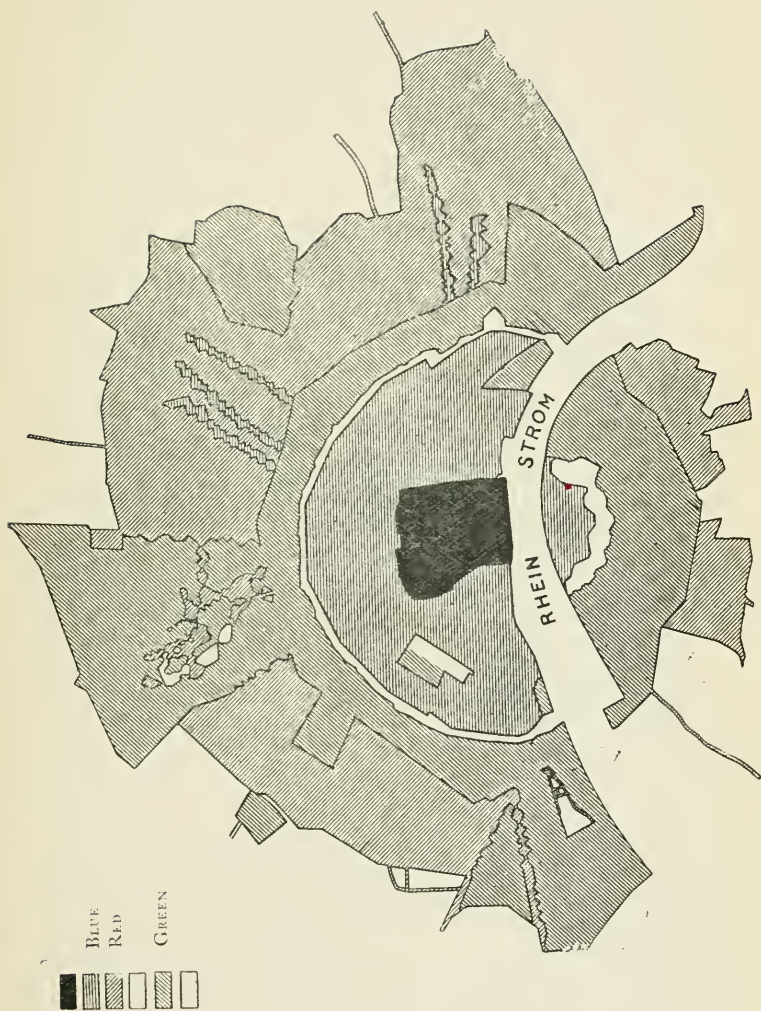
5. Another way in which Town Planning would effect great savings is by fitting all the requirements of a city into one harmonious whole. These requirements are so numerous, and in many cases so inimical to one another, that unless everything is thought of beforehand, and carefully arranged in relation to other essentials, a great deal of the work of town-building has to be done over again, than which there is nothing more wasteful. For instance, a factory emitting noxious fumes, placed next to a park or dwelling-houses, will seriously injure the vitality of the human and vegetable life in its vicinity, with the result that the money spent on the park is largely wasted, or the dwelling-houses have to be pulled down at considerable loss to the owners.

There are plenty of examples of this wastefulness in England to-day.

A hospital placed near a park would derive great benefit for its inmates, without in any way interfering with those who use the park. Many of our hospitals on the other hand, are situated in busy thoroughfares, with tall buildings all round them.

Dwelling-houses would be cheaper, as well as pleasanter, if situated on minor streets, and business premises would greatly benefit by positions on main thoroughfares.

Under our haphazard English practice, the various constituent parts of a large town are dumped down anywhere, instead of all being carefully fitted in together; and perhaps, worst of all, no adequate provision is made for getting easily, quickly and cheaply, from one part of a town to another, not only from the centre to the outskirts, but also from one point to another on the outer circle. Suppose, for instance, that someone wants to get from A to B (see plan, p. 77), he will have to walk or else go right into the centre and out again, and lose time changing conveyances at the centre, unless he

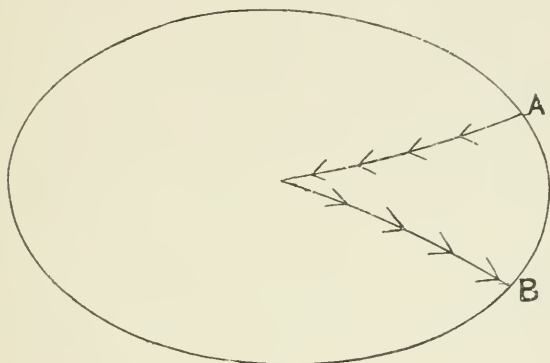


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[See back for particulars.]

Cologne furnishes, perhaps, the best example of Town Planning to be found. It serves as the model on which many other German cities are now acting. It has what is known as the "zone," or district building system. Under this system the whole city area is mapped out in zones, for each of which special building regulations are made. On a large map (from which our diagram is taken), these several zones are coloured black, blue, red, and green, with certain portions uncoloured, indicating that those areas are as yet unplanned. On the *black* zone—which is the centre and business part of the city—25 per cent. of all land built on must be left free from any buildings; on the *blue*, which immediately surrounds the black, 35 per cent. free, but buildings may have four storeys; on the *red*, if the building is not more than 29·5 feet (9 metres) 35 per cent. only need be free, if higher, 50 per cent.; on the *green*, which is the zone of villa residences, the buildings must be detached, with about 33 feet between each, with gardens in the front, and 50 per cent. of the site must be left free. But this green zone is not separate and apart, like the wealthier villa suburbs of an English city; it is cut up into sections, and so interspersed with the blue and red, that the dwellers in the poorer districts are always within reach of beautiful surroundings, and in touch with their richer neighbours.—*Progress.*

belongs to the favoured few who possess a vehicle of their own. In Germany this is got over by a system of "ring" streets, with trams, like that shown on the plan on page 75. The white ring round the central portion coloured blue is a wide main artery, constructed like the radial main arteries, with plenty of room for a quick service of trams.



6. It is quite impossible to put into figures the waste of money and the waste of time (nowadays as valuable as money) that is caused by our reckless want of method. The total loss is so large, as to be quite beyond our comprehension. The ratepayers are now groaning under the cost of Town improvements, which would not have been necessary if things had been properly arranged at first. The great Birmingham Improvement Scheme of 1875, for instance, consisted in the removal of large blocks of small house property from the centre of the city, in order to make room for a business street which ought to have been arranged there in the beginning. It is still costing the town nearly £20,000 per annum.

7. The savings enumerated in this and other chapters will not be effected unless we are able to enlist the help of first-rate men in the work of administration. This could be done by co-opting on Town Planning Committees a certain proportion of experts, who have the necessary knowledge and experience to enable them to take into full consideration the legitimate interests of all concerned, as well as arranging for all the modern necessities of populous districts.

The more I go into the details of this Town Planning proposal, the more convinced I become that with the assistance of such experts it would effect large economies for land-owners, house-builders, rentpayers, and ratepayers.

Town Planning has been advocated as a philanthropic scheme, but the fact has been rather overlooked that its economic possibilities are equally great.

No reform is permanently successful unless founded on a sound economic basis. You may find an enthusiast here and there, who will provide good cheap houses for the people; but unless Town Planning pays, as it will if properly carried out, it will not really help the solution of the general housing problem, nor shall we secure to any general extent the hygienic and æsthetic advantages it is undoubtedly capable of giving us. When I advocate Town Planning for its economic advantages, I must not be misunderstood to mean by this term the 10, 20, or 50 per cent. profit of land speculation and jerry-building. I am referring to a sound, safe, permanent 4 per cent. investment. I am considering what is generally described as the long view of business as opposed to the short view.

The economic soundness of Town Planning is due to the fact that union is strength, and division spells disaster. Here in England we are all at sixes and sevens, without foresight and without any attempt at general control of town development, whereas there is no business in which comprehensive control is more essential to success.

8. Town Planning is not only capable of preventing waste of health and wealth; it can, and in fact has, in other countries enormously increased the national wealth by encouraging and assisting industry and commerce. Mannheim, for instance, has provided for railways along certain streets from the works to the depôt, thereby relieving those streets of the wear and tear of heavy railway waggons, and enabling manufacturers to load and unload straight into and from railway trucks, which saves the cost of transshipment. She has also provided magnificent docks for canal boats, and so improved her canal communications as to greatly reduce the cost of transport of raw materials and finished goods. Not satisfied with her past achievements in this direction, she has also reserved sites for future docks to be constructed as and when required. In England this work is left to private enterprise, with the result that in Birmingham, for instance, our principal canal wharves are quite near the centre of the city, where land is expensive, and there is no room for expansion as the trade of the city and district increases; instead of being located as they should be, at various spots on the outskirts, where there would be room for extensions.

I am indebted to an article by Mr. Ramsay MacDonald, which appeared in the *Daily Chronicle* of June 2nd, 1909, for an example of what can be done by town planners to increase

the wealth of their community. Twenty years ago the population of Duisburg was 40,000, to-day it is 200,000. First one canal was made to an adjoining river, and then another. Fields were turned into harbours. The State stepped in. It united municipalities to begin with, and then took over their harbours. It spent 20,000,000 marks in building new ones, and it did it all in two and a half years. The work was only finished in 1908, but it is paying already. 26,000,000 tons of goods, mostly coal, are handled every year, and the trade is very nearly half as much again as the Port of Hamburg. In England, the canals are largely owned by the railway companies, whose objection to competition lays a heavy burden on wealth production and distribution. The Manchester Ship Canal is a striking example of what might be done for British trade if the State and our Local Authorities were to take in hand the reorganisation of our canal system.

What Town Planning is meant to do is, firstly, to consider the problem of the town, its present position and requirements, and the probabilities of its extension in various directions within some fifty years; and secondly, to make the best possible provision for present and future development.

CHAPTER VII

ENGLISH EXAMPLES OF TOWN PLANNING



THE Garden City idea, that is to say, the restriction of the number of houses to be built per acre, and the provision of open spaces where the children and young people can play and the older people can rest and enjoy themselves in a rational manner, has undoubtedly captured the imagination of the British people, unimaginative as we admittedly are. This feeling has been made manifest in the large number of attempts that have been made in this direction during the last very few years. Bournville, Coryndon, Ealing, Earswick, Hampstead, Hull, Leicester, Manchester, Oldham, Port Sunlight, Sevenoaks, Sheffield, Warrington, and Wolverhampton Garden Suburbs, to say nothing of Garden City itself, and three proposed garden suburbs in the immediate neighbourhood of Birmingham, are overwhelming proof that the Garden City idea is no longer a mere dream; it is already a practical reality.

In all these new settlements the same practical common-sense objects are being striven for, but in only one of these—viz., in Garden City itself—has the courageous attempt been made to found a new city on what was previously merely agricultural land. No one hopes more earnestly than I that the First Garden City may prove so successful that many others may be started in its wake. It is so infinitely easier to achieve the hygienic, artistic, and economic objects of Town Planning when starting with a clean slate, that one would like to see our overgrown towns done away with, and new ones built in their stead, if only this were possible. But our task is to improve existing towns as they are, and gradually, with infinite patience and perseverance, bring them up to what they ought to be. This will be an expensive and laborious, but not an impossible undertaking. But one of the most urgent questions of the moment is to prevent the repetition of mistakes due to haphazard methods.

At present I would only remind my readers that each succeeding year new streets are being made and new buildings are being erected on the outskirts of every town that has the slightest pretension to prosperity. It is our business to see that these town extensions are properly carried out, and the attempts already made in this direction, although very meagre compared with those in other civilised countries, owing to the absence of Town Planning legislation, are yet sufficient to supply us with many valuable lessons as to how best to set about our work in this country.

It has been written, and so well written, about the hygienic and other advantages of Town Planning, that I will in the following chapters, confine myself chiefly to the economic advantages to be obtained.

Garden City, which is hampered like urban districts, with extravagant and unsympathetic bye-laws, meets the economic ideas of town planning in many important respects. It is pioneer work, and therefore of necessity mistakes have been made, but the total result is most encouraging and instructive.

The beauties of Port Sunlight are too well known to require description, but Mr. Lever makes no secret of the fact that the rents received do not cover the charges incurred. Bournville is equally beautiful, and has this great advantage from the all-important economic point of view, that Mr. Cadbury has from the very first always insisted that the rents received should show a 4 per cent. return on the capital employed. The weak point here is that very few of the houses in Bournville are let at rents within the means of the poorer working man; this is largely due to an extravagant bye-law system that insists upon unnecessarily wide and expensive roadways, involving a very heavy expenditure on estate development. The interest on this extravagant expenditure has to be paid by the tenants, and by this means large numbers of respectable working men are deprived of the benefits which Mr. Cadbury has been at such pains to provide them with.

The Town Council of Hull have been confronted with the same difficulty in the case of Mr. Reckett's garden suburb on their outskirts. They applied to Mr. John Burns for assistance, and the Local Government Board is now modifying the building bye-laws of Hull, in order to help the working men in that area.

Of the other schemes enumerated above, I propose to deal with only five:—Earswick, Fallings Park, Coryndon, Hampstead, and Harborne, one of the three Birmingham schemes. The remaining schemes are either so little advanced, or have been so hampered and hindered by

extravagant bye-laws, that they are of little use to the main purpose of this book, which is to show the economic advantages of Town Planning.

EARSWICK is laid out on strictly economical lines, so far as road-making and estate development are concerned. In that district the bye-laws do not insist upon more than eighteen feet roadways of macadam, where it is obvious that no greater width is required.

Plan A, with its references, needs little explanation. The village is governed by a Trust similar to the Bournville Trust, but owing to the absence of extravagant bye-laws Mr. Rowntree has been able to provide labourers' cottages with a living-room 20 feet by 12 feet 6 inches, a larder, and scullery on the ground floor, and three bedrooms upstairs, at a rent of 5s. per week, exclusive of rates. Attached to each house, is a garden of not less than 350 square yards, which is considered to be as large as a man can easily and profitably work by spade cultivation in his leisure time. Semi-detached cottages are rented at 5s. 9d. per week, and parlour houses at £16 to £20 per annum, all exclusive of rates. The houses do not occupy more than one-seventh of the sites on which they are built.

The 120 acres comprising the estate have been planned out as a whole by Messrs. Barry Parker and Raymond Unwin, Architects, Garden City and Hampstead. The roads vary considerably in width. The main roadways are 18 feet, with about 6 feet of grass between the roadway and the footpath on each side of it. There are other roads in which there is a roadway of 16 or 18 feet. and a grass margin without any footpath. The distance between the houses on either side of these roads is more than 50 feet. In Station Avenue the distance is over 100 feet. Trees are planted in the grass verges. The trees and hedges that were found upon the estate have been worked into gardens, instead of being cut down as always happens in the ordinary modern suburb. The references on the plan show that everything has been provided for in the way of quiet rest, healthy recreation, and the public institutions necessary to the rational desires of such a community. 10 or 12 acres out of the 120, have been reserved as open spaces. The houses are so placed or designed that the main living-rooms of the house get a sunny aspect, and when this cannot be otherwise attained, the living-rooms are put at what would ordinarily be the back of the house.

THE FALLINGS PARK GARDEN SUBURB, near Wolverhampton, has not been favoured by any special legislation, but it has been fortunate in coming under the jurisdiction of a sympathetic and sensible local authority. They have recognised the

PLAN OF PROPOSED VILLAGE AT FARSWICK NEAR YORK



BARRY PARKER & RAYMOND UNWIN
ARCHITECTS.
HAMPSHIRE & LETCHWORTH.

DRAWING No 7580.
Oct 1907.

PLAN A.

PLAN OF PROPOSED VILLAGE
 AT FARSWICK NEAR YORK
 FOR MESSRS DOWNTREE & CO.



- REFERENCE.
1. CENTRAL GREEN & RECREATION GROUNDS.
 2. CENTRAL BOARDING LINGERS' CHURCH.
 3. CHURCH OF ST. MARY'S.
 4. NEW SCHOOL.
 5. NEW ASSEMBLY HALL.
 6. CENTRAL DISPENSARY.
 7. CENTRAL SCHOOL.
 8. CHURCH & SCHOOL GROUNDS.
 9. CHILDREN'S PLAYGROUND.
 10. CENTRAL TRAINING AND RECREATION HALL.
 11. CENTRAL FIRE STATION.
 12. CENTRAL & JUNIOR SCHOOL.

Existing Roads ————
 Existing Plots ————
 New Sites ————
 Water ————
 Land for Building ————
 Suggested Position for Buildings ————
 New Buildings arranged and erected ————
 Buildings erected & not yet erected ————

DRAWING NO 7580.
 OCT 11/07

SCALE 200.00 FEET TO AN INCH BEING 2500.

DUBBY BARNER & BARONIA LINGING ARCHITECTS & LANDSCAPE ARCHITECTS
 MANCHESTER & LETCHWORTH, &

PLAN A.

great economic benefits to be obtained for their constituents, by the public-spirited and business-like policy of meeting the landowner, Sir Richard Paget, half way in the give-and-take spirit that he has adopted towards the community and its representatives.

The estate consists of 400 acres laid out as a whole, with wide main roads where they are required for through traffic, and narrower side streets for ordinary traffic. There is a fine central feature to lend dignity to the suburb, and inspire those feelings of local patriotism without which good government is impossible. Open spaces are preserved where they are of most value to the people—namely, in close proximity to their homes.

One of the greatest needs of modern times is the provision of playgrounds for the children, which shall be so near to their homes that they will not have to cross busy streets. A considerable portion of these open spaces are located on back land, thereby avoiding the waste of valuable frontage. The open spaces on this estate would have cost an impossible sum unless they had been planned out beforehand, and in the long run this cost would have fallen on the tenants of the houses.

Plan B shows on a larger scale the arrangement of a triangular piece of land abutting on the Cannock Road. Two interesting features of this plan are the location of the playground and allotments away from the main roads, and the narrow inexpensive pathways leading to the houses. These provide all the means of access that are required, and do not unnecessarily increase the rents of the houses. The dreary deserts of macadam in our modern suburbs are more often than not far wider than is necessary for the traffic that goes along them, and the payment of interest on this extravagant expenditure falls on the tenants of the houses.

The Fallings Park scheme is unique among what are known as Garden City and Garden Suburb movements, in that it is not promoted by a Local Authority or society of public utility, nor did the promoter have to buy land for the purpose.

The landowner saw that in the long run he would get a better investment by having his estate properly planned, and getting decent property erected on it. By the exercise of foresight, he will be able to provide all the amenities essential to a healthy happy community, at a low cost. He will be able to choose his tenants, and therefore get good ones. The Local Authority, on the other hand, saw that it was well worth their while, in the interests of the community, to meet Sir Richard Paget in the cost of estate development, in order to enable him to carry out his far-sighted policy. If Sir Richard Paget had held up his land, as so many do, until he could secure a

big price per acre, he might, by waiting, have got his price; but meanwhile interest on the value of his land would have been piling up against him, and it is doubtful whether he would in the end have been so well off as he will eventually be under this scheme. He has grasped two business principles on which so many concerns have been built up:—

1. "Small profits and quick returns."
2. "Always maintain good quality."

The Local Authority on the other hand, have seen that the supervision of estate development is a business question.

Some complaints have been made that Sir Richard Paget has been treated too leniently by the Local Authority concerned, and a fear has been expressed as to the state of affairs that would come to pass if all builders of small house property were treated as he has been. There need not be the slightest fear on this score. It will be quite safe under Town Planning legislation to allow Local Authorities to make concessions to landowners giving such advantages. The land speculator and the jerry-builder will not touch this sort of business. It is steady, safe business, showing a permanent return, which is just what they do not want. They want a gamble at the expense of the lives and strength of the people.

There are many who think that nothing serious can be effected towards the solution of the Housing problem without municipal land purchase. I have strong leanings myself towards land purchase, and shall discuss this question in another chapter; but at the best, municipal land purchase must be a very slow process, and meanwhile unhealthy suburbs rapidly increase. If this can be prevented by the co-operation of landowners and Local Authorities in the promotion of schemes like Fallings Park, then surely practical men should accept such help and be thankful. I have already expressed a strong opinion in favour of municipal land purchase, but much can be done before having recourse to such a policy. If landowners all over the country come forward with their help, land purchase may not be necessary.

The example of Sir Richard Paget has already taken effect. Three or four other landowners in various parts of the country are considering how to develop their land for building without destroying the amenities of the district. Some of these are only small properties, but the fact that Mr. Thomas Adams, of Wolverhampton, an expert on this question, is being asked to assist in laying out these properties, shows the progress which this idea is already making with English landowners.

Social reformers have a stiff fight before them in contending against the evils of overcrowding and insanitation. In this fight they can have no more useful allies than the landowners.

EALLINGS BARK ESTATE WOLVERHAMPTON
SECTION 'A' AREA TO BE DEVELOPED BY GARDEN SUBSIDY TENANTS LTD
PART OF SITE OF MODEL HOUSING EXHIBITION

NOTE:

THIS PLAN IS SUBJECT TO MODIFICATION AND MUST
 NOT BE TAKEN AS THE BASIS OF ANY CONTRACT

SCALE BY 10 FEET TO 1 INCH



PLAN B.

We stand on the threshold of a great conflict, but there is fair hope that landowners begin to see what opportunities lie before them, and that by the adoption of Town Planning they may confer a great boon on the community without loss to themselves.

A short description of one of these properties will not be out of place :—

CORYNDON.—(*The Garden Village at Peterston-Super-Ely*).—A scheme proposed to be carried out by John Cory, Esq., J.P., D.L., of Duffryn St. Nicholas.

The present scheme does not involve the establishment of a new industrial town, such as is now being realised at Letchworth. The aims of the promoters of Coryndon are to provide a model village at an accessible distance from Cardiff, where all the advantages of town and country life can be obtained.

Situation.—The site chosen is on the sloping ground forming part of the Duffryn St. Nicholas Estate, adjacent to Peterston Station, seven miles from Cardiff.

The land nearest the river will be laid out for parks and allotments, and as far as possible, buildings will not be permitted on a lower level than twenty feet above the River Ely.

The estate is situated in the rural district of Llandaff and Dinas-Powis, and is subject to its sanitary regulations and bye-laws. The population of the district has largely increased in recent years, and there seems every prospect of still more rapid growth in the future.

Area.—It is proposed to set aside an area of about 275 acres for the scheme; of this about 150 acres will be for building development, 60 acres for golf course and playing field, and 65 acres for allotments and small holdings. The building area will accommodate about 1,000 houses, and provide for a population of between 4,500 and 5,000 people.

Railway Facilities.—There is a good service of trains to Peterston Station, which adjoins the estate, but it is hoped that the G.W.R. Company will considerably improve this service as soon as there is any sign of development. The present third class season ticket costs £5 16s. per annum, but an effort will be made to get this reduced to £5. The first class season is £9 19s. 6d., and the second class £7 16s.

The plan is so arranged that the road from Peterston Station will lead straight to the centre of the village. The existing road is slightly curved, and will require to be diverted to secure a straight line, as well as slightly raised and widened. A new bridge will be constructed, as soon as possible, across the River Ely, leading from this road to the Main Avenue, which will be 100 feet wide, and will form the principal artery of the village. The avenue will be set out

with trees and grass margins, and only about one-fifth of the width will be laid down with macadam. The public buildings will centre round the upper part of this thoroughfare, including a Church, Chapel, Village Institute, Inn, etc. The Church will fill up the vista at its southern end. From this avenue the three principal crescents will run in semi-circular form towards the River Ely. Sites for all classes of houses will be provided along the two crescents which will be the first to be developed. A third crescent will afterwards be created further south. The three crescents are indicated on the plan as Pwllmyn Crescent, Cory Crescent, and Duffryn Crescent.

Class of Houses.—Provision will be made for all classes of houses ranging in price from £150 to £1,000 or more with rentals of 5s. per week upwards.

Rates.—Rates in Peterston are much lower than in Cardiff. It will be possible therefore to show a considerable saving to intending tenants of a comparatively small house in the matter of rates, representing from £5 to £6 a year to the tenant. Apart from other economies and advantages it will thus be seen that cost of the railway journey will be met from the saving in rates alone.

Ground Rent.—The ground rent will be calculated on the low basis of charging only about £50 for the land. Any addition to this will be for interest and sinking fund to cover cost of public services and roads. The first sites will probably be let at from £12 to £15 per acre, representing £1 to £2 each for the smaller houses—or about 6d. per week for one-tenth of an acre of ground, *i.e.*, 480 square yards. This ground rent will cover the cost of land, roads, sewers, laying out and provision of parks, capital charges for other public services, etc.

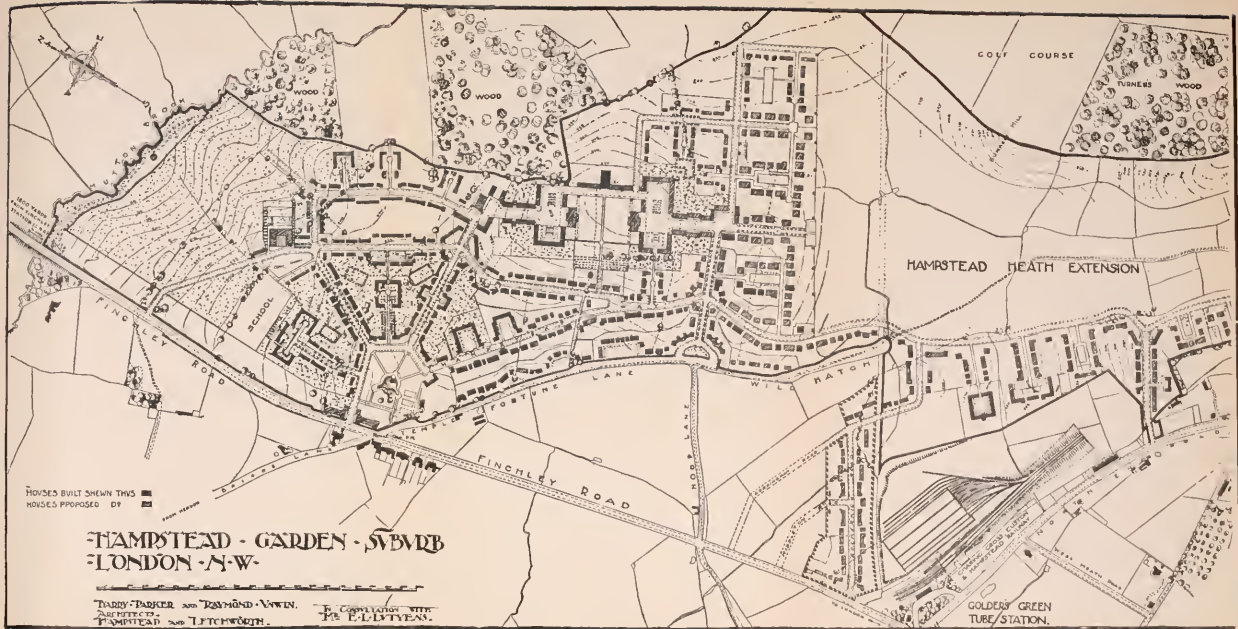
Allotments and Small Holdings.—Every encouragement will be given to the creation of allotments and small holdings on the outer fringes of the estate and any low-lying lands adjoining the river to be set aside for this purpose. It is proposed to keep building operations, as far as possible, above the 90-foot contour so as to secure a healthy and bracing elevation, and the land beneath this altitude will be set aside for intensive culture and recreation.

Preservation of Existing Features and Open Spaces.—Every effort will be made to preserve the timber now growing upon the estate, and as much as possible will be made of the existing features. Trees will also be planted along the new roads, and grass margins provided where possible.

Open spaces will be reserved for public buildings such as Schools, Village Hall, Gymnasium, Village Inn, Church, Reading Room, and Lecture Hall, etc. It is not proposed to



ENANTS LTD. AND THE SECOND HAMPSTEAD LTD.



PLAN C.—THE DOTTED SECTIONS SHOW THE LAND TAKEN UP BY OR OVER WHICH OPTIONS HAVE BEEN SECURED TO THE HAMPSTEAD TENANTS LTD. AND THE SECOND HAMPSTEAD LTD.

allow any licensed premises on the estate, but beyond this restriction the management of the village will be in the hands of the residents. Such questions as the provision of Churches, Chapels, etc., will be determined by the people of the village. The parks and open spaces will be laid out by Mr. Cory, and no direct charge will be made for these, as it is hoped that the cost of laying out the parks, etc., and of making the roads and sewers, will be met by the ground rents.

Financial Assistance, etc.—A scheme is being prepared to enable individuals who desire to erect their own houses, but who have not the capital for the purpose, by which 70 to 85 per cent. of the money required to build a house will be provided at a reasonable interest. By this means any individuals having £30 or £40 can erect his own house and obtain the balance on loan at 4 per cent., to be repaid over a period of ten or twenty years. All classes will be provided for, and the arrangement of the plan permits of the erection of large and small houses either in different parts of the estate, or together.

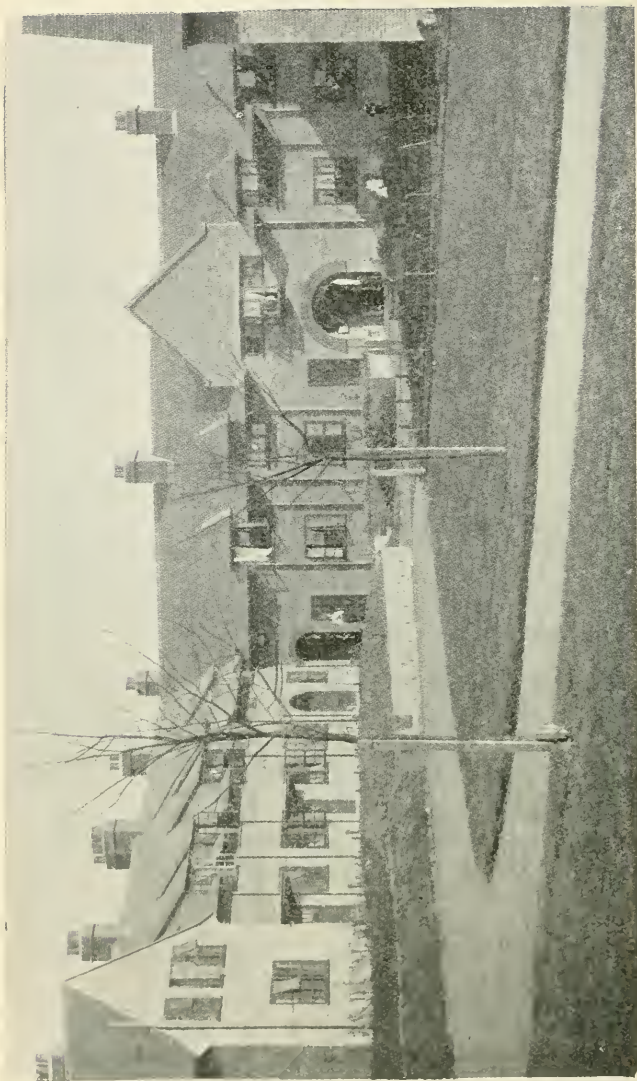
Some of the higher and more isolated sites are excellently adapted for the erection of large detached villas. The size of the plots will vary from one-twelfth of an acre to an acre, except in the small holdings area, where larger plots will be provided. The land will be let on leases of ninety-nine years at low rents, and provision will be made for renewal of leases at the end of this term subject to certain conditions, so that the leases will practically be continuous.

THE HAMPSTEAD GARDEN SUBURB was freed from hampering bye-laws by special Act of Parliament.

Plan C shows the latest proposals for dealing with the 240 acres reserved for housing. For this plan I am indebted to Mr. Raymond Unwin, who informs me that they are continually altering their proposals in detail, and improving upon their original ideas as to how best to deal with each part. Experience and study show them how to reduce capital expenditure, and at the same time improve the general result from both the artistic and hygienic points of view. This experience illustrates the necessity for elasticity in town plans.

Negotiations are now in process to arrange a certain amount of Town Planning conjointly with the neighbouring owner. If these negotiations are successful, the roads on the eastern side of the estate will be affected.

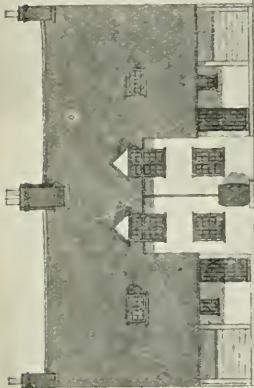
Another interesting feature in this Hampstead scheme is the handing over to the public of 80 acres, out of 320, to be added to Hampstead Heath, purchased by the joint action of



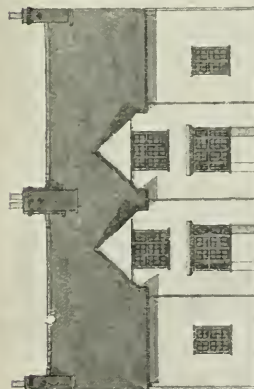
COTTAGES ARE BUILT ROUND GREENS OR SMALL OPEN SPACES AS SHOWN IN THIS ILLUSTRATION OF ASMUNS SQUARE (HAMPTON TENANTS ESTATE), SO THAT THE INHABITANTS MAY HAVE A COMMON GAME GROUND AND ALSO SMALL PERSONALLY-CARED FOR GARDENS. RENTS IN ASMUNS SQUARE BEGIN AT 6s. A WEEK.

HAMPSTEAD TOWNSHIPS,
PAIR OF COTTAGES IN
HAMPSTEAD WAY.

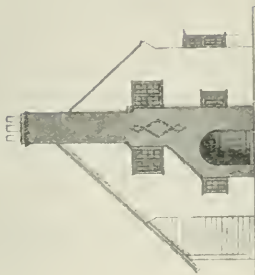
HAMPSTEAD, LONDON, 1874.
DESIGNED BY G. G. SCOTT, ESQ., ARCHT.
SCALE, EIGHT FEET TO AN INCH.
DRAWING NUMBER, 7572.



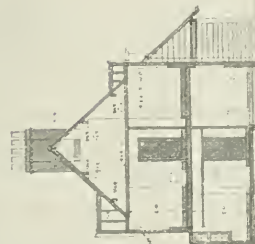
BACK ELEVATION



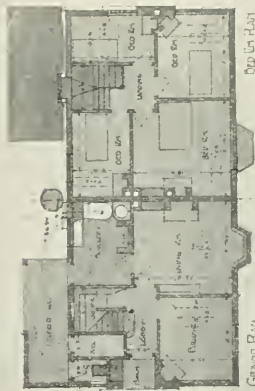
FRONT ELEVATION



SIDE ELEVATION



SECTION



GROUND FLOOR PLAN

Notes: 1. The chimneys are of brick and are to be built on the old foundations. 2. The roof is to be of slate and is to be laid on a new timber frame. 3. The floors are to be of brick and are to be laid on a new concrete base. 4. The walls are to be of brick and are to be laid on a new concrete base. 5. The windows are to be of wood and are to be fitted with sashes. 6. The doors are to be of wood and are to be fitted with panels. 7. The stairs are to be of wood and are to be fitted with iron balustrades. 8. The kitchen is to be fitted with a range and a sink. 9. The bathroom is to be fitted with a tub and a washstand. 10. The front parlor is to be fitted with a fireplace and a window seat. 11. The back parlor is to be fitted with a fireplace and a window seat. 12. The dining room is to be fitted with a table and chairs. 13. The kitchen is to be fitted with a table and chairs. 14. The bathroom is to be fitted with a tub and a washstand. 15. The front parlor is to be fitted with a fireplace and a window seat. 16. The back parlor is to be fitted with a fireplace and a window seat. 17. The dining room is to be fitted with a table and chairs. 18. The kitchen is to be fitted with a table and chairs. 19. The bathroom is to be fitted with a tub and a washstand. 20. The front parlor is to be fitted with a fireplace and a window seat. 21. The back parlor is to be fitted with a fireplace and a window seat. 22. The dining room is to be fitted with a table and chairs. 23. The kitchen is to be fitted with a table and chairs. 24. The bathroom is to be fitted with a tub and a washstand.

private generosity and the municipal authorities, inspired, of course, by Mrs. Barnett, the fairy godmother of Hampstead Garden Suburb.

This was a generous thing to do, and all the more useful because business methods were not forgotten. Generosity governed by sound business principles is ten thousand times more helpful than thoughtless charity, no matter how kind-hearted. The business side of this transaction was that a strip of land all round the open space was reserved by the suburb trust for building purposes. This strip will provide valuable building sites for well-to-do people, who will undoubtedly be pleased to pay a good figure for situations that can never be spoiled owing to the permanent open space in front of them. The return from these valuable building sites must prove of great financial assistance to the rest of the scheme.

It will be noticed from the plan that small open spaces and playgrounds have been dotted about all over the suburb, and no money is being wasted on unnecessarily expensive roadways. These essentials to Town Planning have been so often referred to that I need not emphasise them further than here.

This great scheme is due to the genius and energy of Mrs. S. A. Barnett, of Toynbee Hall, Whitechapel. Many others have helped in the work—some in big positions—many in small; but it was Mrs. Barnett who had the first inspiration, who enlisted the interest of those whose help was essential to success and who by steadfast faith and splendid enthusiasm carried to a successful issue the first example of Town Planning in this country that observes the economic requirements of the Housing problem, as well as the hygienic and artistic ideals.

This scheme is in no sense a purely local matter, benefiting only the people who are housed in this particular suburb. It is of great national importance, because it is founded on sound business principles; and until the Housing problem is dealt with on these lines it will never be solved. Housing reformers, to be successful, must have the sense to avoid unnecessary expenditure, while cherishing a feeling for the beauties of nature, appreciation of the importance to health of a liberal supply of light and air, and sympathy with the social needs and desires of human beings.

The following extracts from a speech by the Right Hon. Alfred Lyttelton are instructive and impressive:—

“The growth of our great cities present the most formidable and the most pressing problem to all those

who wish for the welfare of our race. It is to this problem that this company has addressed itself, and I think we are able to put through the plans we have in view.

“ We wish in the first place to have pretty and wholesome dwellings, with gardens and open spaces at hand.

“ We wish in the next place to have an orderly and well-designed plan of the estate so that each house may be placed with a regard to every other house.

“ We wish to make the life of the Hampstead Suburb a life in which men shall have understanding of each other, in which the poor shall teach the rich, and in which the rich, let us hope, shall help the poor to help themselves.

“ I should like publicly to acknowledge the good feeling and co-operation which we have received at the hands of the Hendon Local Authority, in whose district this estate is situated.”

These extracts give a clear and concise explanation of the main objects of the Hampstead and other garden suburb schemes, and especially important is the help given by the Local Authority. Without co-operation between landowners and Local Authorities, success in this Town Planning movement would be very difficult, if not impossible.

I am fortunately able, by the kind permission of Mrs. Barnett, to reproduce some illustrations which draw attention in a most striking manner to many of the evils we are all trying to put an end to.

In an article which appeared in the *Contemporary Review* of February, 1905, Mrs. Barnett draws attention to the fact that however excellent in intention Part III. of the Housing of the Working Classes Act, 1890, may be, enabling Local Authorities to purchase land outside their town boundaries for the purpose of “ increasing the number of workmen’s dwellings,” it has in practice the great disadvantage of limiting a neighbourhood entirely to persons of one social class. She refers to a London suburb where, with a population of 63,000, there are only 123 houses with a rental that exceeds £50 a year. Rates are very high in these working-class districts as compared with rates in richer neighbourhoods. We all know how well-to-do people leave a neighbourhood when small houses are erected near them on the ordinary jerry-building lines. This is contrary to the feeling of the British Constitution, which presupposes that there is in every district a leisured and cultivated class able to give time and

thought to municipal and other public duties; and when such a class is absent the community suffers both financially and ethically.

Working-class districts are unfortunately familiar to all of us, where there are no gardens, no trees, no open spaces, and no children's playgrounds, and where the houses are built fifty or sixty to the acre.

I am much indebted to Mr. Unwin for permission to publish plans of cottages built on this estate by Hampstead Tenants Ltd.

Our next and last example of the economies to be effected by wise Town Planning is HARBORNE TENANTS LIMITED, Birmingham.

Part of the land shown on Plan D had been laid out with roads and cross roads in the usual style, entailing very heavy expense in estate development, and arrangements had been made for far too many houses per acre.

That scheme fell through for reasons that it is unnecessary to explain now, and the land came into the hands of Harborne Tenants Ltd., who decided to deal with it on the combined principles of Town Planning of the land and co-partnership in the building of the houses.

The first step was to secure an option on some adjoining land in order to complete the scheme. The architects then had a survey made showing the position of all existing trees, with a view to preserving them as far as possible, instead of ruthlessly cutting them all down in accordance with the usual practice.

Several experienced people took for granted that the pool on the left of Ravenhurst Road would be filled in by tipping, so as to make room for more houses. We thought it better from every point of view to preserve this beauty spot as part of a park leading up to our central feature—the institute and shops.

The next question to be considered was how to approach the houses to be built with the least possible expense in road making, etc. In this respect we were more fortunate than some, owing to the fact that no main road was required for through traffic. Parkhill Road, Wentworth Road, and Lordswood Road provide the means of communication from east to west, and Ravenhurst Road, when it is widened, will provide communication between north and south. The traffic along our roads will therefore be of a light nature, necessitating no more than 16 feet roadways. While observing the economic idea of Town Planning, we have not forgotten the hygienic and artistic ideas. We save money on road making, which means lower rents for our tenants, and we give 72 feet





MARTIN & MARTIN, Architects,
106, Colmore Row, Birmingham.

HARBORNE TENANTS LIMITED, BIRMINGHAM.
Area, fifty-three acres.

PLAN D.

between the houses, as against 50 feet required by the bye-laws. Our parks, open spaces, playgrounds and allotments have been, as far as possible, located on back land, in order that valuable frontages shall not be wasted.

The circular green towards the west end of the estate is an instructive example of the economy to be effected by Town Planning. If we had been allowed by the bye-laws to put narrow roadways or pathways round this green, in the manner originally planned, which would have been quite sufficient approach to the houses, the return earned on our expenditure would have been actually greater than if we had no green at all and had placed our houses on the road. We should have been able by this arrangement to get rather more houses for a given amount of road making; and as the capital invested is restricted to 4 per cent. interest, our tenants would have reaped the benefit in lower rents. It would be a distinct loss to the general effect from both the hygienic and artistic points of view, if this green were to be done away with and the houses placed straight along the road, which means that our tenants will be forced by the bye-laws to pay extra rent for an inferior house.

The average number of houses per acre on the whole estate is just under ten, and about ten acres of land out of fifty-three have been reserved as open spaces, playgrounds, and allotments.

Another important object of town planners is to prevent one man's land being injured by the manner in which neighbouring land is laid out. On this estate we have had an instructive example of how this mutual injury, which so often happens under present conditions, can be prevented by mutual co-operation, and greatly to the advantage of both the parties concerned.

When our plans were nearly completed it was found that in one part of our estate a small piece of land belonging to someone else was required in order to make the whole scheme thoroughly satisfactory. The owner was approached, and by a process of mutual give and take, both parties were benefited.

Another important feature of this scheme—as also of the Fallings Park and Hampstead schemes, is the adoption of the principle of co-partnership in the ownership of the houses. The methods by which this is carried out will be fully described in a later chapter.

The promoters of Harborne Tenants Ltd. intend to get a fair return on their investment—that is, 4 per cent. or 5 per cent. Herein lies one of the most interesting features of this

particular experiment. Those responsible for raising the capital required are determined to pay 4 per cent. on the loan stock. It will therefore make no difference whatever to the capitalist partners in the venture how much expenditure is required to develop the estate; they will get their interest whatever happens. But it will make a great difference to the tenant partners if there is an excessive or unnecessary expenditure on making the roads, etc. The rents of the houses erected will be fixed in accordance with the expenditure involved. It will be interesting and instructive to see how the experiment works out. If it is shown, as I am sure it can be, that in the long run the development of land on Town Planning lines pays the landowner, as well as, or better, than the present haphazard extravagant fashion, then we may hope that some day land speculation and jerry building will be a thing of the past.

Since the above was written an article has appeared in "The Survey" of New York, which will be found in Appendix C 2.

The latest society to be started is HEREFORD CO-OPERATIVE HOUSING LTD. (inaugurated January, 1909), which is managed on lines very similar to those above described. In one most important respect this society has an exceptional advantage, for the Corporation of Hereford has bought the land and is developing it—that is, constructing roads and sewers on the Town Planning lines described above. The rent charged to the Co-operative Housing Society, although putting no burden on the ratepayers of Hereford, is nevertheless very moderate, owing to the low price paid for the land, and the savings effected in road and sewer construction.

This scheme is in many ways the most instructive and inspiring experiment that has yet been made towards complete co-operation between all those engaged in the provision and supervision of housing accommodation for the people.

One of the great difficulties that these co-operative housing societies have to face is the raising of sufficient working capital. The action of the Hereford Corporation has very greatly assisted the Hereford society in this important respect. Another way in which the Hereford Corporation has helped not only the local society, but also housing reformers all over England, is by itself adopting the policy of common sense estate development on economical Town Planning lines. This admirable example will, it is to be hoped, before long be followed by other Local Authorities, because until Local Authorities get out of the "bye-law rut" working men will not get satisfactory housing accommodation at reasonable

rents. The present cast-iron bye-law system results in considerably increasing the rents of small houses, and at the same time giving the tenants what they do not want, indeed would rather be without.

It goes without saying that co-partnership garden suburbs, like all new things, have incurred criticism, more especially from the creators of the ordinary bye-law suburb, with whose business they are already interfering. These gentlemen are not satisfied with a safe 4 per cent.; they want a great deal more, and are therefore doing their best to discredit co-partnership housing in the public mind. One writer in a Birmingham paper recently asserted that Harborne Tenants had not touched the fringe of the real housing problem; his complaint was that the poorest of the poor had not been provided for. The fringe of the problem has been touched by Harborne Tenants, and it is this work on the fringe of the slum problem which is more likely than anything else to bring about the ultimate solution of the housing problem, by providing cheerful, healthy houses on the outskirts of big towns at reasonable rents.

The complete success of this policy depends upon an efficient tramway system. Given good houses on the outskirts of large towns at reasonable rents, and quick, cheap trams from the centre to the outskirts, a considerable proportion of those who now live in congested districts can move outside where land is cheaper and the air fresher. That means that for many working men the town will be brought to the country and the country to the town. How to deal with those who remain in the slums is too long a story to go into now, but by removing large numbers from congested city districts there will undoubtedly be more room for those who are left behind.

The right policy is to aim upwards, not downwards. The levelling-up process may possibly take longer than the policy referred to at the beginning of this article, of providing houses at low rentals in order to meet low wages, but permanent success in the solution of the housing problem is only to be achieved by those who are patient; those who are wise enough to hasten slowly. The housing problem is not merely a question of building houses—it is also a question of building up character.

Co-partnership housing, which is founded on two great principles, association and self-help, will, if combined with common-sense estate-development, do more than provide better housing conditions at reasonable rents: it will make for better men and women, for healthier and happier children.

The children of to-day are the citizens of to-morrow, and nothing is of greater national importance than that our future citizens should grow up in healthy environment with every opportunity for sensible recreation.

In Appendix D 5 will be found an abstract of the lease, and other particulars, concerning the Hereford Housing scheme.

CHAPTER VIII

OBJECTIONS TO TOWN PLANNING, AND THE ANSWERS



THE policy of Town Planning is so new to this country and has been received with such general approbation and applause wherever it has been properly explained, that this chapter of objections, and the answers thereto, should be a very short one. A new policy, however, demands the most careful criticism from practical and experienced men. It is only thus we can judge whether it is likely to prove a sound business proposition for those who provide the houses as well as for those who live in them.

It is, after all, the great bulk of our population who live in houses let at weekly rents, and it must be most important from the national point of view that this class shall be housed in such a way as to give them a fair chance of living healthy, hopeful lives. At the same time, this cannot be done on philanthropic or charitable lines. The provision of housing must be a self-supporting undertaking.

I have, time after time, been astonished at the amount of approval, often quite spontaneous, that has been expressed by leading lawyers and surveyors. They, as a body, have to consider the matter from the point of view of their clients, and English business men are generally recognised as being slow and cautious in their methods. This approval is of good augury.

At the same time, I have managed at public meetings and in private conversations, to get together a fairly long list of objections to Town Planning, which shall now be dealt with seriatim :—

1. "Too late" is perhaps the most usual criticism; it is certainly the weakest. So far as existing towns are concerned, it is very difficult and expensive, although by no means impossible, to apply the principles of Town Planning, but the rapid extension of most large towns makes the time very opportune for dealing with our suburbs.

With patience and perseverance, Town Planning could effect great improvements in what already exists by drawing up a general plan of the alterations required, and obliging all future demolition and building to conform to it. This would entail many years of careful work, but would bring its own reward in time.

No doubt it was the croakers saying "too late" who prevented the execution of Sir Christopher Wren's great town plan for London, made in 1668 after the great fire. This was the great chance which came to London for creating grand thoroughfares—a chance which improved means of communication are now giving in a different way to our provincial towns. The missing of that great opportunity more than 200 years ago has cost Londoners collectively untold health and wealth and time. This wanton waste has become so familiar, that we are only slowly realising that it is entirely unnecessary, and ought to be avoided.

Foresight and courage might have prevented a great deal of the extravagant congestion of traffic from which London still suffers, in spite of all the remedies applied.

Sir Christopher Wren's plan of reconstruction "to remedy the deformity and inconveniences of the old town" anticipated many of the ideas of present-day town planners. There were to be streets of three widths. The Exchange was to stand free in the middle of a piazza, and to be the centre of the town, from which the sixty-foot streets were to radiate to all the principal parts, the buildings to be contrived after the style of the old Roman Forum, with double porticos, "all churchyards, gardens, and unnecessary vacuities, and all trades that use great fires or yield noisome smells to be placed out of the town."

I do not suggest that this plan would meet all modern requirements, but it is infinitely superior to what was done, and is a striking example of a great opportunity lost.

Provincial towns are fortunate in having this object lesson before their eyes, and it is most earnestly to be hoped that they will be able and willing to profit by it before it really is too late. In my opinion there is yet time.

2. Some fear that Town Planning will interfere with the liberty of the subject.

The existing model bye-laws already interfere with the liberty of the subject in the most irritating manner, which is exactly what all legislators and administrators should strive to avoid.

The present building bye-laws :—

- (a) Harass landowners on details, without giving Local Authorities any general control.

(b) They handicap and hamper honest builders, and do not stop jerry-building.

(c) They not only do not prevent overcrowding per acre, they actually incite landowners to overcrowd their land in order to earn a return on the money spent on unnecessarily expensive estate development.

Town Planning powers will not interfere more, and should irritate less. But in this connection the liberty of the subject is by no means the only consideration. We must also consider how far the liberty of the individual may prove the injury of the community. Land and housing speculation has had too much licence in this direction.

3. Some fear that land speculation and jerry-building will be stopped.

I sincerely hope they will be. Manufacturers are already prevented by law from making profits out of unhealthy workshops, and the legislature endeavours to prevent the sweating of individuals at their work. It is high time a well considered attempt was made to prevent individuals being sweated in their homes. This sweating of the people in their homes is largely due to land speculation, which is really nothing more nor less than land sweating.

4. It is often said that improved means of communication and the taxation of land values will solve the housing problem without other assistance.

The taxation of land values will, in the opinion of many thoughtful Progressives, inevitably result in the privately-owned open spaces in our towns being largely built upon in order to earn money with which to pay the tax, unless our urban and suburban "lungs" are protected by special legislation, as they might be on the lines advocated in this book. Town "lungs" open to the public, are, of course, the most valuable, but land uncovered by buildings, such as private gardens, are of great value from the point of view of ventilation, and it would be seriously detrimental to the health of large towns if these "private lungs" were covered with buildings in consequence of a heavy impost on land values.

The opponents of the taxation of land values, who are by no means negligible from the intellectual standpoint, and who fear many dangers and much injustice from the passing of this measure, cannot do better than use all their influence to support Town Planning. By this means it would certainly be possible to safeguard the country against many of the dangers of taxation of land values, and it might even turn out that at any rate, so far as housing is concerned, the latter measure would no longer be required.

Those who put their faith in better and cheaper trams and trains for the complete solution of the Housing problem must have gone about our modern suburbs with their eyes shut. One beautiful country district after another has been utterly ruined by this boasted panacea. True, we want good means of communication in order to make it possible to spread the people out, but experience has abundantly shown that without Town Planning this spreading out process will be carried out most unsatisfactorily. The rapid strides made in recent years by those concerned in the business of carrying people about has rendered Town Planning a desperately urgent question.

5. Some irreconcilable municipal house builders say that Town Planning cannot increase the supply of good cheap houses.

They revolt at anything so steady-going and businesslike as the proposal we are considering. Our policy is broader and more far-reaching, and may swallow up their well-meaning but shortsighted methods, which after many years of trial have resulted in the provision of a very few good houses for the poorer classes, and a great many neglected slums, with the added injury that in most cases those who live in the bad houses have to help pay the rents of those who live in the good ones. It may be that Town Planning will show municipal house building to be unnecessary.

Municipal house builders do not condemn Town Planning; they only consider it insufficient. But surely it cannot be wise of them to hinder all progress on any line but their own. There is, however, nothing in Town Planning incompatible with municipal house building, and the latter may be carried on in conjunction with it if found desirable.

There is to-day abundant proof of the possibilities of Town Planning in the direction of facilitating the erection and reducing the cost of small houses; and when with this is combined the policy of co-partnership building and ownership, I am convinced there will be no proposal before the country that will do more to increase the supply of good cheap houses. Town Planning is to housing what new machinery is to manufacturing—it assists in producing better houses at less cost from which it follows that the supply of good, cheap houses will be increased.

I do not pretend that, under this policy, a 7s. 6d. house will be obtainable at 2s. 6d. per week—which is the confessed aim of some housing experts—that is not sound business, and the policy is therefore incapable of general application, and even if it were would only result in providing cheap labour for the capitalist. It would merely be a rate in aid of lower wages.

One of the most prominent municipal house builders has often said that the housing problem is all contained in the question of how to get lower rents. They are, in fact, always trying to level down, whilst I want to level up.

A working man who has risen from a fitter's labourer to be a Master of Arts, puts it very well. He says: "It is thoroughly unsound to reduce rents in order to meet low wages; the working man's best friends are those who raise wages to meet rents." This man is a devoted worker for the social ideal.

6. Some English critics maintain that Town Planning tends to increase the price of land available for housing purposes. Those who have worked out an actual experiment in economical Town Planning, and thereby reduced the cost of estate development, will not accept this dictum.

Their opinion is founded on actual experience; the opinion of their critics is only based on theory. It is impossible to say exactly what will happen in every case, for so much depends upon administration, and this is bound to vary; but it is safe to say that it is quite possible to draw up legislation on this subject, so as to put money into the pockets of the landowning class, and at the same time to bring into the market a plentiful supply of building land, at reasonable prices.

Under present conditions, as already explained in a previous chapter, working men too often live upon land worth anything from £3,000 to £15,000 an acre. These prices make proper housing impossible.

7. Many careful observers of local affairs are afraid that the introduction into our building bye-law system of the policy of give-and-take will increase corruption. Their views are founded on bitter experience of the past.

Corruption is an extremely difficult thing to check: the ways of its votaries are so devious; but all must agree with these critics that local procedure should afford as few temptations as possible. There is no reason why these proposals should increase their number. On the contrary, if proper arrangements are made, the danger should be diminished. While it is important that the Local Authority should have wide powers in the detailed administration of their district, it is essential that they should not be supreme. A twofold check should be provided. In the first place, they should have no power to grant concessions as to width of road, etc., without receiving concessions in regard to the number of houses per acre, and provision of open spaces. In the second place, there should be a right of appeal against their decision, to the Local Government Board. This would

protect either party against undue pressure. This right of appeal is of the utmost importance, and is, indeed, the crux of the situation.

8. Some critics object to allow landowners to make the metalled part of roadways no wider than is sufficient to meet the convenience of the frontagers, for fear that at some later date the ratepayers may be called upon to spend money on road-widening in order to carry through traffic. This point has been argued to a considerable extent in Chapter V. But it should be noticed here that Town Planners always insist on full road width being left between houses, whether metalled, turf, or forecourt. In the event of having to turn a side road into a main road at some later date, the conversion will be easy, and no large sums will have to be paid for compensation of demolition of buildings as at present. Of course, a Town Plan presupposes that reasonable precautions are taken at the beginning to consider the probable direction of main traffic.

Another point to remember is that main traffic sometimes follows a residential road, and the consequent expense often falls entirely on the frontagers.

This is hard measure on them, as they are injured rather than benefited by the constant noise and dust, and therefore should be compensated for the nuisance, instead of being called upon to pay for what they would rather be without.

In the case of small house property on main streets, it is very hard on the poor man that he should be forced to live upon a noisy, dusty street without trees, or any other amenities, and be called upon to pay extra for the privilege, whereas the rich man has his drive with trees and grass, which costs him far less in proportion to what he pays.

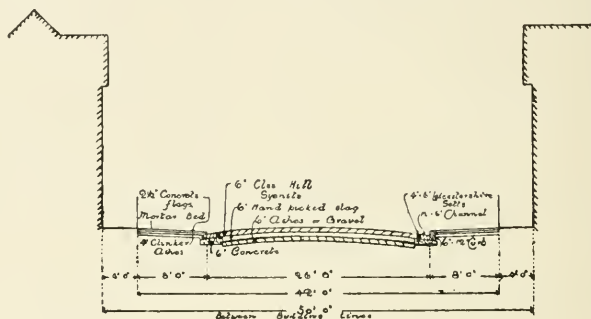
What we want to do by means of Town Planning is to bring the living conditions of the poor man nearer to the living conditions of the rich man, and I hope I have shown that this can be done, at the same time giving the poor man far better value for his money.

The following is an interesting example of the working of our present system. A road 72 feet wide between the houses and grass margins was offered, and the regulation road, leaving only 50 feet between the houses and no grass margins, was preferred. Section 1 on the plan overleaf was actually preferred to Section 2.

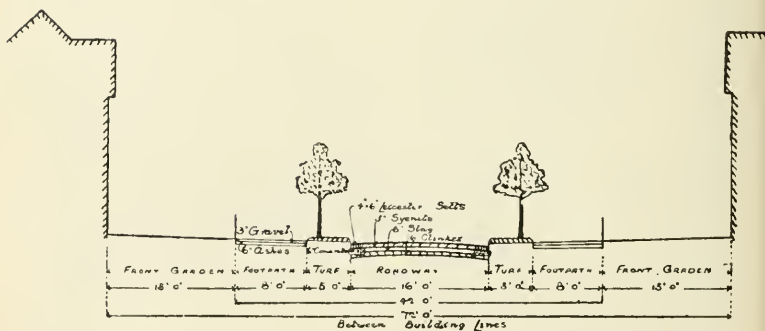
Photograph 1 (p. 103) is a fair example of the 50 feet type of road. Photograph 2 shows what those are aiming at who advocate the 72 feet width, and less expense in road-making.

Comment is needless on the hygienic, artistic, and economic characteristics of the two roads as originally constructed, but

some administrators of our present system are afraid that the tree-planted roads, with grass margins, will soon become untidy, unless a considerable sum is spent per annum on maintenance, whereas the bye-law roads will cost much less in upkeep. That is all a question of management, and, of course, it will take time for those used only to maintaining macadam to accommodate themselves to the new order of



BYE-LAW ROAD, FIFTY FEET WIDE.



TOWN PLANNING ROAD, SEVENTY-TWO FEET WIDE.

things, and it may cost a little extra while those responsible are learning their new jobs. Transition periods are never quite easy, but I venture to think that eventually the cost of upkeep of the new roads will not exceed that of the old, while their appearance and influence will be infinitely preferable. Then we shall all wonder why we put up so long and so patiently with the dreary monotonous streets, which make our modern English towns so hideous.



PHOTOGRAPH I.—THE RESULT OF INELASTIC BYE-LAWS.



PHOTOGRAPH II.—“TOWN PLANNING” ROAD.

9. Another objection that has been raised to Town Planning is that in Germany it has resulted in huge blocks of tenement buildings being erected on the land immediately adjoining town-planned districts. I am informed by Dr. Stubben, of Berlin, one of the greatest authorities on this subject, that this is not in any way due to Town Planning, but is due to the very rapid unforeseen developments that took place after the war of 1870, and to the fact that German working men are accustomed to flats, and do not object to them as Englishmen fortunately do. He also informs me that this close, high building has caused German town-planners to turn their attention to this evil, and introduce into their Town Planning regulations powers to grade districts, and restrict the number of houses per acre, with a view to introducing the English system of self-contained houses, and providing a sufficient supply of light and air.

This matter of overcrowding per acre depends more upon administration than legislation. England has a great advantage over Germany and other countries in that the tenement system is little in vogue compared with the self-contained house. Town Planning legislation, wisely administered, should facilitate the provision at reasonable rents of self-contained houses with decent surroundings.

10. Those who have only read or heard of the hygienic and artistic advantages to be obtained by Town Planning, are apt to look upon it as a "beautiful ideal," but no use in practice. They think it will not pay; and I admit at once that it will not pay the land speculator and jerry-builder. I am clear that it will pay well the far-sighted man who wants to be engaged in a safe and permanent business that will bring in a regular and reliable income, and give him something to depend upon when he is no longer able to work.

In Chapter II. reference was made to the complaint that Sanitary Authorities who enforced Part II. of the Housing of the Working Classes Act, 1890, inflict great financial losses on persons ill able to afford them. Local Authorities are not responsible for the insanitary condition of houses, which in accordance with that Act have to be made fit for human habitation, or demolished.

The Local Authorities are merely carrying out the duties laid upon them by Parliament, and no blame can be justly attached to them. The fault lies with those who take the short view instead of the long view of business in the management of their affairs.

There are numberless poor people in this country who have been persuaded to put their savings into rotten property, and live on their capital: that is to say, take all they can out of the property and put nothing in.

No one can expect that house property, after ten years of neglect, will be as valuable as before. House property is a favourite and wise investment with men of small means. Town Planning and sound building will, in the long run, pay them very much better than buying one or two of the gimcrack brick boxes with slate lids now being built in our suburbs, which are sure, in a very few years' time, to cost them a large sum in repairs.

CHAPTER IX

HOUSING, TOWN PLANNING, ETC., ACT, 1909

(For full text of Act see Appendix E.)



R. BURNS'S Housing and Town Planning Act, 1909, has not come too soon, for it is recognised on all hands that the housing question is urgent and cannot be solved on the lines our legislation has hitherto provided. A greater elasticity in the administration of bye-laws is urgently required in purely residential districts where the number

of houses per acre should be severely restricted, and where a liberal amount of open space is wanted for gardens, playgrounds, allotments, etc. This elasticity, which should enable Local Authorities to discourage jerry-building and encourage better-class building, is provided for in Part II. of the new Act. Slum reform and slum prevention, which are questions of absorbing importance for all our big towns, are facilitated by provisions in the new Act which form a great improvement on past legislation.

The economy for the community of adopting a wise system of Town Planning is often lost sight of, but the benefits of such a policy are at last brought within our reach by the passage of this new Act.

The need of healthy housing accommodation for the people, well and pleasingly arranged with a sufficiency of open space, is generally acknowledged, but has hitherto been found impossible of attainment in urban districts, especially when it is remembered that unless it can be done on a sound commercial basis at reasonable rents, the result is of comparatively little use towards a general solution of the Housing Problem. Work in this direction will now receive a great impetus from Mr. Burns's Act.

The Act is divided into four parts :—

- I. Housing of the Working Classes.
- II. Town Planning.
- III. County Medical Officers, and Health and Housing Committees.
- IV. Supplemental.

It is usual when explaining Acts of Parliament to take them section by section and explain the meaning of each section in its proper order. That method suits the expert, but does not seem to me so convenient to the layman interested in this or that branch of the subject. For his convenience I have analysed the new Act under six heads, and picked up the various sections as they bear on the particular head under consideration, entirely regardless of their consecutive order in the Act.

1. Municipal House Building.
2. Slum Reform.
3. Slum Prevention.
4. Financial.
5. General.
6. Rural.

1.—MUNICIPAL HOUSE BUILDING.

Up till now, Part III. of the 1890 Act was only in force in those districts where it had been adopted by the Local Authority. Clause 1. of the new Act makes it effective without the necessity of its having first been adopted. Some reformers may fear that this will force the policy of municipal house-building on Local Authorities whether they approve of it or not. This need not be so. Under Part III., assisted by the procedure explained in Appendix D2, Local Authorities are able to buy land and lease it to building societies of public utility. This policy is further facilitated by *Clause 6* of the new Act empowering Local Authorities to lay out or contribute towards the cost of laying out streets or roads on any such land, provided they are to be dedicated to the public.

Clause 32.—Clause 31 gives Local Authorities power to use the proceeds of sale of land not required under Part III. for the repayment of borrowed money.

Schedule I. of the new Act lays down new regulations which greatly facilitate the purchase of land by Local Authorities. These regulations simplify the form of arbitration to be adopted concerning land in rural districts, and very much reduce the costs of any inquiries that may have to be held. Any question of disputed compensation is to be determined by a single arbitrator appointed by the Local Government Board, who shall have power to disallow as costs in the arbitration, any costs which he considers to have been unnecessarily "caused or incurred." Another important point is that "no additional allowance shall be made on account of the purchase being compulsory."

When land in towns or urban districts is under consideration, the House of Lords has insisted that an "impartial person" shall be appointed by the Local Government Board to hold an inquiry, and if he reports that the land is not suitable or cannot be acquired without undue detriment to the owners, etc., etc., then the L.G.B. order is to be only provisional and subject to confirmation by Parliament. This "safeguard" also applies to land comprised in a town-planning scheme. (See explanation of Clause 62 on page 115 in this chapter.)

Those who believe in Municipal House Building will find their work simplified and cheapened by these amendments to existing legislation, and so also will those who believe in municipal land purchase and land leasing to building societies of public utility or to individuals acting in the general interest.

Clause 3.—Clause 3 increases under certain conditions the periods for which loans may be granted to Local Authorities by the Public Works Loan Commissioners, and in such cases a higher rate of interest is not to be charged.

Clauses 10 and 11.—Clauses 10 and 11 supplement Clause 4 of the Housing Act, 1903, and together they enable the Local Government Board, who may be set in motion by any four inhabitant householders, to call upon Local Authorities to exercise their powers under Parts I., II. or III. of the 1890 Act. Orders made by the L.G.B. under Clause 10 are to be laid before both Houses of Parliament, but merely for the purpose of "giving information," and all these orders can be enforced by the courts.

Clauses 12 and 13.—Clauses 12 and 13 give County Councils power to act under Part III. of the 1890 Act in cases where Rural District Councils have not done so.

Clause 22.—Clause 22 enables an improvement scheme to be made under Part I. of the 1890 Act, when that is the most satisfactory method of dealing with insanitary houses. Under this clause, those Local Authorities who consider that portion of Part II. of the 1890 Act which deals with individual houses more satisfactory than reconstruction schemes in congested districts, will have to convince the Local Government Board of the wisdom of their opinion if they want to save their ratepayers unwise expenditure and put the burden of slum reform on the right shoulders: that is, on the owners of houses "unfit for human habitation."

Clauses 23 to 28.—Clauses 23, 24, 25, 26, 27, and 28 make the procedure under Part I. of the 1890 Act, which refers to reconstruction schemes for congested areas, far simpler and cheaper than it is at present, but do not of course affect the

question whether the policy itself is right or wrong. An improvement scheme sanctioned by the Local Government Board no longer requires the confirmation of Parliament. The Local Government Board may give permission for the modification of schemes. It may also sanction the compulsory purchase of land, and allow the inclusion in the scheme of any "matter for which it seems expedient to make provision."

2.—SLUM REFORM.

Clause 14.—Clause 14 provides that in any contract made after the passing of the Act, *i.e.*, after December 3rd, 1909, for the letting of a house under a certain value which value has been raised by the Act to about twice what it was in the Act of 1890, Sec. 75, there shall be implied a condition that "at the commencement of the holding" the house is "in all respects reasonably fit for human habitation"; and Clause 15 lays it down that the house shall, "during the holding," be kept in such condition by the landlord. If in the opinion of the Local Authority these regulations have not been complied with, and if a closing order is not made, written notice shall be served on the landlord to make the house in all respects reasonably fit for human habitation within a reasonable period; and if the landlord refuses the Local Authority may do the work and charge him with the cost. The landlord has a right of appeal to the Local Government Board.

Clause 17.—Clause 17 gives Local Authorities all over the country power to close any house that is not fit for human habitation until it has been rendered fit. Notice of this closing order to be served on every owner and every occupying tenant. The closing order to be determined when the house has been rendered fit. The Local Authority may make reasonable allowance to tenants on account of moving expenses. The landlord has a right of appeal to the Local Government Board, who shall not dismiss any appeal without having first held a public local inquiry.

Clause 17 also enacts that after July 1st, 1910, cellar dwellings shall be deemed unfit for human habitation.

Clause 18.—Clause 18 strengthens the regulations with regard to the demolition of houses that are unfit for human habitation and which the owner has refused to render fit. Here again there is a right of appeal to the Local Government Board.

Clause 21.—Clause 21 restricts the power of Courts of Summary Jurisdiction to extend the time allowed for the execution of repairs or the demolition of insanitary houses.

Clause 36.—Clause 36 gives any person authorised in

writing by a Local Authority or by the Local Government Board the power of entry into a house for the purpose of examining its condition and determining whether any powers under the Housing Acts should be exercised in respect of such house. This will greatly facilitate the work of slum reform, as till the passing of this Act obstructive owners or occupiers had the right to refuse to allow medical officers of health or sanitary inspectors to enter insanitary houses.

3.—SLUM PREVENTION.

Clause 2.—Clause 2, Subsection 3, enables Local Authorities to “acquire land by agreement for the purpose of Part III. of the 1890 Act, notwithstanding that the land is not immediately required for those purposes.”

Clause 4.—Clause 4 enacts that the Public Works Loans Commissioners shall advance to public utility societies up to two-thirds of the value of the property in such societies.

Clause 6.—Clause 6 enables Local Authorities to lay out and construct public streets or roads on any land acquired by them for the purposes of Part III. of the 1890 Act, on condition that such “streets or roads are to be dedicated to the public.”

Clause 54—Town Planning.—Town Planning schemes may, subject to the approval of the Local Government Board, be prepared by (1) the Local Authority, (2) landowners “as respects any land likely to be used for building purposes and of any neighbouring land.” The Local Government Board’s decision to be final as to what land is likely to be used for building purposes. The expression “likely to be used for building purposes” to include the purpose of providing open spaces, roads, streets, parks, pleasure or recreation grounds, or for the purpose of any work incidental to a Town Planning scheme whether in the nature of building work or not. Schemes may be varied or revoked by subsequent schemes. A notice of any scheme approved by the Local Government Board is to be published in the *London Gazette*, and if within twenty-one days any person or authority objects the draft order confirming the scheme is to be laid before both Houses of Parliament for thirty days, and if either House presents an address against the draft, no further proceedings thereon shall be taken.

Clause 44.—Clause 44 gives the Local Government Board power to revoke unreasonable bye-laws.

Clause 57.—Any building or other work contravening a scheme may be removed, pulled down, or altered. Expenses incurred under this head by a Local Authority may be recovered from persons in default.

Clause 61.—If the Local Government Board are satisfied that Local Authorities have failed to take the requisite steps for a Town Planning scheme, the Board may order one to be prepared. Landowners who have prepared a scheme and failed to get it adopted by the Local Authority have the right of appeal to the Local Government Board.

Clause 60.—The Local Authority may be authorised for any purpose of the scheme to purchase compulsorily any land comprised in a Town Planning scheme in the same manner and subject to the same provisions as land in an urban district may be purchased for the purposes of Part III. of the 1890 Act. (See explanation of Schedule 1 on page 110 in this chapter.)

Clause 56 and Schedule 5.—The Local Government Board may make regulations governing the procedure to be adopted with respect to Town Planning schemes. These regulations shall provide: (1) For the co-operation between Local Authorities, owners and other persons interested, by means of conferences; (2) for securing that notice of the proposal shall be given at the earliest stage to any other Local Authority interested in the land; (3) for the submission of plans and estimates, publication of notices, submission of scheme to the Local Government Board, hearing of objections and representations by persons affected, notice of approval of scheme, inquiries and reports as to beginning, progress, and completion of the works.

Sec. 55. Schedule 4.—The Local Government Board may prescribe general provisions with regard to:—

1. Streets, sewerage, and lighting.
2. Water supply.
3. Buildings.
4. Open spaces.
5. Preservation of objects of historical interest and natural beauty.
6. Extinction or variation of private rights of way.
7. Application and adaptation of statutory enactments.
8. Disposal of land.
9. Power of entry.
10. Power to remove obstructions.
11. Limitation of time for operation of scheme.

Special provisions may be inserted in a scheme suspending statutory enactments, bye-laws, and regulations; but if the enactment suspended is contained in a public general Act, the scheme must be laid before Parliament for forty days, and either those may present an address against the suspension, and if so the scheme must not be proceeded with, but a new scheme may be made.

Clause 58, Subsections 1, 3.—Any person whose property is injuriously affected by a Town Planning scheme shall be entitled to compensation under certain conditions, and where by the making of a Town Planning scheme any person's property has been increased in value then the responsible authority shall be entitled to recover one-half the amount of that increase.

Clause 59.—No compensation shall be paid in respect of provisions such as could reasonably have been inserted in local bye-laws. Property shall not be deemed to be injuriously affected so as to give rise to any claim for compensation by reason of any provisions inserted in a town planning scheme with a view to securing the amenity of the area, prescribing the space about buildings, limiting the number of buildings per acre, or restricting their height.

Clause 58, Subsections 2, 4.—No compensation shall be paid on account of any building erected after the time at which the application for authority to prepare the scheme was made. The amount of compensation due to owners or to Local Authorities in this Act shall be determined by an arbitrator appointed by the Local Government Board, unless the parties agree on some other method of determination. Amounts due may be recoverable summarily as a civil debt.

Clauses 62, 63, 64.—Provision is made for the determination of matters by the Local Government Board, as arbitrators or otherwise, and for the holding of local inquiries, and the Board are also required to lay all general provisions made by them before Parliament.

FINANCIAL.

Clause 8.—Clause 8 allows a Local Authority to accept money or other property for the purpose of the Housing Acts without restriction under Mortmain.

Clause 9.—Clause 9 facilitates the working of Trusts for housing purposes.

Clause 7, Subsection 2.—Clause 7, Subsection 2, enacts that provision of dwellings for the working classes by a tenant for life at his own expense "shall not in any case be deemed to be an injury to any interest in reversion or remainder in that land" provided he has first obtained the written approval of the trustees of the settlement.

Clauses 19 and 20.—These are directed towards making it easier for poor owners to borrow from a Local Authority on the security of their property, money required for repairing insanitary houses.

There are several other financial clauses reducing the cost of housing reform, the details of which would not interest the general public.

GENERAL.

Clause 37.—This gives the Local Government Board power to obtain a report on any crowded area.

Clause 38.—Arranges for joint action by Local Authorities the practical working of which is not likely to be easy or very satisfactory. No matter what the general public interest may be, the interests of neighbouring Local Authorities nearly always conflict with each other.

Clause 40.—Does away with the obligation upon a Local Authority to sell and dispose of any land or dwellings acquired or constructed by them for the purposes of the Housing Acts. It also makes it unlawful to “*erect*” back-to-back houses.

Clause 44.—Prohibits the future erection of back-to-back houses.

Clauses 46 to 51.—Deal with minor amendments and definitions.

RURAL.

Clause 68.—Provides for the appointment by County Councils of whole time Medical Officers of Health. They shall not engage in private practice nor shall they hold any other public appointment without the express consent of the Local Government Board; nor shall they be removable without the consent of the Local Government Board.

Clause 69.—Provides that these County Medical Officers of Health shall be supplied with all necessary information by the Clerks and Medical Officers of Health of Rural District Councils. Any disputes or differences that may arise between County Council and District Council officials to be referred to the Local Government Board, whose decision shall be final and binding.

Clause 71.—Orders that every County Council shall establish a Public Health and Housing Committee.

Clause 72.—Enables County Councils to “assist Societies that are working on a co-operative basis, one of whose objects is the erection or improvement of dwellings for the working classes,” and enables the County Council to make grants or guarantee advances to the extent of two-thirds of the value of the property belonging to such Societies.

LIVERPOOL TOWN PLANNING ACT, 1908.

The Liverpool Town Planning Act of 1908 is on different lines to Mr. Burns’s Act. It does not deal with many points in that Act, but it does confer upon Liverpool many powers not at present possessed by any other Local Authority.

Under this Act Liverpool has very large powers with regard to the determination of the width of new streets, the fixing of building lines and frontages, intersecting streets, adjustment of boundaries on exchange of lands, the laying out of streets by the Corporation, demolition of buildings and the sale of materials and recovery of expenses. It also enables the Corporation to make concessions in the cost of estate development to landowners willing to dedicate one-tenth of their estates as gardens, open spaces, or public recreation grounds. They are also able to insist upon streets likely to become main arteries being made eighty feet wide, and if in their opinion any streets should be still wider, they have the right to purchase the necessary land at the value of that land previous to the development of the estate. The Corporation also has power to require owners of adjacent land to enter into agreements with each other for adjusting boundaries, etc., in order to facilitate the development of all the estates concerned in combination with each other, thereby preventing what so often takes place at present: one landowner seriously injuring another.

CHAPTER X

LANDLORD AND TENANT

1. *The Maintenance of Improvements effected in old houses*
2. *The preservation of better conditions provided in new houses*



SERIOUS aspect of the Housing question is the constant complaint that tenants do not value the improvements made by the landlord. Town Planning itself is not more important than house maintenance, and all that it involves. Our difficulties here are due to the absence of house-pride among some tenants of small houses.

There is too much truth in the small boy's answer to his friend, who said, "Hullo, Bill! where are you living now?" "Oh, we're still in the same house, but we shan't stay long. Father's used all the doors for firewood, and now he's starting on the stairs."

At the same time, there is a certain number of those who live in the slums who do take a wonderful pride in their houses, and do keep them marvellously clean and neat, in spite of the most adverse and depressing circumstances. To those who know how the poor live, it is nothing short of a miracle that any are able to sustain sufficient courage to enable them to stick at the daily drudgery of such housework. There are many housewives in the slums who are patient and uncomplaining heroines.

I am often told by property owners or their representatives, that it is grossly unfair to call upon them to repair their houses, and not to punish their tenants for the wanton damage they commit. It is difficult enough to stir up public opinion in the one case, and it would be still more difficult to get a conviction in the other. We must admit there are many cases where dirty and destructive tenants deserve punishment, but I feel bound to remind students

of the Housing problem that landlords are, as a class, infinitely better off than their tenants, and are, or ought to be, better educated. They must first meet the responsibilities of their position. I have always found that it is those landlords who treat their tenants badly who complain most about them. For instance, not once or twice only, but many times have I heard landlords who had refused to provide proper sanitary convenience and washing accommodation call their tenants "dirty pigs."

Miss Octavia Hill has shown by the splendid work she has done in London, that landlords who recognise their responsibilities, do in the long run, benefit financially from their consideration for others. The owners of property managed by Miss Hill always get a steady 4 per cent. and sometimes 5 per cent. on their investment, which to my mind is far better business than to get 20 or 30 per cent. for a few years followed by a closing or demolition order. Miss Hill gives her tenants a direct personal interest in taking care of their homes. A certain sum is set aside each year for repairs, and if less than this amount is required to be spent, then the tenant gets the benefit in some tangible form, such as some household necessity or treasure on which he has set his heart. By this means, and in many other sympathetic ways which I have described at considerable length in "A Housing Policy," Miss Hill makes the interests of landlord and tenant identical with immense advantage to both. Miss Hill's wonderful success, in spite of great difficulties, is due to the fact that she recognises what so many fail to see, viz. :—that the Housing question is very largely a personal question, and cannot be successfully dealt with in the wholesale fashion which is the only way possible when Local Authorities insist upon themselves building the actual houses required, instead of being content, and wisely content, to encourage others to build houses on proper lines, keeping themselves free to supervise and control what is done, which is after all their first and most important function.

The duty of Local Authorities is to lay down the main policy, giving all their energies to encouraging others to carry out details and taking the utmost pains to see that what is done is well done. Experience shows this work is better done by individuals, provided always that the Local Authority supervises it with courage and discretion.

The successful solution of the Housing problem depends more than anything else upon the relationship between landlord and tenant. Miss Hill, as landlord, or representative of the landlord, treats her tenants as human beings, and not as mere rent producing animals. Her sympathy and practical

common sense are more successful than Police Court summonses, and lead the tenants into taking care of their houses, with the result that her tenants enjoy comparative comfort, and the landlord gets better permanent returns on his investment than is the case under the usual thoughtless, heartless system.

Miss Hill was one of the first Housing reformers to draw attention to the unsoundness of the policy of Municipal House-building, but her opinions have been fully justified by results. Her principles are patience and caution, and, above all, help the people to help themselves instead of attempting to be a "*deus ex machina*," and do everything for the people without calling upon them to do anything for themselves. It is often very difficult to refrain from rushing in and trying to put an immediate stop to the misery we see, but bitter experience teaches the hopelessness of this policy.

It is very hard to stand by and wait until improvement is gradually evolved after one has done as much as one can do without the risk of destroying character. It is extremely anxious work for public men who are convinced that the only permanently successful policy for them is to follow Miss Hill's example and be content to hasten slowly.

A public man has to justify his position by some piece of work that all can see and understand, or it will go hard with him at his re-election.

Those who reject Municipal House-building and adopt Part II. of the Housing of the Working Classes Act, 1890, for the removal of existing evils will probably have to go through some such experience; but if they persevere, they will enjoy the great satisfaction of having done something really useful.

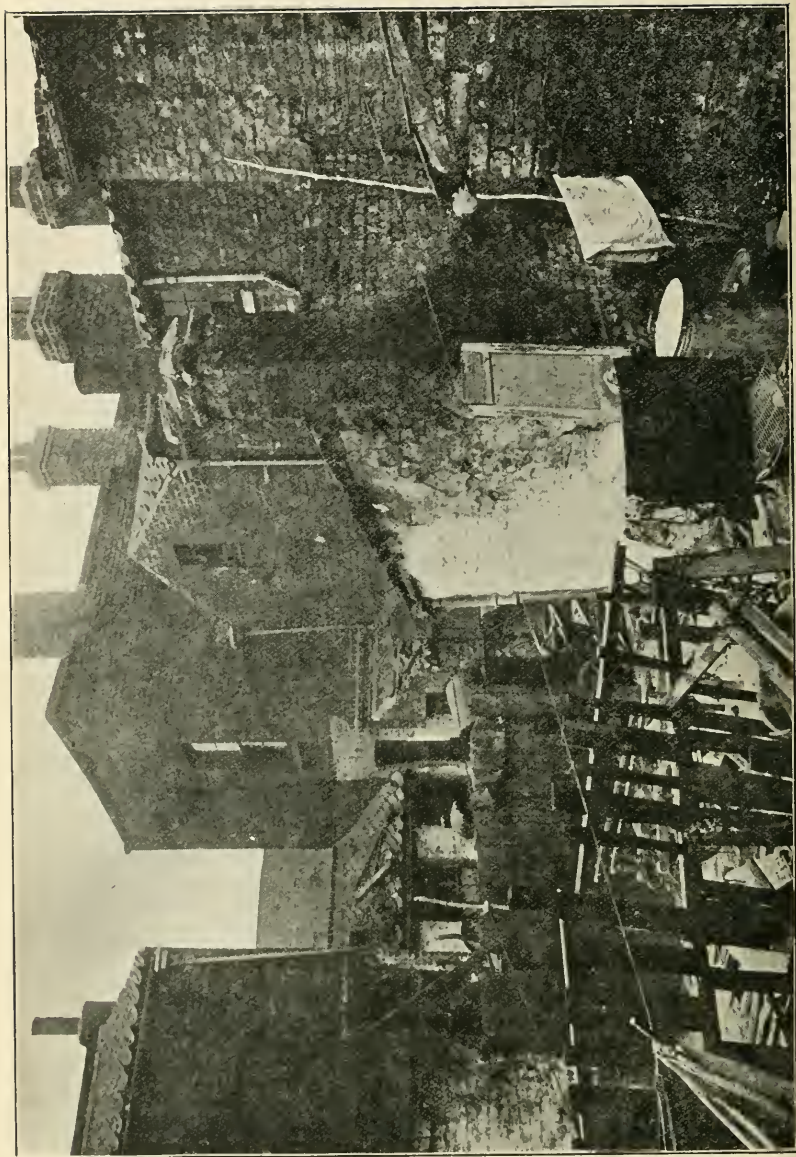
Miss Hill's principles of patience, caution, and self-help, have undoubtedly succeeded where the attempt to do everything at once has utterly failed. It is only necessary to inspect the London County Council's barracks, and then Miss Hill's happy homes, in order to see that she has succeeded where the slapdash municipal house-builder, who sets to work without first thinking out general principles, has utterly failed.

Miss Hill has stuck to sound business principles and fair dealing between man and man. The proof of the pudding is in the eating, and the great development of her work is the best testimony to her success. The Ecclesiastical Commissioners are large property owners in London, and as they are in the position of Trustees they cannot deal with their property on philanthropic lines; they have to do the best they can for their trust. The management of their property is committed to Messrs. Clutton (their agents and receivers),

but an arrangement has been made by which the actual supervision and collection of the rents has been delegated to Miss Octavia Hill and other ladies trained by her to deal with this class of property. Miss Hill's ladies collect the rents, select the tenants, order the necessary repairs, keep order and provide against the abuse of privileges and just rights among the tenants. The average return to the Commissioners is about 4 per cent.

The results of this arrangement were so satisfactory that in 1903, when the lease of their Walworth estate, comprising twenty-two acres and entirely covered by small houses and shops, fell in, the management was handed over to Miss Hill, who put it under Miss Lumsden, retaining for herself an advisory position. The houses were not so constructed or in such a condition that they could be permanently retained as dwellings for the poorer classes. On the other hand, the neighbourhood was one in which, owing to the industries carried on within it and the proximity of a tram route, there is a great demand for workmen's dwellings, and a great shortage would have been created if the houses had been done away with. In these circumstances, the Commissioners determined themselves to build upon the greater part of the estate, cottages, cottage flats, and three-storeyed tenement houses, similar to the buildings already erected by them in other parts of London. About £200,000 was spent, and rents were fixed on the basis of a 4 per cent. return. Just over one acre has been given up as an open space in the midst of the dwellings, and four drink licences have been suppressed. A site has been leased to the Hon. Maude Stanley, on which she has built a club for working girls. In the cottage flats are two quite distinct three-roomed cottages with sculleries and separate entrances and yards, making use of the same site, foundations and roof, and little gardens have been provided in most of the yards. The tenants were of the poorest class.

Miss Hill and her ladies took the matter in hand on October 5th, 1903, and succeeded during the first fortnight in persuading all tenants, except one, who was a regular scamp, to pay their rents without any legal process. "They collected some £250, most of it in silver, and got it safely to the bank. Then came the question of repairs; there were written in the first few weeks 1,000 orders for these, although, as the whole area was to be re-built, they were only doing really urgent repairs and no substantial ones." Very little time was allowed to elapse before the reconstruction of the whole area was undertaken on lines already partly described. Four new wide streets were substituted for





BACK YARD IN MERROW STREET TENEMENTS, MAY, 1906.

Wolworth Estate New Property

three narrow streets, but the clearing of old houses was done gradually, so as not to displace all the old tenants until some of the new houses were ready for them.

In planning the new cottages and tenements, the Commissioners have given a large allowance of light and air between the buildings; none are more than three storeys high, and all have yards at the back, which serve as a drying ground for the washing, *and give the children room to play.*

In the interior of the houses every effort has been made to enable a working-class family to live healthily, tidily, and in comfort. All the rooms are light and have large windows, which open both at top and bottom. The accompanying photographs are more eloquent than any words could be of the marvellous transformation that has been effected in three short years by the thoughtful, careful, persistent attention to all the little details that go to make a healthy happy home.

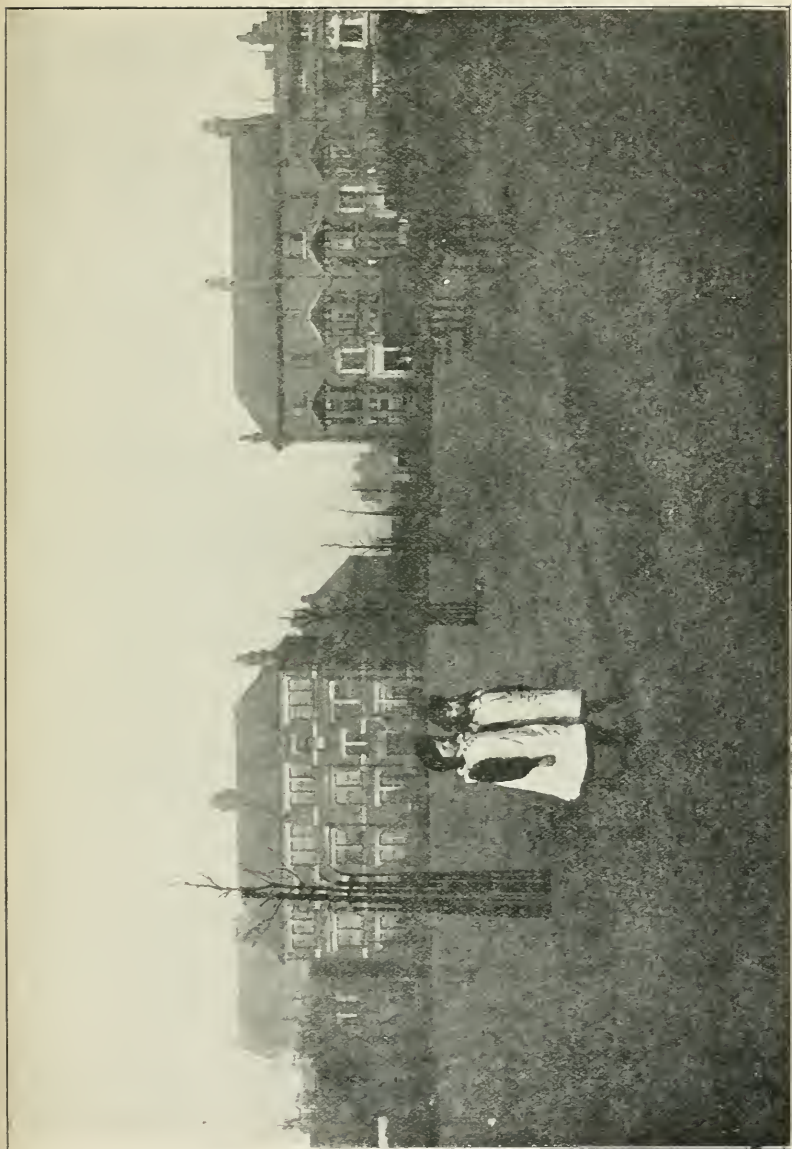
Miss Hill's idea of employing ladies to collect the rents is so simple and so natural, that one wonders why it has not been copied all over England. It is, in 99 cases out of 100, the wife who is given the money to pay the rent; and if women pay the rent, why should not women collect it? A woman has so much more sympathy, and therefore can do so much more with the housewife than a mere man, who knows nothing about all the little details and difficulties of housekeeping. House agents have often told me that this class of property is a great nuisance to look after, and hardly repays their trouble. It is difficult to understand why some of them do not copy the example set by Messrs. Clutton.

Those who wish for more information on this subject can obtain "A Housing Policy" from Messrs. Cornish Bros., New Street, Birmingham.

Miss Hill's principles are, in my opinion, the only method for surmounting the difficulties between landlord and tenant, and removing existing slums in a manner that will be permanently satisfactory and successful. The same general principles have been applied by the Corporation of Stuttgart.

Their method may be shortly described as the application of the Elberfeld system to the Housing question. The Elberfeld system is now being tried in England, and it might be advisable to include a system of Housing inspection similar to that carried on under the Stuttgart Housing Bureau by 100 or so Voluntary Housing Inspectors.

Poverty is largely due to bad housing. Put an applicant for relief under better housing conditions, and his health will in most cases much improve, enabling him to earn more and taking him off the hands of the charitable. Housing inspection goes deeper down than the doles of charity.



Walworth Estate, New Probert.
RECREATION GROUND AND GARDEN HOUSES, MAY, 1906.

CO-PARTNERSHIP IN HOUSING.

In regard to houses yet to be built, the simplest and surest way of reconciling the interests of landlord and tenant is to provide means by which the tenant of a small house can, if he is willing (and there are a great many who are willing), gradually acquire the value of, or a substantial interest in the house he lives in. This is not so difficult a task as the maintenance of old houses. We start with a clean slate. We have not to contend with the results of past mistakes, and we can learn from the experience of others. There have been, and still are, innumerable ways by which a man with small means is enabled to build a house for himself, and gradually pay for it. Building societies, some organised both by working men and capitalists, have attempted this task, and while some have achieved a certain measure of success, many have proved a great disappointment. One aspect of these failures, that is, "individual ownership," will be dealt with in the last chapter of this book; meanwhile this chapter is concerned with the successes.

Foremost among these must be noted the Co-partnership Tenants' Housing Council, which is a propagandist organisation, and Co-partnership Tenants Limited (6, Bloomsbury Square, London, W.C.), which is a business organisation for putting into practice the principle of co-partnership in house-building and house-ownership. Mr. Henry Vivian, M.P., is the chairman of both these organisations.

No work on Housing Reform would be complete without a description of their system and procedure.

1. The first step is to secure an option to purchase or lease suitable land on the outskirts of an industrial centre, at a capital value of £300 per acre, or less if possible.

2. When the option has been secured, but not before, a meeting of possible members of the future society is called together, and details are fully explained. The names are then taken of those willing to join the society, and anxious to get healthy houses with cheerful surroundings, the value of which they can gradually acquire by small monthly payments. The promoters of the scheme are able to judge whether the demand for respectable housing accommodation is sufficient to justify them in proceeding with their scheme.

3. The land on which an option has been secured is then planned out as a whole in accordance with the hygienic, artistic, and economic principles of Town Planning, as far as the local bye-laws will permit.

4. Rules are prepared and must be passed by the Registrar of Industrial and Provident Societies before the prospectus

is issued. A prospectus is then issued explaining the objects of the society, to which subscriptions for loan stock and share capital are invited, and also the terms on which share capital and loan stock will be issued.

The share capital is raised in shares of £1 to £10 each, payable in full, or as to the first share £2 to £5 on allotment, and the remainder by instalments of 2s. 6d. per month. Under the rules no dividend greater than 5 per cent. may be paid. If any further profit is made it is applied in furthering the objects of the society, and in payment of a bonus to the tenants of the society, who are also shareholders. No member may hold more than twenty £10 shares.

The building up of capital by means of monthly instalments of 2s. 6d. is a very slow process, and therefore in order to get to work at once on building the houses required, loan stock is raised, on which 4 per cent. is paid from the date of receipt of the money. It will be obvious that no interest can be earned until the houses are built and tenanted, but the societies have powers to pay interest on loan stock out of capital for the usually short period erection takes, in the same way that a railway company is allowed to pay interest on its debentures for a certain fixed period, until their line is in working order. This loan stock has a prior claim to shares on the assets of the society, and is transferable only.

The houses built are simple but substantial, and include proper sanitary and other arrangements. It is not considered fair, as some landlords suggest, to deny the tenants proper accommodation for washing, and the other essentials to clean living, and then condemn the tenants for being dirty. Special attention is also given to the surroundings, which are really quite as important as the houses themselves. In short, the houses are built for use, and not merely for sale. They are let at ordinary rents, to pay a moderate rate of interest on capital, and the surplus profits (after providing for expenses, repairs, depreciation, etc.) are divided among the tenant members in proportion to the rents paid by them. Each tenant member's share of profits is credited to him in shares instead of being paid in cash.

1. This system has many advantages over that of an ordinary building society. In the latter case the member makes himself liable for the purchase money, and if he leaves the neighbourhood the house may be a burden on his hands. In nine cases out of ten, a working man living in his own house, has to face a heavy loss on the investment of his savings when he has to choose between unemployment and removal to a neighbourhood where his labour is in demand. The mobility of labour, which is one of the working man's

most valuable assets, is seriously interfered with, if not destroyed. Under the co-partnership system, on the other hand, the mobility of labour is encouraged, not destroyed. When a member leaves the neighbourhood, the society, not the tenant shareholder, possibly has a house on its hands. The tenant of the house has his shares in the society equal in value to the value of his house, which he can, if he likes, realise without any loss; or if he leaves his savings where they are, he will receive his interest as usual.

So far there has not been a single failure in this system, and from what I know of the management, I am not afraid of expressing the opinion that there is not at all likely to be one.

The system is thoroughly sound, and the details of administration are carefully attended to by experienced men, whose past successes are their best testimonials.

2. Another advantage is that no tenant is in danger of having his property injured by the careless and untidy way in which his neighbour's house is kept. No member can say, "This house is mine." They can all say, "These houses are ours." One of the results of this is that public opinion on the estate is far too strong in favour of cleanliness and order for it to be possible that any tenant should neglect his house and garden, without being called to order by his partners. This sounds like interfering with the liberty of the subject. We already send people to prison for being drunk; why should not firm but friendly pressure be kept on individuals to enjoy the benefits that they have secured by co-operation with their neighbours, without injuring those who have helped to make these enjoyments possible? Vexatious interference with the way a man manages his own house and garden would be stopped by the public opinion of the neighbourhood quite as quickly as the neglect and untidiness that injures the neighbours.

3. Everyone ought to put by something for a rainy day. The difficulty that confronts working men and others with small means, is to find an investment at 4 or 5 per cent. that is safe and permanent. Small house-property is a very favourite and very sensible investment for people in this position. It cannot run away, but unfortunately the flimsy structures so often palmed off on thrifty but unsuspecting poor people have a habit of coming to pieces very soon after they are built.

There is a story of a builder who complained of people for leaning against the wall he had built, and another of the draught being so great that someone had to sit on the tablecloth to prevent it being blown off the table. This palming

TWO STREETS BUILT IN THE SAME PARISH, BUT NOT BY THE SAME METHOD.

TWO STREETS BUILT IN THE SAME PARISH, BUT NOT BY THE SAME METHOD.



A STREET OF HOUSES OUTSIDE THE HAMPSTEAD GARDEN SUBURB—WIDTH ACROSS ROAD FROM WALL TO WALL 20 FEET. AVERAGE RENTAL ABOUT EQUAL TO THAT OF ASMUN'S PLACE.



ASMUN'S PLACE, HAMPSTEAD TENANTS LTD.

BUILT ON THE CO-PARTNERSHIP SYSTEM, RENTALS FROM 6S. TO 9s. 6d. PER WEEK.

WIDTH ACROSS ROAD FROM WALL TO WALL, 71 FEET 9 INCHES.

Reproduced with Mr. Raymond Unwin's permission from "Town Planning in Practice."

off of rotten property on the thrifty poor is not only ruinous to the health of the people—it is also seriously discouraging to national thrift.

The co-partnership societies give the poorer classes an opportunity of gradually acquiring the value of the houses they live in on easy terms, and at the same time guard them against all risks.

Many other advantages might be mentioned, such as the enjoyment of social intercourse, without which the gregarious instincts of human beings remain unsatisfied. Space will not admit of mention being made of all the advantages to be obtained by tenant members of these societies; but I hope I have said enough to show that for the poorer classes there is no sounder proposition from the purely business, as well as every other point of view, than Co-partnership Housing, as advocated and administered by Mr. Henry Vivian.

Capitalists, on the other hand, are provided with a safe sound 4 per cent. investment.

1. The greater the surplus profits, the greater the security for the regular payment of the interest on capital. It is to the interest of the tenant members, who receive the surplus profits, to make those profits as large as possible:—

(a) By taking care of the property, and so lessening the expenditure on repairs;

(b) By helping to find tenants for the houses;

(c) By the punctual payment of rent.

2. The share capital of the tenant member provides a fund upon which the society can, if necessary, draw, in order to pay any arrears of rent. Loss by arrears of rent is therefore reduced to a minimum.

There is no better investment than well-built, well-let house-property, and the very fact that this system confers great benefit on the tenant members, ensures an exceptional security to the loan-stock holders.

This system also solves the question of “unearned increment” without the slightest unfairness to any individual. The increased security caused by this goes to the ordinary shareholder and the loan-stock holder; but after 4 per cent. has been paid on the loan stock, and 5 per cent. on the shares, the surplus profits due to unearned increment go as they should do to the tenant members of the societies, in the shape of increased bonuses on their rentals.

Each society is managed by a committee elected by the shareholders on the lines usually adopted by industrial and provident societies. Many of the individual societies all over the country are now joining Co-partnership Tenants Limited, which is a federation of branch societies, with headquarters

in London. There are many details in connection with the work that can be far better carried out by a central body like this for the provincial societies, than by these societies for themselves. Official business with Government offices can be transacted more quickly and cheaply; the expense and loss of time caused by frequent journeys to London being avoided, as well as the delay caused by inexperience in matters of this sort.

Materials for road-making, house-building, and house-fitting can be bought in very large quantities, thereby considerably reducing the purchase price. The combined knowledge and experience of each individual society is all collected at headquarters, and is at the service of all the others. Co-operation saves money, individual effort results in waste. Without the assistance of some such organisation as this federation, the starting of new societies in other parts of the country would be very difficult and very slow. With this federation to do the pioneer work, everything becomes comparatively easy. The federation knows exactly what to do, and (what is equally important) what to avoid, in order to get to work quickly and cheaply on sound lines that will ensure speedy and permanent success.

The Co-partnership Housing Movement has spread with remarkable rapidity during the last few years, and will undoubtedly spread much faster still. It is founded on the thoroughly sound principle of mutual self-help. Its promoters recognise that the poorer classes in this country are no exception to the rule—that people do not really value anything they get without effort or self-sacrifice of their own. That is one of the many points on which co-partnership house-building has an immense advantage over municipal house-building. Under the latter system the tenants have themselves taken no part in the undertaking; they have not been called upon to make any special effort to get into the houses built (which was purely a question of luck, or worse still, favouritism), and they have no sense of possession.

It is of great importance that the poorer classes of Great Britain should be provided with respectable housing accommodation in place of the disgusting hovels in which so many of them now exist. It is of equal, if not greater importance, that this should be done on lines which will ensure that the houses are properly cared for by those who live in them. This all-important object is more or less successfully obtained in the case of municipally-built houses, by a stringent system of inspection by corporation officials; but official inspection is instinctively repugnant to our people, and for this reason

the great majority of those who deserve assistance in the matter of housing, and would repay many times over any wise assistance given to them, refuse to go into municipal houses. Co-partnership house-building on the other hand gently leads the tenants into taking care of their houses by giving them the sense of possession.

Another advantage of co-partnership building societies is that the houses are not all built to one pattern, and therefore more easily suit the different requirements of different tenants.

House-building by the municipality must necessarily be an official system, and carries with it the disadvantages of officialdom. There is no scope for imagination and initiative. We have had municipal house-building for twenty years, and its own supporters complain that no serious improvement has been effected in our large towns. In any case, a comparatively small proportion of the community can build houses on the philanthropic or semi-philanthropic lines adopted by municipal house-builders.

All those who want a sound 4 per cent. investment can safely follow the lines of the Co-partnership Tenant Societies. Amongst their supporters are many men well known, and rightly respected in the highest business circles.

I am by no means the first to recognise the unsoundness and the actual failure of municipal house-building; but that is not enough. It is necessary to present and give practical support to an alternative policy. Many of those who see the danger of the unsound socialism that has of late years been gradually gathering force in this country, merely meet it with a policy of simple negation, or a policy of pure selfishness that is even more harmful. They do not seem to realise the general condition of affairs in our great industrial centres, which is at the root of the mischief. It is useless to meet Socialistic fallacies by mere exposure of their unsoundness, without attempting to remedy the social evils. The evils are there, and they must be alleviated by one means or another.

Municipal land-purchase and land-leasing would, in my opinion, be of great service towards the end in view; but as I have already explained in other chapters of this book, it is wiser to attempt less first. The cautious man looks before he leaps. Let us first try what a combination of Town Planning of the land and co-partnership in house-building will do, before we ask for strong powers of compulsory public land purchase.

Those who help to get Town Planning powers, and start such societies all over the country, will be actively helping to solve the problem.

The success of Town Planning depends in the first place upon Parliamentary influence; the success of co-partnership building depends on hard cash being invested at 4 per cent. in order to start the societies. Create all over the country a strong body of small house-owners, and you will do more than the most eloquent speeches to combat unsound socialistic pretensions.

Co-operation has achieved miraculous results in the production and distribution of all sorts of commodities for general consumption. The general principle has far greater possibilities in the matter of housing the people than in any other direction, for reasons that I have endeavoured to explain in this chapter; and by no means the least of these is the complete conciliation of the interests of landlord and tenant.

Lord Brassey, Sir John Brunner, Mr. Rothschild, and many other financial and commercial leaders, have already approved these methods; and these names are a guarantee that Mr. Vivian's methods have been conceived, and are being carried out, on thoroughly sound business principles. No one need therefore hesitate about investing capital in co-partnership loan stock. They are taking up a perfectly safe 4 per cent. investment, as well as helping forward a thoroughly sound solution of the Housing problem.

NOTE.—A description of Ealing Tenants Ltd., the pioneer co-partnership village, will be found in Appendix C 1, and a table showing the growth of the federated co-partnership estates in Appendix C 1a.

CHAPTER XI

MISCELLANEOUS

MUNICIPAL HOUSE-BUILDING. RURAL HOUSING. COLLECTIVE
VERSUS INDIVIDUAL OWNERSHIP



ANY of the arguments against municipal house-building have already been given in "A Housing Policy,"* and others have been mentioned in this book. My present task is a comparatively short one. We are continually being told that municipal house-building is not a charge on the rates, and yet rising rates are generally coincident with increased activity in this direction, and it is instructive to note that no municipal house-builder writes on the Housing question without advocating some fresh means for "relieving their burden," such as exempting their undertakings from rates, etc. It is difficult to see how it can be fair that those who do not live in municipal houses should pay rates for those who do. This latest proposal for "manipulating" municipal house-building accounts reveals the unsoundness of the policy, and practically amounts to a confession of failure by those who make it.

I have examined a good many municipal house-building accounts, and, so far, have not found a single set of figures that told the public the whole truth. In addition to which, private interviews with officials engaged in the work have more than once provided me with information very different to that furnished to the ratepayers.

The insurmountable difficulty between those who advocate municipal house-building and those who oppose it is that they cannot agree on the facts.

In a recent publication we are told that the three Birmingham Corporation housing schemes give net returns of 4.35 per cent., 4.66 per cent., and 2.46 per cent. on the outlay. It is now some years since this mistake of local municipal house-builders was corrected. To-day, every Birmingham

* Published by Cornish Bros. Ltd., New Street, Birmingham.

man who has followed the matter at all closely is aware that the houses referred to as making a profit are in reality a charge on the rates, varying from 1s. 3d. to 2s. 8d. per tenement per week.

Another error into which municipal house-builders fall is in thinking that their policy encourages the private builder, and thereby increases housing accommodation; while we contend that the action of the municipality competes unfairly with and deters private enterprise. The case of Bournville is cited in the publication already mentioned, and it is suggested that Bournville was started as the result of a threat to build municipal dwellings. Mr. Cadbury's letter of December 18, 1907, entirely refutes this veiled attack: "The idea of Bournville arose from my visits to the poor, when I was impressed with the great difficulty of a man living in the back streets of one of our towns bringing up children vigorous in mind and body. It was an ideal from my boyhood of fifty years ago, which I never then expected to have the privilege of realising. I have been an Adult School teacher in Birmingham for forty-nine years, so you will see I have had an exceptional opportunity of knowing the conditions of its people."

Those who want Local Authorities to devote their attention to the provision of housing accommodation do not yet realise that this results in neglecting their primary duty of supervision.

There are two points of agreement as to facts which may be usefully considered. Part III. is generally recognised to be the least extravagant form of municipal house-building. There are no figures available giving the costs of these operations all over the country, but the *Municipal Year Book* tells us that the London County Council, which has more experience in municipal house-building than any other public body, had up to November 30th, 1906, spent £3,342,542 on land and buildings for housing 70,491 persons. This works out at £47 8s. 4d. per person, which is very nearly the same figure as that taken in Chapter III. for urban re-housing.

These figures show it to be financially impossible for Local Authorities to build on an adequate scale themselves, and should persuade them to attend to the work of supervising others. The other point of agreement is the fact that every pound spent in land purchase, which would give Local Authorities complete control over the houses built, would go just seven times as far (more than one leading municipal house-builder says ten times) as a pound spent in house-building. This brings us to the policy of municipal land purchase and leasing to societies of public utility, or to

individuals willing to observe the conditions laid down by the authorities.

I am in favour of the policy of municipal land purchase, but this is not the case with all Housing reformers.

Practically speaking, all are agreed on Town Planning, but on municipal land purchase they are not, and therefore the two policies ought to be kept separate.

The question of "Unearned Increment" raised by John Stuart Mill some forty years ago, presents a problem that will never be solved until the land is owned by the people. The difficulty is how to attack this problem on lines that will be just and fair to all existing interests, and at the same time capable of attaining the end in view.

Some suggest that by taxation of land values the land-owners of England might be gradually taxed out of their inheritance. "Valuation" is too large a subject to be dealt with here. The principle that seems most likely to succeed is to give public bodies, national or local, some such power as this: "When land is required for any purpose in the public interest, the public authority concerned should have the power to take the land required and give in return public stock secured on the land taken that will bring in the same income as the land is earning at the date of transfer."

Various safeguards would, of course, be required. The landowner would not lose income, and he would gain in security, because he would have added to his original possession the guarantee of the national taxes or the local rate.

There has been a great deal of talk recently about Socialism on public bodies, but no public body has failed to meet its obligations, nor is there ground for expecting this will happen. Popular election can be relied upon to check over-enthusiastic public representatives.

The leading idea of English land legislation has always been to frame laws to protect the owner against the community. Is it unreasonable to suggest that the time has now come to give some little thought and attention to protecting the community against the owner? The present conditions can scarcely be considered satisfactory, when it is the general experience that land bought publicly for public purposes costs from 10 per cent. to 50 per cent. more than land bought privately.

Public land ownership would be of very great assistance in stopping private land and building speculation, than which nothing has done more to injure the national health and empty the national purse.

An interesting example of how this theory works in practice

is supplied by Birmingham's pioneer scheme—leasing corporation land to a building society of public utility for the construction of a model village under the supervision and control of the Corporation and the Local Government Board.

If this land had been developed on the usual lines, it would no doubt have yielded a comfortable profit to the speculator; but the Corporation, by placing various restrictions on it, were not able to obtain what jerry-builders describe as the "actual present value."

The first object was to ensure that people living on this land should be properly housed, and the scheme provides for this without putting any charge on the ratepayers. Owing to circumstances over which the Housing Committee had no control, there is a small charge on the rates during the early years of the lease, but this will be more than wiped out before its termination. In future schemes it ought to be possible to avoid loss even in the early years; meanwhile it is an important step forward to have actually started experimenting with a policy that has great possibilities.

An abstract of the lease between the Birmingham Corporation and the Ideal Benefit Society will be found in Appendix D, 2; also one of that granted by Mr. Cadbury to Bournville Tenants Ltd. This is specially interesting, because it was carefully drafted on lines that Local Authorities can follow if they so wish.

The lease between Hampstead Garden Suburb Trust and Hampstead Tenants Ltd. was also drafted with the same object.

Rural Housing.—At the beginning of this book I pointed out that the urban and rural Housing problems are dependent on each other. I claim no detailed knowledge of rural conditions, but as spectators sometimes see most of the game, a few general remarks may not be without interest.

It has long been recognised that country people crowding into the towns greatly increases the difficulties of urban housing, as well as competing in a full labour market. It is also an accepted fact that one of the chief causes of this immigration is the lack of sufficient and of sanitary houses in country districts.

In July, 1906, Lady Gwendolen Cecil read a most instructive paper on this subject to a meeting of the Christian Social Union at Garden City. She believes it to be one of the main causes of the present difficulties that while the commercial rent is that which can alone be obtained by a free offer in the open market, yet the rent charged in many parts of the country is an eleemosynary rent and not a remunerative one. The same opinion was clearly expressed by the Select

Committee on Rural Housing, presided over by Sir John Dickson Poynder.

Lady Gwendolen goes on to point out how generous landlords, with the best possible intentions, housed the tenants on their estates "on a standard of comfort and sanitation far above the then demands of the occupying class themselves, and established a system of customary rents which were not only below the then value of the cottages, but which are fixed and purely artificial in their character. These landlords have now for the most part finished their work; and economic laws are avenging themselves. Within a certain radius of such properties building enterprise is killed."

House-builders dependent on their business for a livelihood are unable to let their houses below cost, and therefore only a very small proportion of the total accommodation required has been provided.

If the money and energy devoted by generous landlords to this unhappy policy had been devoted to showing farmers and other employers that it is sound business to pay good wages, and see to it that they are earned, and bad business to pay the smallest possible wage, good might have resulted instead of harm. In the event of failure to establish the doctrine of better wages, better results, then these landlords might have provided the tenants on their estates with allotments and small holdings on commercial lines, and so enabled them to earn enough to pay the rent of a decent home. This method would have had another advantage in giving the landlord more income from his land, and so mitigated, if not entirely prevented, the slump there has been of late years in the value of rural land.

As in the dispensing of charity, it is sound policy to help people to help themselves, and unsound to give doles: so with housing. Those who attempt to nurse the poor are inevitably doomed to ultimate failure, no matter whether it be done by Local Authorities, philanthropic trusts or companies, or by private individuals. The policy of helping people to help themselves may be slower, but it is far surer; and Housing reformers must not allow present conditions and immediate results to divert their attention from the future.

The commercial value of allotments and small holdings to the nation, as well as to individuals, is fortunately being more and more widely recognised. The ethical value is quite as important, and it assuredly reacts for good on the commercial value. Those at work on their own plots, whether owned or only leased on a secure tenure, have an interest in life that no dole affords.

Collective versus Individual Ownership.—How often we

hear of tenants of small houses who have paid enough to buy every brick in their house two or three times over, but do not own one!

This condition has received a considerable amount of attention for many years past, thereby enabling us to profit by experience. Building societies have done a great deal of good, and also some harm. There have been too many failures, and these have deterred many cautious people from investing their savings in the gradual purchase of the house they live in, which provides, from every point of view, an excellent investment for the poorer classes. Everyone wants a house, and one of the advantages of this business enterprise is that the investor is his own customer. He does not depend on the requirements or caprices of others.

Collective ownership should be the poor man's safeguard. Rich men can afford the principle of individual ownership; they can afford to pay for their fads; but even they would undoubtedly be better off in many ways under the conditions of collective ownership.

In house purchase, as in other business matters, collective operations are infinitely more economical than individual action; it is just the difference between buying wholesale or retail. Another advantage is that the owner of a house on a co-partnership estate is protected against injury to his property by selfish or careless neighbours. Those conversant with what has so far been achieved in the direction of occupying ownership are aware that many a man with small means has paid far more than he need have done by taking individual action with only the financial help of a building society. Not only has he paid more, he has also obtained a worse article for his money.

The houses purchased with the help of an ordinary building society are not nearly so good in themselves or their surroundings as those to be found on the estates of Hampstead Tenants, Garden City Tenants, and many others rapidly developing all over the country.

A third, and in many cases the most important, advantage of all is the fact that collective ownership, as carried out by Co-partnership Tenants Ltd., enables a man to go from one district to another in search of work without any anxiety or loss in connection with his house.

The greater the mobility of labour, the larger its share in the profits of commerce.

This comparison between collective and individual ownership, in favour of the former, must not be taken as a want of appreciation of the great work done by ordinary building societies in persuading and assisting the poorer classes to

gradually acquire the houses they live in. That was a great step forward, and I have ventured to express my views on collective ownership in the hope that some of the older, and at the same time progressive, building societies may be induced to inquire into the methods of Co-partnership Housing, and consider the advisability of reviewing their methods.

APPENDICES

APPENDIX A

THE BIRMINGHAM CORPORATION'S METHODS OF DEALING WITH INSANITARY HOUSES.

Procedure.

IN the first place no house is dealt with until it has been represented, under Sections 30-31 of the Housing of the Working Classes Act, 1890, as unfit for human habitation. Secondly, instructions are given, either to call on the owners to at once have the houses thoroughly repaired, and failing that, to apply for Closing Orders, or the property is referred to the Visiting Sub-Committee to inspect, and report upon what alterations are necessary. In order to avoid any possibility of favouritism or prejudice, the owner's name is never communicated to this Sub-Committee unless an interview or other negotiations become necessary. In every case when notices are served on an owner a printed circular is sent with the notices for repairs, inviting him to confer with the Department or the Committee before he spends any money. This is in order to avoid the risk of expenditure being incurred on work not required by, or not satisfactory to, the Authorities. Although it is not stipulated by the Housing of the Working Classes Act, 1890, that owners should be supplied with specifications of repairs required, as is the case under the Public Health Act, 1875, nevertheless specifications are supplied when asked for. This is found to be a great convenience to owners in the majority of cases. As an additional safeguard, there is an Interviewing Sub-Committee to whom owners may come if they are unable to arrive at an agreement with the officers of the Department concerning the specifications.

Before a specification is supplied the house or houses are visited, generally in company with the owner or his representatives, in order to obtain full details of defects, and the specification is then prepared to suit the particular needs of the property.

Requirements.

1. Where houses are too close together and there is no current of air in front of them, one or more houses are removed in order to let light and air into the remainder.

When outhouses are found within a few feet of the front doors and windows of dwelling houses, they are removed, and if necessary, a house is demolished to make room for new outhouses. Compensation is paid for the removal of obstructive buildings under Section 38 of the 1890 Act.

2. Unpaved common courtyards are paved, except in a few cases where the gardens are appreciated and kept tidy and wholesome.

3. With regard to the houses themselves :—

(a) When quarry floors have to be taken up because quarries are broken or the floor is damp the floor is relaid on concrete.

(b) Dampcourses are inserted except when a house is evidently dry.

(c) All dirty wall papers are removed, no matter how many layers there may be, and the plaster where necessary made sound and good.

(d) Insanitary brick settles or sinks, which always cause damp and bad smells, are removed, and an earthenware sink with water supply provided, so that tenants may be able to wash without having to go to the yard tap.

(e) Handrails are provided to staircases.

(f) Filth, when found between floors and ceilings, where it is always highly dangerous to health, is removed, and floors and ceilings thoroughly repaired.

(g) Roofs are repaired in such a manner that unless some accident occurs they will keep out the rain for some years to come.

(h) Windows are made to open top and bottom, and the woodwork made weatherproof.

(j) Matchboarding is removed from walls where it is found to hide damp or harbour filth.

(k) Where fresh paint is required, two coats are put on.

(l) Brickwork is raked and pointed where necessary, and where unsafe pulled down and rebuilt.

(m) Ventilated food cupboards or pantries are provided.

(n) Cellars are filled in where it is found impossible to prevent them being a cause of damp and bad smells.

Other repairs are sometimes asked for in special cases, but the above list includes the more general repairs required.

An opinion has been expressed that it would be easier for the property owners if all the repairs necessary were not asked for at the same time. This would oblige the Committee's Inspectors to be constantly harassing owners to do the next thing required. This method was tried before the Housing Committee was appointed, and resulted in putting property owners to a great deal of unnecessary inconvenience and extra expense. Complaints were made of constant harassing, and it was to remove this cause of complaint that the method of thorough repair was adopted by the Corporation, so that once a house had been repaired it would not be necessary for their Inspectors to trouble its owner again about that house for many years to come.

Opening out of Courts.

A number of congested courts, where the houses were not sufficiently bad to be declared unfit for human habitation, have been opened to the street, thus admitting more light and ventilation to the court houses. This has been done by means of friendly negotiations which have also brought about many reparations and improvements to houses in the courts so converted. In these cases compensation has been paid to the owners under Section 38 of the 1890 Act for the removal of obstructive buildings.

Work done from January 1st, 1902, to December 31st, 1908—seven years.

| | | | | | |
|--------------------------------------|-----|-----|-----|-----|-------|
| No. of houses represented | ... | ... | ... | ... | 4,630 |
| „ repaired | ... | ... | ... | ... | 1,846 |
| „ converted to workshops | ... | ... | ... | ... | 45 |
| „ under repair | ... | ... | ... | ... | 321 |
| „ demolished | ... | ... | ... | ... | 1,457 |
| „ pending lapse of notices | ... | ... | ... | ... | 961 |
| „ repaired without representation | ... | ... | ... | ... | 334 |
| „ demolished without representation | ... | ... | ... | ... | 24 |
| No. of obstructive buildings removed | ... | ... | ... | ... | 258 |
| No. of courts opened | ... | ... | ... | ... | 110 |

Total Cost to the Ratepayers.

| | | | | | | |
|---|-----|-----|-----|---------|----|----|
| Administration expenses | ... | ... | ... | £8,076 | 14 | 3 |
| Compensation for obstructive buildings | ... | ... | ... | 6,187 | 10 | 0 |
| | | | | £14,264 | 4 | 3 |
| 2,280 houses repaired—cost per house | ... | ... | ... | £3 | 10 | 10 |
| 258 obstructive buildings removed—cost per building | ... | ... | ... | £24 | 0 | 0 |

APPENDIX B

MR. HORSEFALL ON ADMINISTRATION.

[Reprinted from the "Municipal Journal," Jan. 10th, 1908]

MANY English social reformers desire that town councils in this country shall have and use the power to make extension-plans for their towns. They advocate this change because they believe that it would remove or lessen evils from which our towns now suffer. It is, however, well known that some German towns, in which extension-plans are used, suffer severely from the evils resulting from the existence of a large number of tall barrack-dwellings, the rooms in which are dear, and therefore much overcrowded, and Mr. Aldridge seems, by what he said in a recent issue of the *Municipal Journal*, to believe that it is possible that the exercise by an English town council of the power to make town-extension plans might perhaps promote the building of barrack buildings here, and increase the evils from which we already suffer. It may therefore be well to try to call attention to the fact that the growth of barrack buildings in German towns is not due to the use by German town councils of any powers which a Town Planning Act would give to our town councils, but to the use, in the interests of speculators in land and holders of barrack dwellings, of those powers to make building bye-laws which our town councils already possess.

German Conditions.—The right to make a town extension plan only places a town council in the position in which the private owner of a large estate finds himself when he wishes to lay it out as the site for a town or part of a town. We know the absolute certainty that he may lay it out in such a way, and enforce such building regulations on it, as shall ensure that every house built on it shall be too large and costly for persons of small income, but that he need not take that course. We shall find, if we study the relation of a German town council to new districts of their town, that it has the same freedom of choice which is possessed here by the owner of a large estate, and can use its power to make a town extension plan, either in a way which will ensure that land shall be dear, methods of building costly, and consequently rents high and dwellings overcrowded, or in a way which will ensure that land shall not be dear, that cheap but sound methods of construction shall be used, and that consequently there shall be an abundant supply of dwellings at moderate rents. We shall find also that a large proportion of the members of town councils in those German towns in which dwellings are dearest have motives for desiring that the rents of existing houses shall continue to be very high, which would not be felt by many members of English town councils, and therefore have motives for so using their powers as to ensure that the rents of new houses shall be too high to lower those of existing houses.

Factors in Fixing Rent.—It may be useful before we examine German methods to remind ourselves of the nature of some of the conditions which have a large part in deciding whether the rents of houses shall be high or low. That which most effectually prevents any given person from being compelled to pay a high rent for any given house in his possession

is the power to obtain another house which would suit him as well at a low rent; in other words, an abundant supply of cheap houses. If we go a step further back and ask how an abundant supply of cheap houses can be ensured, we see that this can be done only by measures which ensure that every part of the whole process of obtaining land and erecting a house on it shall be so cheap and simple that not only can houses be provided cheaply, but also that a large number of persons shall know that, without very much trouble, they could, if necessary, build houses for themselves. If land is so dear that interest at the current rate on the cost of the smallest site that can legally be used for a house would make the rent high, or if a large quantity of even cheap land must be used for each house, or if bye-laws enforce costly modes of construction, or if each house must pay for half the width of a costly street, not only will the supply of houses be made scantier than it would otherwise be, and the cheapening influence of abundant supply be lost, but the cost also of every house which is built will be enhanced, and rents will be raised by the interaction of the two causes of dearness—a smaller supply of dwellings and increased cost of each dwelling.

German Municipal Institutions.—The institutions of Berlin and those of other German towns which suffer most from overcrowded dwellings are so different from our municipal institutions that it is impossible to explain both shortly and clearly why it is that German town councils, although they have the power to make town plans, have failed to give their towns all the advantages which we expect our town councils, when they can make town plans, to give to our towns. In the first place the representation in the elected part of the governing body of many German towns of persons whose interest it is that the rents of old houses shall not be lowered by the competition of cheaper new houses is extremely great. In Prussia, Saxony, and Lippe the so-called "Three-Class" system is in force. In this system those persons who pay one-third of all the rates and taxes paid in a town in the largest amounts elect one-third of the members of the town council; those who pay one-third in the next largest amounts elect another third of the members; and all the other payers of rates and taxes, who always form a very large majority of the whole number, elect the third third. In one town the first of the three classes once contained only one man, the owner of large works, who therefore elected one-third of the members of the town council. The interests peculiar to owners of houses are protected by German law which decrees that one-half the number of seats in the town council must be occupied by house-owners.

The "Magistrat."—The members of the town council elect the executive part of the municipal government—the "Magistrat," which consists of the *Bürgermeister* and *Adjoints*, who in Prussia are elected for periods of twelve years, and are generally re-elected when their first term of office is completed. Under this system many men of great intelligence and of much public spirit are elected to both parts of the municipal government, but it is obvious that the town council as a whole must be strongly influenced by desire to protect the interests of the well-to-do classes, and especially those of house-owners. Two well-established German institutions can be used for this purpose—the wide street and the barrack dwelling.

The Origin of the Wide Street.—Two causes seem to have co-operated in the production of the wide street. During the Middle Ages and till the close of the Napoleonic wars a large proportion of German towns were surrounded by walls, and most of their streets were very narrow. During the nineteenth century old methods of fortification rapidly became obsolete, and many towns had some, or all, of their old encircling walls removed. There was naturally a general desire that the streets in new districts should be much wider than the inconvenient streets in the old

central districts, and as many of the principal towns were the residences of Grand Dukes and other Sovereigns, who loved splendour and took a leading part in the control of the towns, towns vied with each other in creating magnificent streets. Streets of the kind must, of course, be separated from each other by deep plots of building land. Even when land was as cheap as it was in most German towns seventy years ago, and even when streets could be as cheaply constructed as the simple streets of that time could be, a man who built a house on a large plot of ground and had to provide the land for, and bear the cost of constructing, half the width of a street sixty or seventy feet wide, knew that only a tall house containing a considerable number of dwellings would enable him to obtain a fair amount of interest on his outlay.

The Builder's Burden.—Houses of five storeys, the largest number of storeys allowed by the bye-laws, were therefore built in large number in Berlin and some other large towns. At first some of these houses had gardens behind them. But as sanitary arrangements and paving were improved, as water was brought from a distance, and gas-pipes were laid, the construction and maintenance of a wide street became a heavier and heavier burden. Then, too, German municipal authorities have a very strict building police which sees that staircases and other parts of houses are so solidly constructed as to keep the risk of collapse and of the spread of fire as small as possible, and, as the carefulness of the authorities increased, construction became more costly both because more material and more labour were required and the prices of material and labour were continually increasing.

Under the influence of these changes many house-owners build on the ground intended for gardens, side and back-blocks of tall dwellings as additions to the blocks standing by the streets, the new blocks and the dwellings at the back of the old front blocks getting an insufficient supply of air and light from courts and other air-shafts.

Influence of Landowners.—When these changes were made by house-owners in one part of a district, the results, by showing how large an amount of money could be obtained from the full use of the ground, gave all other owners of land in the district strong pecuniary reasons for covering their ground in the same way, and, by greatly raising the price of all the land in the district, they made it necessary for everyone who bought land there to cover it as closely as the law allowed with tall buildings. When land had thus been made very costly in one district, naturally owners of land in other districts desired that their land should have its price raised in the same way. It is to the interest of the owners of the dear land and of the owners of dear houses in the districts of close tall buildings that land in all other districts shall be dear, because, should there be a large supply of cheap, small houses provided on cheap land in accessible positions, the prices of land and the rents of the tall unwholesome houses would, of course, be greatly and rapidly reduced. All the great influence of the owners of land and houses is therefore exercised to compel or induce the town councils, who, under the Lines Act of 1875, have the power to create building districts in which houses of various heights and covering various proportions of their sites are allowed, to allow buildings of five storeys, arranged in long rows, to be built in every district.

Prussian Government and Barrack Dwellings.—Nor is it only on town councils that the influence of owners of dear land and highly-rented houses and the influence of landowners who desire that their land shall rapidly become dear are exercised. In the year 1892, in order to prevent the evils caused in Berlin by the prevalence of five-storeyed barrack dwellings from extending to the suburbs, building bye-laws, in the preparation of which the Prussian Government was a party, were issued for a very large area round Berlin. These bye-laws allowed buildings

of five storeys in some districts, buildings of four and of three storeys in other districts, while in others, generally chosen because the prevalent winds pass over them before reaching the central districts, only detached or semi-detached buildings of two storeys were allowed. The owners of land in the districts from which five-storeyed buildings were excluded by the bye-laws of 1892 knew so well that the exclusion involved the certainty that their land would not reach such high prices as land in the other districts would rise to, that they used their great influence to get the restriction removed, and, most unfortunately for everyone but themselves, they succeeded in obtaining a fresh set of bye-laws which allow the erection of five-storeyed houses in at least some of the districts from which the 1892 bye-laws excluded them. There is another German institution which has co-operated with the wide street to promote the production of barrack dwellings, and to make the owners of such dwellings use all their power to influence town councils and other authorities to the utmost for the protection of the barrack dwelling from the competition of cheaper and more wholesome forms of dwelling. This is the Land-book. In Germany an entry in the Land-book is the legal proof of ownership of land, and no mortgage or other encumbrance on land is valid unless it is entered there; and as the Land-book can be consulted by everyone, it is very easy to ascertain in what degree any given property is burdened.

Land as a Security.—Hence it is very easy in Germany to borrow money on the security of land. Under the influence of the wide, costly street, of this facility of borrowing, and of the great and rapid growth of German towns, a remarkable state of things has been created in Berlin, and, in a lower degree, in some other large towns. A very lucid description of this state of things will be found in a book by Dr. Rudolf Eberstadt, "The Influence of Speculation on the Construction of the Modern Town."* Except in the open country in East Germany land in both town and country, till a few years ago, was held by a far larger proportion of the population in Germany than in England, and therefore the average size of the holding was much smaller there than here, and the average wealth of each holder lower. Hence it was much easier there than it would have been here for speculators, either individuals or land companies, to buy large tracts of land round rapidly-growing towns at prices which, while so much higher than the value of agricultural land as to induce the original agricultural holders to part with their holdings, were very much below the prices to which speculators knew that the erection of five-storeyed barrack dwellings would at once raise the land. The power of the strong purse has been very fully used, and many of the German towns are now enclosed by deep rings of land held by speculators, many of whom have borrowed their money from banks. These rings of land prevent the healthy growth of the towns as effectually as did the fortifications of the Middle Ages. All the unbuilt-on land round Berlin is said to be owned by 73 land companies, some of which are so closely interconnected that there are in reality not more than 20 or 30 separate companies, so that common action for the good of the companies and the harming of all the rest of the community is comparatively easy.

The German Building Plan.—The difference between the price paid for the land and that which it will be worth in the market when it is used as the foundation for five-storeyed barrack dwellings cannot be obtained till barrack dwellings are actually erected. Before houses can be built the authorities have to prepare a building-plan for that part of the suburbs and to decide on the bye-laws. The full influence of the owners of the land is brought to bear on the generally sympathetic town

*"Die Spekulation im Neuzeitlichen Staedtebau." Von Dr. Rudolf Eberstadt. (Jena: Gustav Fischer.)

council, and, as I have already stated, too often the building bye-laws fix a width for all the streets which makes the five-storeyed barrack dwelling the only form of house that can pay interest on its cost, and formally allow that form to be erected.

Course of the House Market.—In the great majority of cases the houses are built by the individuals and companies who own the land by the help of money borrowed from banks. When the houses are finished, the owners must get rid of them and of the land on which they stand to realise their profit, and a process takes place which is called selling the house and its site. But very few persons have money enough for the purchase of so large a property, and as a rule a barrack dwelling is sold to a man who pays in cash, sometimes nothing at all, and generally not more than 10 per cent. of the whole price, the unpaid part of the price being secured to the seller by a mortgage, which is duly entered in the Land-book and has priority in relation to all other encumbrances on the property. The so-called "house-owners" of the German towns, for whom half the seats in the town councils are reserved, instead of being persons of assured pecuniary position, who may be trusted always to guard all the respectable interests of respectable people, are, therefore, really, as a class, men who are in a very dangerous financial position, which creates for them strong interests adverse to those of all their fellow-citizens. If rents can be maintained, they obtain good interest on the small capital which they have invested in the property, ostensibly theirs; if they can obtain a slight advance of rent the rate of interest they receive is much augmented; but if rents fall, then they lose all their income, and if the fall is considerable they are unable to continue to pay interest on the mortgages on their houses and become bankrupts. Hence they have the strongest possible reasons for combining with landowners to induce or compel town councils and central governments to restrict the supply of new buildings as far as possible to barrack buildings.

The Cause of Evil Conditions in Germany.—It will be seen by this account of what has taken place in German towns that the cause of the existence of unwholesome dwellings, high rents, and overcrowding is not at all the possession by the German town councils of any powers which could be given to English town councils by a Town Building Act, but simply the wrong use of building bye-laws for the advantage of persons interested in the maintenance of high prices for land and high rents for dwellings. The true nature of the cause of the evils from which German tenants suffer was clearly revealed by a fact mentioned lately by Mr. Damaschke in an admirable address to a meeting of representatives of the towns in Posen, held in June last, which all housing reformers should read.* When it seemed probable that only detached and semi-detached houses, of not more than two storeys in height, would be allowed in the small town of Teltow, which forms part of Greater Berlin, the prices of shares in the companies which owned land there fell at once 37 per cent.!

How to Effect a Fall in Rents.—Undoubtedly, if the Prussian Government passed a law allowing only ten or twelve two-storeyed houses per acre to be built on any part of the ring of land round Berlin which is held by land companies, and were to enforce the construction of tram lines to all parts of the ring, not only would the price of land in that ring fall very low, but rents of all the houses, large and small, throughout Berlin, would be soon greatly reduced. The fall in rents would be due not only to the bringing into the market of much cheap land and the creation of houses of a cheaper type, but also to the facts that far more professional builders would be able to buy the new type of small house than can build barrack dwellings, and that each of a great many private

* "Jahrbuch der Bodenreform," 3 Band, 3 Heft, p. 168. Jena: Gustav Fischer, 1907.)

citizens would then be able to employ a small builder to build him a house. In considering the differences between our English system and the German system of housing, German students of housing seem to me always to leave out of account the difference in the amount of supply between a country where only a small proportion of the population can undertake the work of building a house, and a country in which, as is the case here, a large proportion of those who desire to obtain houses can build for themselves.

Excessive Width of Street.—All the German Governments now see that the too-wide street is the chief cause of the great increase in the number of tall barrack dwellings, and the introduction to the new Prussian Housing Bill recommends that residential streets shall be made narrow, that streets through which there will be much traffic shall be wide, and that streets respecting which it is uncertain whether much traffic will pass through them shall be made wide in the cheapest way by having gardens in front of the houses, which can, if necessary, be added later to the width of the roadway.

It is not to be wondered at that some English observers have been misled into the belief that Town Planning is the cause, or one of the causes, of high prices of land and high rents in German towns, as building only being allowed in and near towns on areas for which plans have been made, it is only on those areas that any rents can be charged, and it is there chiefly that the high prices of land attract attention. It is, however, not only on those areas that prices of land are raised by the excessive use which the bye-laws allow to be made of land, but everywhere where it seems probable that a similar excessive use will be allowed in the near future. In a valuable report to his town council which has recently been published, the Oberbürgermeister of Mannheim states that near that town the influence of tall buildings has raised the prices of land far beyond the limits of the areas for which town plans exist.

What Germany has gained.—From the powers given to their town councils to make town plans, other than the often-misused power to have all streets made wide, from the powers to control the direction of streets, to have streets of various widths, to have many of the streets planted with trees, to have sites reserved for public buildings, to have an adequate provision of playgrounds, shrubberies, and parks, German towns have derived nothing but good; and they have derived so much good that, in spite of higher rents and more overcrowding of houses, their large towns are much pleasanter places for poor and rich to live in than are our towns. Dr. Adickes, the very able Oberbürgermeister of Frankfurt, who knows England well, says that "a large part of the evils existing in English towns is due to there not having hitherto been building police regulations, in the German sense of the words, in existence there," and Professor Fuchs, of Freiburg, i.B., one of the highest German authorities on Housing, said recently that there is less need for garden cities in Germany than in England, partly because, thanks to the general use of public town plans, they have in Germany "no English slums."

APPENDIX C, 1

THE PIONEER CO-PARTNERSHIP VILLAGE

BY HENRY VIVIAN

EALING TENANTS LIMITED had its origin amongst a number of the members of the General Builders Limited, who resided in the Ealing district. Nearly all these were connected with the building trade, but not all. They had been schooled in the co-partnership faith at the various meetings and conferences of the General Builders, and some of them were readers of the journal, *Labour Co-partnership*. Their knowledge of this principle, which aims at harmonising the interests of labour and capital, by equitably distributing the profits made, and encouraging labour to acquire capital to share in its administration, suggested that the idea might be extended to tenants in a house-owning society.

Members' Responsibilities.—Rules.—(1) That the tenants should invest a small sum to begin with, and undertake to gradually increase it; (2) that the interest on capital should be fixed at a moderate rate; (3) that each individual tenant's share of any profit realised over this rate, after providing for certain necessary charges, should be capitalised as accumulated shares. This means that the shareholders as such give up what they are usually entitled to—viz., all the profit which might arise from their investment, but as some compensation they stand the chance of getting the added security arising from the capitalisation by the tenant of any profit he may become entitled to, plus the security arising from the tenant increasing his ordinary share capital.

Advantages.—The tenant's position is as follows:—

(1) He gets a house at a rental which, if accommodation and other things are compared, is not higher, and is probably less, than he would have to pay elsewhere.

(2) He can invest in the society, of which he is a tenant, any savings he finds it possible to make out of his earnings, at 5 per cent.

(3) Should values go up he gets the benefit either by way of a dividend on the rent, or by paying a rental which is below the market value.

(4) He secures practically all surplus profits after the fixed charges have been met.

(5) He secures a social atmosphere which awakens new interests, and creates a collective friendship unknown under the individual system of ownership.

(6) He secures freedom from loss, should circumstances require him to leave the neighbourhood

(7) The capital for building his house is provided at a cheaper rate than it could be obtained on any other system that is commercially sound.

(8) The tenants as a whole can relieve themselves of dependence on outside capital altogether by acquiring through investment or by accumulated capital, the value of the property.

Ultimate Ownership.—By gradual process, therefore, it lies with the tenants to transfer the ownership from non-tenant shareholders, who take the main risk to begin with, to the tenant shareholders who, it is hoped, may become the ultimate owners. This follows the policy adopted by Godin with his employees in the co-partnership iron-foundry at Guise.

It will be seen that the division of risks is a varying one as between the non-tenant shareholders and the tenant shareholders. The proportion of non-tenant shareholders' capital is large to begin with, declining as the tenant shareholders' proportion grows.

Careful Spending.—The continuous growth of share capital and loan stock is the measure of the confidence investors have in the society. If care and economy in the expenditure of money justifies confidence, then it is thoroughly justified in this case.

With regard to the financial results of the society's operations, it is encouraging to know that the revenue, after meeting all fixed charges and sinking fund, enables 4 per cent. on loan stock and 5 per cent. on shares to be regularly paid, with a margin to spare. A dividend on rents has been declared amounting last year to 1s. 6d. in the £.

There is on the estate a social club and institute, a boy's club, and a sewing circle.

Mr. Cadbury and Mr. Lever have shown that the average boy or girl living in healthy surroundings such as are obtainable on the Ealing Tenants' Estate are considerably bigger and stronger than the average working-class children. Under modern conditions the education and upbringing of the children of the poorer classes cost the community a considerable sum of money, and it is only ordinary business to take every possible step to ensure that the health of the rising generation should repay the community for the money now being spent on it. Ealing Tenants provide many ideas of great interest to Housing Reformers.

APPENDIX C, 1A

CO-PARTNERSHIP TENANTS LIMITED

Table Showing Growth of Property of the Affiliated Societies.

| NAME OF SOCIETY. | 1906 | 1907 | 1908 | 1909 |
|---|---------|----------|----------|----------|
| | £ | £ | £ | £ |
| Ealing Tenants Ltd. | 36,765 | 71,197 | 97,166 | 138,600 |
| Garden City Tenants Ltd. ... | 37,670 | 72,357 | 81,000 | 81,000 |
| Sevenoaks Tenants Ltd. ... | 14,500 | 16,550 | 16,550 | 16,950 |
| Leicester Anchor Tenants Ltd. | — | 1,500 | 4,555 | 10,480 |
| Manchester Tenants Ltd. ... | — | 8,660 | 23,500 | 43,500 |
| Hampstead Tenants Ltd. ... | — | 16,674 | 65,672 | 120,000 |
| Harborne Tenants Ltd. ... | — | 16,501 | 49,933 | 97,760 |
| Fallings Park Garden Suburb Tenants Ltd. | — | 1,200 | 8,138 | 14,160 |
| Stoke-on-Trent Tenants Ltd. | — | — | — | 6,550 |
| Second Hampstead Tenants Ltd. | — | — | — | 2,000 |
| Wayford Tenants Ltd. ... | — | — | — | 3,000 |
| Derwentwater Tenants Ltd. (only recently affiliated) | — | — | — | 2,300 |
| | £88,935 | £204,639 | £346,514 | £536,360 |

APPENDIX C, 2

BRINGING COUNTRY TO TOWN

HARBORNE TENANTS, AN EXAMPLE OF ENGLISH CO-OPERATIVE ESTATE DEVELOPMENT

(Reprinted from "THE SURVEY," New York, U.S.A.)

That the Housing problem is all a question of how to build cheap houses, is, in my opinion, a dangerous half-truth. It is necessary to provide small houses at rents within the means of the wage-earners, but it is not in their interests to cut down quality with a view of charging low rents in order to meet low wages. In the long run, wages follow rents; and therefore the policy enunciated above would eventually result in reducing wages; and than that there is nothing worse for employers as well as employed. The far-sighted housing reformer prefers a policy of levelling up rather than levelling down. On the one hand, we must endeavour to give the poorer classes (being content to go by steps), better houses, and on the other hand we must not increase costs to such an extent as to oblige us to charge higher rents than the people can pay. This policy of slowly but surely levelling up is now being put into execution in Birmingham by Harborne Tenants Limited. It is carried out on the lines of helping the people to help themselves, instead of doing everything for them as some impatient enthusiasts prefer to do.

About fifteen months ago, fifty-three acres of land were purchased at an average price of rather less than £300 an acre. The land was carefully and economically planned out. The average number of houses on the whole estate works out at ten to an acre. The garden to each house is quite small because many tenants object to being bothered with a large plot of land. For those who want more garden land, allotments are provided. Numerous small open spaces, as well as good-sized recreation grounds, are provided on the estate. The houses on either side of the roads are seventy-two feet apart, and between them runs a sixteen-foot roadway, bordered with turf margins and trees, and then gravel footpaths, which abut on the front gardens of the houses. This arrangement gives more than the usual distance between the houses, and that means more light and air to each house; while the cost of construction is less than that of ordinary bye-law roads, with the great advantage that tenants have something cheerful to look out upon, instead of the usual "dreary deserts of macadam."

As the interest on the cost of road-construction has to be paid by the tenants, it will be seen that these modern town-planning roads mean a considerable saving in weekly rents.

Another important item in the cost of estate development is the construction of the sewers. At Harborne, this is done on what is known as the "combined drainage system." That is to say—there is not a separate connection from each house direct to the main sewer; the drainage from several houses is gathered up and all conveyed to the main sewer through one connection. The modern system of road and sewer construction, as carried out by Harborne Tenants, results in

a saving of something between sixpence and a shilling a week for each house, in spite of the fact that at present the society has to pay for the up-keep of these tree-planted roads, whereas in the case of ordinary bye-law roads, this upkeep is borne by the general body of ratepayers.

The houses themselves are built in blocks of two, four, six, and eight, according to circumstances, and the positions of the houses. The total rents, including rates, etc., vary from six shillings to twelve and sixpence a week. Building was begun on January 1st, 1908. There are now nearly a hundred houses completed, and another thirty or so on the way. The applications for the houses are 50 per cent. in excess of the number of houses available.

The inside accommodation provided is on the whole not quite so roomy as can be obtained for equal rents in houses provided on the old-fashioned lines, forty or fifty to the acre. The tenants have to pay something for the surroundings of their houses as well as for the houses themselves. At first they did not quite realise the wisdom of doing this, but now they are thoroughly satisfied with the value they get for the rent they pay, a result achieved by adopting the principles of estate development on town-planning lines, together with co-partnership house building and owning.

The capital required is raised by means of 4 per cent. loan stock, the shares limited to a 5 per cent. dividend, in addition to which, as houses are built, the Public Works Loan Commissioners, an English Government department, lend at $3\frac{1}{2}$ per cent. half the money spent on construction, which loan has to be repaid within a period of thirty years.

It is necessary to find some means of raising working capital at the outset because at this experimental stage the poorer classes are not able to raise immediately the money required for developing an estate. This is why capitalists are invited to take up loan stock. Tenant members pay down a small sum at first and then make weekly contributions until their holding in the Society amounts to £200, the limit any one member of a Friendly Society is allowed by English law to hold in shares of such societies. There is no limit to the amount of loan stock any individual may hold. As the shareholders' money comes in, the Public Works Loan Commissioners' money, and the loan stock holders' money is paid out. Co-partnership housing loan stock is a thoroughly safe 4 per cent. investment, but although for a new form of investment money has come in remarkably well, Harborne Tenants could at present use more than they have secured. At the same time, the practical success achieved is so great that there is no doubt that in a very few years unlimited capital will be at their disposal.

At the present time, the capital at Harborne taken altogether cost the society an average of 3.65 per cent. .50 per cent. on cost at $3\frac{1}{2}$ per cent. interest is set aside in order to build up a sinking fund that will write off the houses in about sixty years. Repairs will cost not more than .35 per cent. on capital outlay, owing to the fact that tenants are already partly, and will eventually become entirely, their own landlords, which means that they will take care of the property; administration and general charges are not more than .5 per cent, owing to the fact that various public-spirited men give their services free until the society they are connected with is an assured success:

| | | | | | | |
|----------------------|-----|-----|-----|-----|-----|----------------|
| Cost of capital | ... | ... | ... | ... | ... | 3.65 per cent. |
| Sinking fund | ... | ... | ... | ... | ... | .50 " |
| Repairs | ... | ... | ... | ... | ... | .35 " |
| Administration, etc. | ... | ... | ... | ... | ... | .50 " |
| Total | ... | ... | ... | ... | ... | 5.0 per cent. |

Harborne Tenants is only one of some dozen or so co-partnership housing societies scattered all over England, some of which have been going for some years, and none of which have failed.

APPENDIX D, 1

Powers under which Local Authorities may lease land acquired under Part III. of the Housing of the Working Classes Act, 1890.

SECTION 5 of the 1900 Act, and Section 11 of the 1903 Act, enable Local Authorities to lease to public utility societies land that has been acquired under Part III. of the 1890 Act in the following manner :—

Section 5, 1900 Act.—The Local Authority may, with the consent of the Local Government Board, lease land acquired by them under Part III. of the 1890 Act, to any lessee who will carry the Act into execution by building and maintaining on the land lodging-houses within the meaning of the Act.

Section 11, 1903 Act.—Any power of the Local Authority under the Housing Acts to provide dwelling accommodation, shall include a power to provide and maintain with the consent of the Local Government Board, and if desired jointly with any other person in connection with such dwelling accommodation, any building adapted for use as a shop, any recreation grounds or other buildings or land which in the opinion of the Local Government Board will serve a beneficial purpose in connection with the requirements of those for whom the dwelling accommodation is provided.

Clause 6 of the 1909 Act enables Local Authorities to lay out and construct streets or roads on any land acquired by them under Part III. of the 1890 Act, provided such streets or roads are dedicated to the public.

As a matter of common law, when any person owns land with the power to lease it, he can put what terms he likes into the lease, and may adjust his rent and other conditions accordingly.

APPENDIX D, 2

MODEL LEASES

BORDESLEY GREEN LEASE

This is a lease by the Corporation of Birmingham to the trustees of the Ideal Benefit Society for the leasing of about seventeen acres of land, and is made, with the sanction of the Local Government Board under the powers of Section 5 of the Housing of the Working Classes Act, 1900, and Section 11 of the Housing of the Working Classes Act, 1903. The land demised was acquired by the Corporation under Part III. of the Housing of the Working Classes Act, 1890.

The following are some of the principal features of the lease :—

The land is let for the first year at a peppercorn rent ; the second year at £200, and after that at £600 per annum, reduceable on punctual payment to £400 per annum. The object of the rent being fixed at the higher figure is that if the lessees made default, and the Corporation re-entered, they would have a balance to meet cost of collection, etc.

In addition to the usual lessees' covenant for payment of rent, taxes, painting, insurance, etc., and other covenants incidental to long building leases, the lease comprises special covenants with regard to—

(a) Precluding the sale of intoxicants on the estate.

(b) The construction of roads. The Corporation have discretion under their bye-laws to allow narrow roads subject to the distance between the frontages of the houses being maintained.

(c) The erection of houses. The lessees undertake not to erect more than twenty-two houses to the building acre, either on the land leased, or on the land adjoining, which they are going to acquire.

(d) The terms of the lease, which are that it is for one hundred and nine years, that the term of development is ten years, the latter provision enabling the lessees to grant their sub-lessees a full term of ninety-nine years.

(e) To facilitate elasticity in development, and yet ensure general harmony, a sketch plan of the whole was prepared, but this was not fixed and definite. The building covenant followed the wording of the Housing Acts, 1890, 1900, and 1903, as closely as possible, reserving the right to the Corporation to approve the positions, specifications, plans, sections, and elevations of all houses and gardens on the estate.

(f) The houses to be separate, self-contained lodging-houses, not being flats or other dwelling-houses adapted for occupation by more than one family, within the meaning of the Housing of the Working Classes Act, and suitable for habitation by persons of the working or artizan class. Not more than twelve shops to be erected on the estate.

(g) The sum to be expended on the estate is spread over the ten years allowed for development.

(h) That the houses or shops shall not be used except for persons of the working or artizan class, or for lodging-houses, or for shops respectively within the meaning of Section 53 (1) of the 1890 Act,

as read with Section 5 (1) of the Act of 1900, and Section 11 of the Act of 1903.

(i) The lessees in granting any underlease or assignment not to reserve any greater rent than so much of the total annual rental as can be reasonably apportioned upon the premises comprised in such underlease or assignment, and that every underlease and assignment shall contain covenants by the underlessee or assignee as to keeping all garden ground properly planted, etc. There is also provision preventing subleasing at increased rents by any assignee or sublessee of the lessees.

(j) All sub-demising or assigning is to be subject to the previous consent of the lessees, and provision is made for forfeiture in the case of breach of any covenant by sublessees or assignees. The lessees not to give any such consent except on terms consistent with the provisions of the head lease.

(k) Lessees to preserve all trees, etc., on the estate. The Corporation reserve all their usual powers under statutes, bye-laws, etc., as though they were not lessors.

(l) In addition to the usual powers of re-entry and distress for non-payment of rent, the lease contains a proviso that when the lessees shall have apportioned so much of the total annual rental of £600 as may be fair and reasonable upon any dwelling-house or shop, then as between the Corporation on the one hand and any assignee or sublessee (as distinct from the lessees themselves) on the other hand, only the rent or apportionment shall be deemed to be charged upon and issuing out of such premises to which such apportionment relates, as if such premises had been comprised in a separate lease and subject to the apportioned rent, covenants, etc. This proviso prevents the lessees from being handicapped in getting their plots taken up, as the objection that the whole of the rent issues out of any part of the land demised, cannot be raised.

(m) Plans to be submitted to the Local Government Board if required, and the lessees to conform to certain conditions as to the methods to be adopted and materials to be used in constructing the houses. There is also an open space to be provided, about $2\frac{1}{2}$ acres in extent, which is to be laid out by the lessees to the satisfaction of the Corporation, the Corporation paying a fixed sum towards the cost. This is the subject of a special agreement.

(n) The Corporation on their part covenant to pay certain sums towards the cost of road-making, and the cost of erecting the shops.

APPENDIX D, 3

BOURNVILLE TENANTS' LEASE

The lease granted by the Bournville Village Trust to the Bournville Tenants Limited, establishes a precedent in leasing to public utility societies, and has been carefully prepared with a view to its form being adaptable to leases granted by municipalities for the same purpose.

Its essential features, shortly summarised, are :—

Area of land to be leased, about twenty acres, and rent to be £11 10s. an acre. Two acres are to be left as open spaces, and in respect of these no rent will be paid.

Lessees may develop the land in portions of not less than one acre. They may have a separate lease of each portion as they appropriate it for development.

Rent in respect of each portion does not become payable until twelve months after it has been appropriated for development.

At three stated points in the development of the whole estate, the lessors will lease free of rent a "recreation ground," a "children's recreation ground," and a "village green." The leases of these are to be co-terminous with the leases granted in respect of the land, the development of which has been a condition of the leases of these open spaces.

Neither lessees nor lessors to cut down trees.

Lessees not to erect more than twenty-two houses on any two building acres.

All houses to have the use and enjoyment of a garden at least three times the area of the actual site of the house, except that for the purpose of utilising frontage in corner sites, one-eighth of the houses may be built with gardens or yards having an area which need not be more than equal to the site of the house.

No intoxicants to be sold on the estate.

Lessees to preserve and maintain the open spaces.

Lessees not to take any action which will preclude the lessors from being represented in the management or control of the lessee society.

Lessees not to assign or underlet, except for short terms, without lessors' consent, and first making proffer for the sale or disposition of their estate or interest to the lessors.

APPENDIX D, 4

HAMPSTEAD LEASE

Hampstead Garden Suburb Trust Limited have, by Act of Parliament, secured special powers which enable them to deal with their land in an exceptional manner.

They have, in particular, unique powers in regard to the laying out of their streets and roads, which take them somewhat outside the restrictions of the local bye-laws relating to these matters.

In their building leases there are, in addition to the usual covenants, some provisions of special interest.

These shortly are :—

That the lessee shall lay out an open space to be reserved for the common use and enjoyment of the tenants of the houses erected by him.

The lessee is not restricted to a certain sum per house, but the total amount spent on the erection of the houses which he covenants to build, is apportioned amongst the different houses to the satisfaction of the lessors' surveyor.

The lessee has to submit a full description or specification of the materials to be used by him, and the lessor has power to condemn any materials.

The houses may be detached, semi-detached, or in terraces, if approved by lessors.

The lessee is to protect and maintain all existing trees and hedges, and is not to cut down any tree or hedge without written permission.

The lessee may select how many houses he will have included in any one lease.

The lessee is not to permit any building to be occupied by such a number of persons as shall reduce the air space available for each individual over ten years of age below 500 cubic feet, or for each child under that age, below 250 cubic feet.

Term of lease ninety-nine years, with a proviso for extension, as shown in the Bournville Tenants lease.

Term of lease ninety-nine years, and lessees on expiration of original leases to have option of renewal for a further term of ninety-nine years. The annual ground rent to be reserved on any such extended lease, to be deemed equivalent to the annual sum at which, on the occasion of the granting of such extended lease, the surface of the land might be expected to let on a lease similar to the original lease, or any extended lease (save as to rent), and for purposes similar to those for which the demised land may be used under the original lease or any extended lease clear of the buildings situate on the land, or any improvements made by the lessee since the granting of the original lease or any extended lease.

APPENDIX D, 5

HEREFORD LEASE

The lease by the Corporation of Hereford to the Hereford Co-operative Housing Limited, follows much the same lines as the lease granted by the Corporation of Birmingham to the Ideal Benefit Society at Bordesley Green, and the power to lease is obtained under the same sections of the Housing of the Working Classes Acts.

The land leased is about $8\frac{1}{2}$ acres. The Co-operative Society are to erect within the space of two years from the date of the lease, not less than 30, nor more than 100, self-contained houses suitable for persons of the working classes, the plans to be approved by the Local Government Board.

The ground rent charged by the Corporation is fixed at the amount disbursed annually by that body for interest and sinking fund of the loan raised by them for the purchase and development of the site.

The first year it will be £132, equal to 26s. per annum on each of the 100 houses allowed to be erected, but it decreases annually as the loan is paid off, and at the end of 80 years the land becomes the freehold of the Co-operative Company, if not acquired earlier.

Rents.

- 15 at 5s.
- 4 at 5s. 3d.
- 2 at 5s. 6d. (corner range and bath).
- 5 at 5s. 8d.
- 5 at 6s. (corner range and bath).
- 4 at 6s. 3d. (corner range and bath).
- 8 at 8s. 3d. (hot and cold bath-room upstairs).

None of these houses have less than three bedrooms. Rent includes rates, garden, and a sum added to return as profits.

The Hereford Co-operative Housing Society intends to build thoroughly sanitary houses, with such regard to appearance as is consistent with low cost. A proportion will be erected to let at rents which will bring them within the reach of unskilled working men earning from 18s. to £1 per week; but in order to avoid the evils which result from the too exclusive separation of classes in our communities, it is also proposed to erect some houses for working men earning from 25s. to 30s. per week, who, it is hoped, will take a leading part in the social life of the estate.

To prevent overcrowding, and escape the creation of slums in the future, open spaces for the recreation of young and old will be provided, and not more than twelve houses per acre will be erected. This will enable every tenant desiring it to have a good garden or allotment near his house. That this will be a boon to working men is proved by the fact that there are some 400 allotment gardens in Hereford, many of which are at a distance, and often a considerable distance, from the homes of their cultivators.

Every tenant, before occupation, will be expected to take up at least one to three fully paid ordinary shares of £1 each according to his rent,

and opportunities will also be given to tenants to invest savings in the company by weekly payments made when paying rents.

Ordinary rents will be charged. A moderate rate of interest paid on capital, and the surplus, after payment of expenses, repairs, depreciation, etc., divided among the tenant members in the shape of shares in proportion to the rents paid by them.

These shares are not withdrawable, but a tenant leaving the neighbourhood can either transfer his shares with little cost or hold and draw dividends on them, the system in this way being more convenient than an ordinary building society.

Moreover, the co-operative ownership gives the tenant members an interest in the whole property, and though each cannot say "This is my land," everyone can say "This is our estate." The system solves the question of unearned increment, which goes to the tenant members.

The society is managed by a committee elected by the shareholders on the lines usually adopted by industrial and provident societies, and it is hoped that the committee will comprise at least one of the tenants.

A Tenants' Council will be formed, which, though without spending authority, will be able to make representations to the committee, and will undertake the management of, for instance, a bowling green and children's playground, and organise co-operation in as many forms as possible. A cottage already exists on the estate which, at moderate cost, might be made available for a committee and reading room.

It is hoped by methods such as these to bring into the lives of the tenants more and healthier interests than are usually to be found in the ordinary city street.

A site comprising 9 acres 1 rood 6 poles of land has been purchased, and is now being developed with roads and sewers by the town council at an estimated cost, including the purchase of land, of £2,300.

The capital of the society consists of ordinary shares paying a dividend of not more than 5 per cent., and loan stock paying 4 per cent. The loan stock has priority to the ordinary shares, and is transferable, but not withdrawable. But the society reserves the right to repay the whole or any part (to be chosen by lot) at par, on giving six months' notice. The ordinary shares are £1 each, payable not less than 1s. on allotment. No member may hold more than £200 ordinary shares. The loan stock shares are £5, payable not less than 5s. on allotment. A member may hold an unlimited amount of loan stock, but only ordinary shares confer votes.

APPENDIX E

HOUSING, TOWN PLANNING, ETC., ACT, 1909.

(ARRANGEMENT OF SECTIONS.)

PART I.

HOUSING OF THE WORKING CLASSES.

Facilities for Acquisition of Lands and other Purposes of the Housing Acts.

SECTION

1. Part III. of the principal Act to take effect without adoption.
2. Provisions as to acquisition of land under Part III. of the principal Act.
3. Loans by Public Works Loan Commissioners to local authorities.
4. Loans by Public Works Loan Commissioners to public utility societies.
5. Payment of purchase or compensation money (which would otherwise be paid into court) on direction of Local Government Board.
6. Provision of public streets in connexion with exercise of powers under Part III. of the principal Act.
7. Expenditure of money for housing purposes in case of settled land.
8. Donations for housing purposes.
9. Provisions with respect to money applicable under trusts for housing purposes.

Powers of enforcing Execution of Housing Acts.

10. Power of Local Government Board on complaint to enforce exercise of powers.
11. Power of Local Government Board to order schemes, etc., to be carried out within a limited time.
12. Powers of county council to act in default of rural district council under Part III. of the principal Act.
13. Power of county council to exercise powers of rural district council under Part III. of the principal Act.

Contracts by Landlord.

14. Extension of section 75 of the principal Act.
15. Condition as to keeping houses let to persons of the working classes in repair.
16. Extension of power of making bye-laws with respect to lodging-houses for the working classes.

Amendment of Procedure for Closing Orders and Demolition Orders.

17. Duty of local authority as to closing of dwelling-house unfit for human habitation.
18. Order for demolition.
19. Power to redeem annuities charged by charging order under section 36 of the principal Act.

SECTION

20. Provision as to priority of charges under section 37 of the principal Act.
21. Restriction on power of court of summary jurisdiction to extend time.

Amendments with respect to Improvement and Reconstruction Schemes.

22. Amendment of section 4 of the principal Act as to official representation.
23. Amendment of the principal Act as to contents of schemes.
24. Amendment of 3 Edw. 7. c. 39 s. 5.
25. Modification of schemes.
26. Inquiries by Local Government Board inspectors as to unhealthy areas.
27. Amendment as to the vesting of water pipes, etc.
28. Amendment of section 38 of the principal Act as to distribution of compensation money and as to betterment charges.
29. Explanation of sections 21 (2) and 41 (3) of the principal Act.

Amendments with respect to Financial Matters.

30. Amendment as to application of money borrowed for the purpose of the Dwelling-house Improvement Fund.
31. Expenses of rural district council under Part III. of the principal Act.
32. Application of proceeds of land sold under Part III. of the principal Act.
33. Mode in which contributions by London borough councils to the county council or *vice versa* may be made.
34. Exemption from section 133 of 8 and 9 Vict. c. 18.
35. Exemption of lodging-houses for the working classes from Inhabited House Duty.

General Amendments.

36. Power of entry.
37. Power of Local Government Board to obtain a report on any crowded area.
38. Joint action by local authorities.
39. Appeals to Local Government Board.
40. Sale and disposal of dwellings.
41. Power to prescribe forms and to dispense with advertisements and notices.
42. Provision as to publication in *London Gazette*.
43. Prohibition of back-to-back houses.
44. Power to Local Government Board to revoke unreasonable bye-laws.
45. Saving of sites of ancient monuments, etc.
46. Minor amendments of Housing Acts.

Definitions.

47. Provisions of this Part to be deemed to be part of the appropriate Part of the principal Act.
48. Amendment of definitions in Part I. of the principal Act.
49. Amendment of definitions for purpose of Part II. of the principal Act.
50. Definition of cottage.
51. Definition of Housing Acts.

Application of Part I. to Scotland.

SECTION

52. Extension of 63 and 64 Vict. c. 59 and 3 Edw. 7 c. 39 to Scotland.
53. Application of Housing Acts to Scotland.

PART II.

TOWN PLANNING.

54. Preparation and approval of town planning scheme.
55. Contents of town planning schemes.
56. Procedure regulations of the Local Government Board.
57. Power to enforce scheme.
58. Compensation in respect of property injuriously affected by scheme, etc.
59. Exclusion or limitation of compensation in certain cases.
60. Acquisition by local authorities of land comprised in a scheme.
61. Powers of Local Government Board in case of default of local authority to make or execute town planning scheme.
62. Determination of matters by Local Government Board.
63. Inquiries by Local Government Board.
64. Laying general provisions before Parliament.
65. Definition of local authority, and expenses.
66. Application to London.
67. Application of Part II. to Scotland.

PART III.

COUNTY MEDICAL OFFICERS, COUNTY PUBLIC HEALTH AND HOUSING COMMITTEE, ETC.

68. Appointment, duties and tenure of office of county medical officers.
69. Duty of clerk and medical officer of health of district council to furnish information to medical officer of health of county council.
70. Extent of Part III.
71. Public health and housing committee of county councils.
72. Formation and extension of building societies.

PART IV.

SUPPLEMENTAL.

73. Provisions as to commons and open spaces.
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SCHEDULES.

HOUSING, TOWN PLANNING, ETC., ACT.

An Act to amend the Law relating to the Housing of the Working Classes, to provide for the making of Town Planning schemes, and to make further provision with respect to the appointment and duties of County Medical Officers of Health, and to provide for the establishment of Public Health and Housing Committees of County Councils. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

HOUSING OF THE WORKING CLASSES.

Facilities for Acquisition of Lands and other Purposes of the Housing Acts.

1. Part III. of the Housing of the Working Classes Act, 1890 (in this Part of this Act referred to as the principal Act), shall, after the commencement of this Act, extend to and take effect in every urban or rural district, or other place for which it has not been adopted, as if it had been so adopted.

2.—(1) A local authority may be authorised to purchase land compulsorily for the purposes of Part III. of the principal Act, by means of an order submitted to the Local Government Board and confirmed by the Board in accordance with the First Schedule to this Act.

(2) The procedure under this section for the compulsory purchase of land shall be substituted for the procedure for the same purpose under section one hundred and seventy-six of the Public Health Act, 1875, as applied by subsection (1) of section fifty-seven of the principal Act.

(3) A local authority may, with the consent of and subject to any conditions imposed by the Local Government Board, acquire land by agreement for the purposes of Part III. of the principal Act, notwithstanding that the land is not immediately required for those purposes.

3. Where a loan is made by the Public Works Loan Commissioners to a local authority for any purposes of the Housing Acts—

(a) The loan shall be made at the minimum rate allowed for the time being for loans out of the Local Loans Fund; and

(b) If the Local Government Board make a recommendation to that effect, the period for which the loan is made by the Public Works Loan Commissioners may exceed the period allowed under the principal Act or under any other Act limiting the period for which the loan may be made, but the period shall not exceed the period recommended by the Local Government Board, nor in any case eighty years; and

(c) As between loans for different periods, the longer duration of the loan shall not be taken as a reason for fixing a higher rate of interest.

4.—(1) Where a loan is made by the Public Works Loan Commissioners under section sixty-seven, subsection (2) (d), of the principal Act, to a public utility society, the words “two thirds” shall be substituted for the words “one moiety.”

(2) For the purposes of this section a public utility society means a society registered under the Industrial and Provident Societies Act, 1893, or any amendment thereof, the rules whereof prohibit the payment of any interest or dividend at a rate exceeding five pounds per centum per annum.

5.—(1) Any purchase money or compensation payable in pursuance of the Housing Acts by a local authority in respect of any lands, estate, or interest of another local authority which would, but for this section, be paid into court in manner provided by the Lands Clauses Acts or by paragraph (20) of the Second Schedule to the principal Act may, if the Local Government Board consent, instead of being paid into court, be paid and applied as the Board determine.

(2) Any such decision of the Board as to the payment and application of any such purchase money or compensation shall be final and conclusive.

6. Any local authority in connexion with the exercise by them of their powers under Part III. of the principal Act may lay out and construct public streets or roads on any land acquired or appropriated by

them for the purpose of that Part of that Act, or contribute towards the cost of the laying out and construction of any streets or roads on any such land by other persons on the condition that those streets or roads are to be dedicated to the public.

7.—(1) The following paragraph shall be substituted for paragraph (b) of subsection (1) of section seventy-four of the principal Act:—

(b) The improvements on which capital money arising under the Settled Land Act, 1882, may be expended, enumerated in section twenty-five of the said Act and referred to in section thirty of the said Act, shall, in addition to cottages for labourers, farm servants, and artisans, whether employed on the settled land or not, include the provision of dwellings available for the working classes, either by means of building new buildings or by means of the reconstruction, enlargement, or improvement of existing buildings, so as to make them available for the purpose, if that provision of dwellings is, in the opinion of the court, not injurious to the estate or is agreed to by the tenant for life and the trustees of the settlement.

(2) The provision by a tenant for life, at his own expense, of dwellings available for the working classes on any settled land shall not be deemed to be an injury to any interest in reversion or remainder in that land; provided that the powers conferred upon a tenant for life by this subsection shall not be exercised by him without the previous approval in writing of the trustees of the settlement.

8. A local authority may accept a donation of land or money or other property for any of the purposes of the Housing Acts, and it shall not be necessary to enrol any assurance with respect to any such property under the Mortmain and Charitable Uses Act, 1888.

9.—(1) If in any case it appears to the Local Government Board that the institution of legal proceedings is requisite or desirable with respect to any property required to be applied under any trusts for the provision of dwellings available for the working classes, or that the expediting of any such legal proceedings is requisite or desirable, the Board may certify the case to the Attorney-General, and the Attorney-General, if he thinks fit, shall institute any legal proceedings or intervene in any legal proceedings already instituted in such manner as he thinks proper under the circumstances.

(2) Before preparing any scheme with reference to property required to be applied under any trusts for the provision of dwellings available for the working classes, the court or body who are responsible for making the scheme shall communicate with the Local Government Board and receive and consider any recommendations made by the Board with reference to the proposed scheme.

Powers of enforcing Execution of Housing Acts.

10.—(1) Where a complaint is made to the Local Government Board—

- (a) as respects any rural district by the council of the county in which the district is situate, or by the parish council or parish meeting of any parish comprised in the district, or by any four inhabitant householders of the district; or
- (b) as respects any county district, not being a rural district, by the council of the county in which the district is situated, or by four inhabitant householders of the district; or
- (c) as respects the area of any other local authority by four inhabitant householders of the area;

that the local authority have failed to exercise their powers under Part II. or Part III. of the principal Act in cases where those powers ought to have been exercised, the Board may cause a public local inquiry to be held, and if, after holding such an inquiry, the Board are satisfied that

there has been such a failure on the part of the local authority, the Board may declare the authority to be in default, and may make an order directing that authority, within a time limited by the order, to carry out such works and do such other things as may be mentioned in the order for the purpose of remedying the default.

(2) Before deciding that a local authority have failed to exercise their powers under Part III. of the principal Act, the Board shall take into consideration the necessity for further accommodation for the housing of the working classes in such district, the probability that the required accommodation will not be otherwise provided, and the other circumstances of the case, and whether, having regard to the liability which will be incurred by the rates, it is prudent for the local authority to undertake the provision of such accommodation.

(3) Where an order originally made under this section on the council of a county district is not complied with by that council, the Local Government Board may, if they think fit, with the consent of the county council, instead of enforcing that order against the council of the county district, make an order directing the county council to carry out any works or do any other things which are mentioned in the original order for the purpose of remedying the default of the district council.

(4) Where the Board make an order under this section directing a county council to carry out any works or do any other thing, the order may, for the purpose of enabling the county council to give effect to the order, apply any of the provisions of the Housing Acts or of section sixty-three of the Local Government Act, 1894, with such modifications or adaptations (if any) as appear necessary or expedient.

(5) An order made by the Local Government Board under this section shall be laid before both Houses of Parliament as soon as may be after it is made.

(6) Any order made by the Local Government Board under this section may be enforced by mandamus.

11.—(1) Where it appears to the Local Government Board that a local authority have failed to perform their duty under the Housing Acts of carrying out an improvement scheme under Part I. of the principal Act, or have failed to give effect to any order as respects an obstructive building, or to a reconstruction scheme, under Part II. of that Act, or have failed to cause to be made the inspection of their district required by this Act, the Board may make an order requiring the local authority to remedy the default and to carry out any works or do any other things which are necessary for the purpose under the Housing Acts within a time fixed by the order.

(2) Any order made by the Local Government Board under this section may be enforced by mandamus.

12.—Where a complaint is made to the council of a county by the parish council or parish meeting of any parish comprised in any rural district in the county, or by any four inhabitant householders of that district, the county council may cause a public local inquiry to be held, and if, after holding such an inquiry, the county council are satisfied that the rural district council have failed to exercise their powers under Part III. of the principal Act in cases where those powers ought to have been exercised, the county council may resolve that the powers of the district council for the purposes of that Part be transferred to the county council with respect either to the whole district or to any parish in the district, and those powers shall be transferred accordingly, and, subject to the provisions of this Act, section sixty-three of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act.

13.—(1) Where the council of a county are of opinion that for any reason it is expedient that the council should exercise, as respects any

rural district in the county, any of the powers of a local authority under Part III. of the principal Act, the council, after giving notice to the council of the district of their intention to do so, may apply to the Local Government Board for an order conferring such powers on them.

(2) Upon such an application being made, the Board may make an order conferring on the county council as respects the rural district all or any of the powers of a local authority under Part III. of the principal Act, and thereupon the provisions of the Housing Acts relating to those powers (including those enabling the Public Works Loan Commissioners to lend, and fixing the terms for which money may be lent and borrowed) shall apply as if the council were a local authority under Part III. of the principal Act: Provided that the expenses incurred by the county council under any such order shall be defrayed as expenses for general county purposes.

(3) Where, under any such order, the county council have executed any works in a rural district they may transfer the works to the council of that district on such terms and subject to such conditions as may be agreed between them.

Contracts by Landlord.

14. In any contract made after the passing of this Act for letting for habitation a house or part of a house at a rent not exceeding—

(a) in the case of a house situate in the administrative county of London, forty pounds;

(b) in the case of a house situate in a borough or urban district with a population according to the last census for the time being of fifty thousand or upwards, twenty-six pounds;

(c) in the case of a house situate elsewhere, sixteen pounds;

there shall be implied a condition that the house is at the commencement of the holding in all respects reasonably fit for human habitation, but the condition aforesaid shall not be implied when a house or part of a house is let for a term of not less than three years upon the terms that it be put by the lessee into a condition reasonably fit for occupation, and the lease is not determinable at the option of either party before the expiration of that term.

15.—(1) The last foregoing section shall, as respects contracts to which that section applies, take effect as if the condition implied by that section included an undertaking that the house shall, during the holding, be kept by the landlord in all respects reasonably fit for human habitation.

(2) The landlord or the local authority, or any person authorised by him or them in writing, may at reasonable times of the day, on giving twenty-four hours' notice in writing to the tenant or occupier, enter any house, premises, or building to which this section applies for the purpose of viewing the state and condition thereof.

(3) If it appears to the local authority within the meaning of Part II. of the principal Act that the undertaking implied by virtue of this section is not complied with in the case of any house to which it applies, the authority shall, if a closing order is not made with respect to the house, by written notice require the landlord, within a reasonable time, not being less than twenty-one days, specified in the notice, to execute such works as the authority shall specify in the notice as being necessary to make the house in all respects reasonably fit for human habitation.

(4) Within twenty-one days after the receipt of such notice the landlord may by written notice to the local authority declare his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house.

(5) If the notice given by the local authority is not complied with, and if the landlord has not given the notice mentioned in the immediately preceding subsection, the authority may, at the expiration of the time

specified in the notice given by them to the landlord, do the work required to be done and recover the expenses incurred by them in so doing from the landlord as a civil debt in manner provided by the Summary Jurisdiction Acts, or, if they think fit, the authority may by order declare any such expenses to be payable by annual instalments within a period not exceeding that of the interest of the landlord in the house, nor in any case five years, with interest at a rate not exceeding five pounds per centum per annum, until the whole amount is paid, and any such instalments or interest or any part thereof may be recovered from the landlord as a civil debt in manner provided by the Summary Jurisdiction Acts.

(6) A landlord may appeal to the Local Government Board against any notice requiring him to execute works under this section, and against any demand for the recovery of expenses from him under this section or order made with respect to those expenses under this section by the authority, by giving notice of appeal to the Board within twenty-one days after the notice is received, or the demand or order is made, as the case may be, and no proceedings shall be taken in respect of such notice requiring works, order, or demand, whilst the appeal is pending.

(7) In this section the expression "landlord" means any person who lets to a tenant for habitation the house under any contract referred to in this section, and includes his successors in title; and the expression "house" includes part of a house.

(8) Sections forty-nine and fifty of the principal Act as amended by section thirteen of the Housing of the Working Classes Act, 1903 (which relate to the service of notices and the description of owner in proceedings), shall apply for the purposes of this section, with the substitution, where required, of the landlord for the owner of a dwelling-house.

(9) Any remedy given by this section for non-compliance with the undertaking implied by virtue of this section shall be in addition to and not in derogation of any other remedy available to the tenant against the landlord, either at common law or otherwise.

16.—(1) The power of making and enforcing bye-laws under section ninety of the Public Health Act, 1875, and section ninety-four of the Public Health (London) Act, 1891, with respect to houses or parts of houses which are let in lodgings or occupied by members of more than one family, shall, in the case of houses intended for the working classes, extend to the making and enforcing of bye-laws imposing any duty (being a duty which may be imposed by the bye-laws and which involves the execution of work) upon the owner within the meaning of the said Acts, in addition to or in substitution for any other person having an interest in the premises, and prescribing the circumstances and conditions in and subject to which any such duty is to be discharged.

(2) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises, and section fifty-one of the principal Act shall apply as if for the reference to the provisions of Part II. of that Act there were substituted a reference to the provisions of such bye-laws, and as if the person on whom such duty is imposed were the owner and any inmate of the premises were the occupier of a dwelling-house.

(3) Where an owner or other person has failed to execute any work which he has been required to execute under the bye-laws, the local authority or sanitary authority, as the case may be, may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs and expenses, and for that purpose the provisions of subsection (5) of the last foregoing section, with respect to the execution of works and the recovery of expenses by local authorities, shall apply as if the owner or other person were the landlord, and with such other adaptations as may be necessary.

Amendment of Procedure for Closing Orders and Demolition Orders.

17.—(1) It shall be the duty of every local authority within the meaning of Part II. of the principal Act to cause to be made from time to time inspection of their district, with a view to ascertain whether any dwelling-house therein is in a state so dangerous or injurious to health as to be unfit for human habitation, and for that purpose it shall be the duty of the local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as may be prescribed by the Board.

(2) If, on the representation of the medical officer of health, or of any other officer of the authority, or other information given, any dwelling-house appears to them to be in such a state, it shall be their duty to make an order prohibiting the use of the dwelling-house for human habitation (in this Act referred to as a closing order) until in the judgment of the local authority the dwelling-house is rendered fit for that purpose.

(3) Notice of a closing order shall be forthwith served on every owner of the dwelling-house in respect of which it is made, and any owner aggrieved by the order may appeal to the Local Government Board by giving notice of appeal to the Board within fourteen days after the order is served upon him.

(4) Where a closing order has become operative, the local authority shall serve notice of the order on every occupying tenant of the dwelling-house in respect of which the order is made, and, within such period as is specified in the notice, not being less than fourteen days after the service of the notice, the order shall be obeyed by him, and he and his family shall cease to inhabit the dwelling-house, and in default he shall be liable on summary conviction to be ordered to quit the dwelling-house within such time as may be specified in the order.

(5) Unless the dwelling-house has been made unfit for habitation by the wilful act or default of the tenant or of any person for whom as between himself and the owner or landlord he is responsible, the local authority may make to every such tenant such reasonable allowance on account of his expense in removing as may be determined by the local authority with the consent of the owner of the dwelling-house, or, if the owner of the dwelling-house fails to consent to the sum determined by the local authority, as may be fixed by a court of summary jurisdiction, and the amount of the said allowance shall be recoverable by the local authority from the owner of the dwelling-house as a civil debt in manner provided by the Summary Jurisdiction Acts.

(6) The local authority shall determine any closing order made by them if they are satisfied that the dwelling-house, in respect of which the order has been made, has been rendered fit for human habitation.

If, on the application of any owner of a dwelling-house, the local authority refuse to determine a closing order, the owner may appeal to the Local Government Board by giving notice of appeal to the Board within fourteen days after the application is refused.

(7) A room habitually used as a sleeping place, the surface of the floor of which is more than three feet below the surface of the part of the street adjoining or nearest to the room, shall for the purposes of this section be deemed to be a dwelling-house so dangerous or injurious to health as to be unfit for human habitation, if the room either—

- (a) is not on an average at least seven feet in height from floor to ceiling; or
- (b) does not comply with such regulations as the local authority with the consent of the Local Government Board may prescribe for securing the proper ventilation and lighting of such rooms, and the protection thereof against dampness, effluvia, or exhalation: Provided that if the local authority, after being required to do so

by the Local Government Board, fail to make such regulations, or such regulations as the Board approve, the Board may themselves make them, and the regulations so made shall have effect as if they had been made by the local authority with the consent of the Board :

Provided that a closing order made in respect of a room to which this subsection applies shall not prevent the room being used for purposes other than those of a sleeping place ; and that, if the occupier of the room after notice of an order has been served upon him fails to comply with the order, an order to comply therewith may, on summary conviction, be made against him.

This subsection shall not come into operation until the first day of July nineteen hundred and ten, and a closing order made in respect of any room to which this subsection applies shall not be treated as a closing order in respect of a dwelling-house for the purposes of the next succeeding section.

18.—(1) Where a closing order in respect of any dwelling-house has remained operative for a period of three months, the local authority shall take into consideration the question of the demolition of the dwelling-house, and shall give every owner of the dwelling-house notice of the time (being some time not less than one month after the service of the notice) and place at which the question will be considered, and any owner of the dwelling-house shall be entitled to be heard when the question is so taken into consideration.

(2) If upon any such consideration the local authority are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit, or that the continuance of any building, being or being part of the dwelling-house, is a nuisance or dangerous or injurious to the health of the public or of the inhabitants of the neighbouring dwelling-houses, they shall order the demolition of the building.

(3) If any owner undertakes to execute forthwith the works necessary to render the dwelling-house fit for human habitation, and the local authority consider that it can be so rendered fit for human habitation, the local authority may, if they think fit, postpone the operation of the order for such time, not exceeding six months, as they think sufficient for the purpose of giving the owner an opportunity of executing the necessary works.

(4) Notice of an order for the demolition of a building shall be forthwith served on every owner of the building in respect of which it is made, and any owner aggrieved by the order may appeal to the Local Government Board by giving notice of appeal to the Board within twenty-one days after the order is served upon him.

19. Any owner of or other person interested in a dwelling-house on which an annuity has been charged by a charging order made under section thirty-six of the principal Act (which relates to the grant of charges) shall at any time be at liberty to redeem the annuity on payment to the person entitled to the annuity of such sum as may be agreed upon, or in default of agreement determined by the Local Government Board.

20. The charges excepted in subsection (1) of section thirty-seven of the principal Act (which relates to the incidence of charges) shall include charges on the dwelling-house created or arising under any provision of the Public Health Acts, or under any provision in any local Act authorising a charge for recovery of expenses incurred by a local authority.

21. Subsection (3) of section forty-seven of the principal Act (which gives power to a court of summary jurisdiction to enlarge the time for certain matters) shall cease to have effect as respects the time allowed

for the execution of any works or the demolition of a building under a closing order or under an order for the demolition of a building.

Amendments with respect to Improvement and Reconstruction Schemes.

22. In section four of the principal Act (which relates to an official representation), the words "that the most satisfactory method of dealing with the evils connected with such houses, courts, or alleys, and the sanitary defects in such area is an improvement scheme" shall be substituted for the words "that the evils connected with such houses, courts, or alleys, and the sanitary defects in such area cannot be effectually remedied otherwise than by means of an improvement scheme."

23.—(1) Section six of the principal Act (which relates to the contents of an improvement scheme) shall be read as if in subsection (1) the words "for sanitary purposes" were omitted in paragraph (a); and as if the following paragraph was inserted at the end of that subsection:—

"and

(e) may provide for any other matter (including the closing and diversion of highways) for which it seems expedient to make provision with a view to the improvement of the area or the general efficiency of the scheme."

(2) Provision may be made in a reconstruction scheme under Part II. of the principal Act for any matters for which provision may be made in an improvement scheme made under Part I. of that Act.

24.—(1) Paragraphs (a) and (b) of subsection (2) of section five of the Housing of the Working Classes Act, 1903 (which limit the cases under which an order confirming an improvement scheme takes effect without confirmation by Parliament), shall cease to have effect.

(2) An order of the Local Government Board sanctioning a reconstruction scheme, and authorising the compulsory purchase of land for the purpose shall, notwithstanding anything in section thirty-nine of the principal Act, take effect without confirmation.

25. The Local Government Board may, in the exercise of their power under section fifteen or subsection (9) of section thirty-nine of the principal Act, permit the local authority to modify their scheme, not only by the abandonment of any part of the scheme which it may appear inexpedient to carry into execution, but also by amending or adding to the scheme in matters of detail in such manner as appears expedient to the Board.

26. Any inspector or officer of the Local Government Board, or any person employed by the Board, may be directed to make any inspection or inquiry which is required for the purposes of section sixteen of the principal Act (which relates to inquiries made on the default of a medical officer), and section eighty-five of that Act (which relates to inquiries by the Local Government Board), as amended by this Act, shall apply as respects any inspection or inquiry so held as it applies to local inquiries held under that section.

27. An improvement scheme under Part I. of the principal Act may, with the consent of the person or body of persons entitled to any right or easement which would be extinguished by virtue of section twenty-two of the principal Act, provide for any exceptions, restrictions, or modifications in the application to that right or easement of that section, and that section shall take effect subject to any such exceptions, restrictions, or modifications.

28.—(1) The amount of any compensation payable under section thirty-eight of the principal Act (which relates to obstructive buildings) shall, when settled by arbitration in manner provided by that section, be apportioned by the arbitrator between any persons having an interest in the compensation in such manner as the arbitrator determines.

(2) The power of the arbitrator to apportion compensation under the foregoing provision and to apportion any part of the compensation to be paid for the demolition of an obstructive building amongst other buildings under subsection (8) of the said section thirty-eight may be exercised in cases where the amount to be paid for compensation has been settled, otherwise than by arbitration under the principal Act, by an arbitrator appointed for the special purpose, on the application of the local authority, by the Local Government Board, and the provisions of that Act shall apply as if the arbitrator so appointed had been appointed as arbitrator to settle the amount to be paid for compensation.

29. For removing doubts it is hereby declared that a local authority may tender evidence before an arbitrator to prove the facts under the headings (first) (secondly) (thirdly) mentioned in subsection (2) of section twenty-one and subsection (3) of section forty-one of the principal Act, notwithstanding that the local authority have not taken any steps with a view to remedying the defects or evils disclosed by the evidence.

Amendments with respect to Financial Matters.

30. No deficiency in the Dwelling-house Improvement Fund shall be supplied under subsection (2) of section twenty-four of the principal Act out of borrowed money unless the deficiency arises in respect of money required for purposes to which borrowed money is, in the opinion of the Local Government Board, properly applicable.

31.—(1) The expenses incurred by a rural district council after the passing of this Act in the execution of Part III. of the principal Act shall be defrayed as general expenses of the council in the execution of the Public Health Acts, except so far as the Local Government Board on the application of the council declare that any such expenses are to be levied as special expenses charged on specified contributory places, or as general expenses charged on specified contributory places, in the district, in such proportions as the district council may determine, to the exclusion of other parts of the district, and a rural district council may borrow for the purposes of Part III. of the principal Act in like manner and subject to the like conditions as for the purpose of defraying the above-mentioned general or special expenses.

(2) The district council shall give notice to the overseers of any contributory place proposed to be charged of any apportionment made by them under this section, and the overseers, if aggrieved by the apportionment, may appeal to the Local Government Board by giving notice of appeal to the Board within twenty-one days after notice has been so given of the apportionment.

32. Where any land vested in a local authority for the purposes of Part III. of the principal Act is sold under section sixty of that Act (which relates to the sale and exchange of lands), the proceeds may be applied not only as provided by that section, but also for any purpose, including repayment of borrowed money, for which capital money may be applied, and which is approved by the Local Government Board.

33. Any payment or contribution agreed or ordered to be made under subsection (6) or (7) of section forty-six of the principal Act, as amended by section fourteen of the Housing of the Working Classes Act, 1903 (which relate to payments or contributions by borough councils towards the expenses of the county council, or by the county council towards the expenses of borough councils in London), may be made either by means of the payment of a lump sum or by means of an annual payment of such amount and for such number of years as may be agreed upon or ordered.

34. Section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (relating to Land Tax and poor rate), shall not apply

in the case of any lands of which a local authority becomes possessed by virtue of the Housing Acts.

35.—(1) The assessment to Inhabited House Duty of any house occupied for the sole purpose of letting lodgings to persons of the working classes, at a charge of not exceeding sixpence a night for each person, shall be discharged by the Commissioners acting in the execution of the Acts relating to the Inhabited House Duties, upon the production of a certificate to the effect that the house is solely constructed and used to afford suitable accommodation for the lodgers, and that due provision is made for their sanitary requirements.

(2) The provisions of subsection (2) of section twenty-six of the Customs and Inland Revenue Act, 1890, in relation to the certificate mentioned therein, shall, so far as applicable, apply to the certificate to be produced under this section.

General Amendments.

36. Any person authorised in writing stating the particular purpose or purposes for which the entry is authorised, by the local authority or the Local Government Board, may at all reasonable times, on giving twenty-four hours' notice to the occupier and to the owner, if the owner is known, of his intention, enter any house, premises, or buildings—

- (a) for the purpose of survey or valuation, in the case of houses, premises, or buildings which the local authority are authorised to purchase compulsorily under the Housing Acts; and
- (b) for the purpose of survey and examination, in the case of any dwelling-house in respect of which a closing order or an order for demolition has been made; or
- (c) for the purpose of survey and examination, where it appears to the authority or Board that survey or examination is necessary in order to determine whether any powers under the Housing Acts should be exercised in respect of any house, premises, or building.

Notice may be given to the occupier for the purposes of this section by leaving a notice addressed to the occupier, without name or further description, at the house, buildings, or premises.

37. If it appears to the Local Government Board that owing to density of population, or any other reason, it is expedient to inquire into the circumstances of any area with a view to determining whether any powers under the Housing Acts should be put into force in that area or not, the Local Government Board may require the local authority to make a report to them containing such particulars as to the population of the district and other matters as they direct, and the local authority shall comply with the requirement of the Local Government Board, and any expenses incurred by them in so doing shall be paid as expenses incurred in the execution of such Part of the principal Act as the Local Government Board determine.

38. Where, upon an application made by one of the local authorities concerned, the Local Government Board are satisfied that it is expedient that any local authorities should act jointly for any purposes of the Housing Acts, either generally or in any special case, the Board may by order make provision for the purpose, and any provisions so made shall have the same effect as if they were contained in a provisional order made under section two hundred and seventy-nine of the Public Health Act, 1875, for the formation of a united district.

39.—(1) The procedure on any appeal under this Part of this Act, including costs, to the Local Government Board shall be such as the Board may by rules determine, and on any such appeal the Board may make such order in the matter as they think equitable, and any order so made shall be binding and conclusive on all parties, and, where the

appeal is against any notice, order, or apportionment given or made by the local authority, the notice, order, or apportionment may be confirmed, varied, or quashed, as the Board think just.

Provided that—

- (a) the Local Government Board may at any stage of the proceedings on appeal, and shall, if so directed by the High Court, state in the form of a special case for the opinion of the court any question of law arising in the course of the appeal; and
- (b) the rules shall provide that the Local Government Board shall not dismiss any appeal without having first held a public local inquiry.

(2) Any notice, order, or apportionment as respects which an appeal to the Local Government Board is given under this Part of this Act shall not become operative, until either the time within which an appeal can be made under this Part of this Act has elapsed without an appeal being made, or, in case an appeal is made, the appeal is determined or abandoned, and no work shall be done or proceedings taken under any such notice, order, or apportionment, until it becomes operative.

(3) The Local Government Board may, before considering any appeal which may be made to them under this Part of this Act, require the appellant to deposit such sum to cover the costs of the appeal as may be fixed by the rules made by them with reference to appeals.

40.—Notwithstanding anything contained in the principal Act it shall not be obligatory upon a local authority to sell and dispose of any lands or dwellings acquired or constructed by them for any of the purposes of the Housing Acts.

41.—(1) The Local Government Board may by order prescribe the form of any notice, advertisement, or other document, to be used in connection with the powers and duties of a local authority or of the Board under the Housing Acts, and the forms so prescribed, or forms as near thereto as circumstances admit, shall be used in all cases to which those forms are applicable.

(2) The Local Government Board may dispense with the publication of advertisements or the service of notices required to be published or served by a local authority under the Housing Acts, if they are satisfied that there is reasonable cause for dispensing with the publication or service.

(3) Any such dispensation may be given by the Local Government Board either before or after the time at which the advertisement is required to be published or the notice is required to be served, and either unconditionally or upon such conditions as to the publication of other advertisements or the service of other notices or otherwise as the Board think fit, due care being taken by the Board to prevent the interests of any person being prejudiced by the dispensation.

42. Where under the Housing Acts, any scheme or order or any draft scheme or order is to be published in the *London Gazette*, or notice of any such scheme or order or draft scheme or order is to be given in the *London Gazette*, it shall be sufficient in lieu of such publication or notice to insert a notice giving short particulars of the scheme, order, or draft, and stating where copies thereof can be inspected or obtained in two local newspapers circulating in the area affected by the scheme, order, or draft, or to give notice thereof in such other manner as the Local Government Board determine.

43. Notwithstanding anything in any local Act or bye-law in force in any borough or district, it shall not be lawful to erect any back-to-back houses intended to be used as dwellings for the working classes, and any such house commenced to be erected after the passing of this Act shall be deemed to be unfit for human habitation for the purposes of the provisions of the Housing Acts.

Provided that nothing in this section—

- (a) shall prevent the erection or use of a house containing several tenements in which the tenements are placed back to back, if the medical officer of health for the district certifies that the several tenements are so constructed and arranged as to secure effective ventilation of all habitable rooms in every tenement; or
- (b) shall apply to houses abutting on any streets the plans whereof have been approved by the local authority before the first day of May nineteen hundred and nine, in any borough or district in which, at the passing of this Act, any local Act or bye-laws are in force permitting the erection of back-to-back houses.

44. If the Local Government Board are satisfied, by local inquiry or otherwise, that the erection of dwellings for the working classes within any borough, or urban or rural district, is unreasonably impeded in consequence of any bye-laws with respect to new streets or buildings in force therein, the Board may require the local authority to revoke such bye-laws or to make such new bye-laws as the Board may consider necessary for the removal of the impediment. If the local authority do not within three months after such requisition comply therewith, the Board may themselves revoke such bye-laws, and make such new bye-laws as they may consider necessary for the removal of the impediment, and such new bye-laws shall have effect as if they had been duly made by the local authority and confirmed by the Board.

45. Nothing in the Housing Acts shall authorise the acquisition for the purposes of those Acts of any land which is the site of an ancient monument or other object of archæological interest, or the compulsory acquisition for the purposes of Part III. of the Housing of the Working Classes Act, 1890, of any land which is the property of any local authority or has been acquired by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking, or which at the date of the order forms part of any park, garden, or pleasure ground, or is otherwise required for the amenity or convenience of any dwelling-house.

46. The amendments specified in the second column of the Second Schedule to this Act, which relate to minor details, shall be made in the provisions of the Housing Acts specified in the first column of that Schedule, and section sixty-three of the principal Act (which relates to the disqualification of tenants of lodging-houses on receiving poor relief) shall be repealed.

Definitions.

47.—(1) Any provisions of this Act which supersede or amend any provisions of the principal Act shall be deemed to be part of that Part of the principal Act in which the provisions superseded or amended are contained.

(2) Any reference in the Housing Acts to a closing order or to an order for the demolition of a building shall be construed as a reference to a closing order or an order of demolition under this Act.

48. The expression "street" shall, unless the context otherwise requires, have the same meaning in Part I. of the principal Act as it has in Part II. of that Act, and shall include any court, alley, street, square, or row of houses.

49.—(1) The words "means any inhabited building and" shall be omitted from the definition of "dwelling-house" in section twenty-nine of the principal Act.

(2) For the definition of owner in the same section the following definition shall be substituted:—

“ The expression ‘ owner,’ in addition to the definition given by the Lands Clauses Acts, includes all lessees or mortgagees of any premises required to be dealt with under this Part of this Act, except persons holding or entitled to the rents and profits of such premises under a lease the original term whereof is less than twenty-one years.”

50. For the definition of cottage in section fifty-three of the principal Act the following definition shall be substituted :—

The expression “ cottage ” in this Part of this Act may include a garden of not more than one acre.

51. In this Part of this Act the expression “ Housing Acts ” means the principal Act, and any Act amending that Act, including this Act.

Application of Part I. to Scotland.

52. Subject as hereinafter provided, the Housing of the Working Classes Act, 1900, and the Housing of the Working Classes Act, 1903, shall as amended by this Act apply to Scotland.

53. In addition to the provisions of the principal Act respecting the application of that Act to Scotland, the following provisions shall have effect in the application of the Housing Acts to Scotland :—

(1) The Local Government Board for Scotland (hereinafter in this section referred to as the Board) shall, except as otherwise provided, be substituted for the Local Government Board, and shall also in Part III. of the principal Act as amended and in section five of the Housing of the Working Classes Act, 1900, be substituted for the county council :

(2) The Lord Advocate shall be substituted for the Attorney-General :

(3) The expression “ Public Health Acts ” means the Public Health (Scotland) Act, 1897, and any Act amending the same. References to the Public Health Act, 1875, shall, unless the context otherwise requires, be construed as references to the Public Health (Scotland) Act, 1897, a reference to an order under section eighty-three of the Public Health (Scotland) Act, 1897, shall be substituted for a reference to a provisional order under section two hundred and seventy-nine of the Public Health Act, 1875, and a reference to section seventy-two of the Public Health (Scotland) Act, 1897, shall be substituted for a reference to section ninety of the Public Health Act, 1875 :

(4) The reference in section fifty-seven of the principal Act to sections of the Public Health Act, 1875, relating to the purchase of lands, shall be construed as a reference to the corresponding sections of the Public Health (Scotland) Act, 1897 : Provided that for the purposes of Part III. of the principal Act the procedure under section two of this Act for the compulsory purchase of land shall be substituted for the procedure for the compulsory purchase of land under section one hundred and forty-five of the Public Health (Scotland) Act, 1897 :

(5) The district and the local authority for the purposes of the Public Health (Scotland) Act, 1897, shall respectively be the district and the local authority, and the public health general assessment shall be the local rate, for the purposes of the Housing Acts ; provided that such local rate shall not be reckoned in any calculation as to the statutory limit of the public health general assessment ; and provided further that a local authority not being a town council may, where so authorised by the Board in terms of the Housing Acts, assess and levy such local rate upon all lands and heritages within one or more of the parishes or special districts comprised in their district, to the exclusion of other parishes or special districts within the district :

- (6) A local authority may, with the consent of the Board, borrow money for the purposes authorised in the Housing Acts on the security of the local rate in the same manner, and subject to the same conditions as nearly as may be, as they may borrow for the provision of permanent hospitals under the Public Health (Scotland) Act, 1897; provided that all money so borrowed shall, notwithstanding the terms of section one hundred and forty-one of the said Act, be wholly repaid together with the accruing interest within such period not exceeding eighty years from the date of the loan as the Board may determine in each case :
- (7) The expressions "urban sanitary authority" and "rural sanitary authority" or "rural district council" mean respectively the local authority (for the purposes of the Public Health (Scotland) Act, 1897) of a burgh and of a district not being a burgh, and the expressions "urban district" and "rural district" shall be construed accordingly :
- (8) The Acts relating to nuisances mean as respects any place the Public Health (Scotland) Act, 1897, and the Local Government (Scotland) Act, 1889, and any Act amending the same or either of them, and any local Act which contains any provisions with respect to nuisances in that place :
- (9) Except so far as inconsistent with the provisions of sub-section (1) of section eighty-five of the principal Act, sections seven, eight, nine, and ten of the Public Health (Scotland) Act, 1897, shall apply for the purpose of local inquiries ordered by the Board under the Housing Acts :
- (10) Section one, sub section (1) of section four, and section ten of the Housing of the Working Classes Act, 1903, shall not apply. In the last-mentioned Act sections three and twelve shall apply with the substitution of the date of the passing of this Act for the date of the passing of that Act, and the Schedule shall apply with the modifications specified in the Third Schedule to this Act :
- (11) Where a complaint is made to the Board—
- (a) as respects the district of a local authority not being a town council, by the county council, or by the parish council or landward committee of any parish comprised in the district, or by any four inhabitant householders of the district; or
- (b) as respects any other district by any four inhabitant householders of the district;
- that the local authority have failed to exercise their powers under Part II. or Part III. of the principal Act in cases where those powers ought to have been exercised, the Board may cause a public local inquiry to be held, and if, after holding such an inquiry, the Board are satisfied that there has been such a failure on the part of the local authority, it shall be lawful for the Board, with the approval of the Lord Advocate, to apply by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed to do therein and to dispose of the expenses of the proceedings as to the said Division or Lord Ordinary shall appear to be just. Section ten of this Act shall not apply :
- (12) Where it appears to the Board that a locality authority have failed to perform their duty under the Housing Acts of carrying out an improvement scheme under Part I. of the principal Act, or have failed to make, or, if made, to give effect to, any order as respects an obstructive building, or any reconstruction scheme, under Part II. of that Act, or have failed to cause to be made the inspection of their district required by this Act, it shall be lawful for the

Board to apply by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed as in the immediately preceding subsection. Section eleven of this Act shall not apply :

- (13) Section twelve and section thirteen of this Act shall not apply :
- (14) Sections fifteen, seventeen, eighteen, and thirty-nine of this Act shall apply with the substitution (except as regards the making of or consenting to regulations) of the sheriff for the Local Government Board and of the Court of Session for the High Court ; provided that the reference to a public local inquiry shall not apply, and provided further that where an appeal is competent under any of these sections, an appeal shall not be competent under section thirty-five of the principal Act, and provided also that the power to make rules under section thirty-nine of this Act shall be exercised by the Court of Session by act of sederunt. Section one hundred and forty-six of the Public Health (Scotland) Act, 1897 (prescribing the procedure if a local authority neglect its duty), shall have effect as if the duties imposed upon a local authority by sections seventeen and eighteen of this Act were duties imposed by that Act :
- (15) In the application to Scotland of section fourteen of this Act the limit of rent shall be sixteen pounds :
- (16) References to special expenses shall not apply :
- (17) "Overseers" means parish council, "paid into court" means "paid into bank," "as a civil debt in manner provided by the Summary Jurisdiction Acts" means in a summary manner.

PART II.

TOWN PLANNING.

54.—(1) A town planning scheme may be made in accordance with the provisions of this Part of this Act as respects any land which is in course of development or appears likely to be used for building purposes, with the general object of securing proper sanitary conditions, amenity, and convenience in connexion with the laying out and use of the land, and of any neighbouring lands.

(2) The Local Government Board may authorise a local authority within the meaning of this Part of this Act to prepare such a town planning scheme with reference to any land within or in the neighbourhood of their area, if the authority satisfy the Board that there is a *prima facie* case for making such a scheme or may authorise a local authority to adopt, with or without any modifications, any such scheme proposed by all or any of the owners of any land with respect to which the local authority might themselves have been authorised to prepare a scheme.

(3) Where it is made to appear to the Local Government Board that a piece of land already built upon, or a piece of land not likely to be used for building purposes, is so situated with respect to any land likely to be used for building purposes that it ought to be included in any town planning scheme made with respect to the last-mentioned land, the Board may authorise the preparation or adoption of a scheme including such piece of land as aforesaid, and providing for the demolition or alteration of any buildings thereon so far as may be necessary for carrying the scheme into effect.

(4) A town planning scheme prepared or adopted by a local authority shall not have effect unless it is approved by order of the Local Government Board, and the Board may refuse to approve any scheme except with such modifications and subject to such conditions as they think fit

to impose. Provided that before a town planning scheme is approved by the Local Government Board notice of their intention to do so shall be published in the *London* or *Edinburgh Gazette* as the case may be, and if within twenty-one days from the date of such publication any person or authority interested objects in the prescribed manner the draft of the order shall be laid before each House of Parliament for a period of not less than thirty days during the Session of Parliament, and if either of those Houses before the expiration of those thirty days presents an Address to His Majesty against the draft, or any part thereof, no further proceedings shall be taken thereon without prejudice to the making of any new draft scheme.

(5) A town planning scheme, when approved by the Local Government Board, shall have effect as if it were enacted in this Act.

(6) A town planning scheme may be varied or revoked by a subsequent scheme prepared or adopted and approved in accordance with this Part of this Act, and the Local Government Board on the application of the responsible authority, or of any other person appearing to them to be interested, may by order revoke a town planning scheme if they think that under the special circumstances of the case the scheme should be so revoked.

(7) The expression "land likely to be used for building purposes" shall include any land likely to be used as, or for the purpose of providing open spaces, roads, streets, parks, pleasure or recreation grounds, or for the purpose of executing any work upon or under the land incidental to a town planning scheme, whether in the nature of a building work or not, and the decision of the Local Government Board, whether land is likely to be used for building purposes or not, shall be final.

55.—(1) The Local Government Board may prescribe a set of general provisions (or separate sets of general provisions adapted for areas of any special character) for carrying out the general objects of town planning schemes, and in particular for dealing with the matters set out in the Fourth Schedule to this Act, and the general provisions, or set of general provisions appropriate to the area for which a town planning scheme is made, shall take effect as part of every scheme, except so far as provision is made by the scheme as approved by the Board for the variation or exclusion of any of those provisions.

(2) Special provisions shall in addition be inserted in every town planning scheme defining in such manner as may be prescribed by regulations under this Part of this Act the area to which the scheme is to apply, and the authority who are to be responsible for enforcing the observance of the scheme, and for the execution of any works which under the scheme or this Part of this Act are to be executed by a local authority (in this Part of this Act referred to as the responsible authority), and providing for any matters which may be dealt with by general provisions, and otherwise supplementing, excluding, or varying the general provisions, and also for dealing with any special circumstances or contingencies for which adequate provision is not made by the general provisions, and for suspending so far as necessary for the proper carrying out of the scheme, any statutory enactments, bye-laws, regulations, or other provisions, under whatever authority made, which are in operation in the area included in the scheme :

Provided that, where the scheme contains provisions suspending any enactment contained in a public general Act, the scheme shall not come into force unless a draft thereof has been laid before each House of Parliament for a period of not less than forty days during the session of Parliament, and, if either of those Houses before the expiration of those forty days presents an Address to His Majesty against the proposed suspension no further proceedings shall be taken on the draft, without prejudice to the making of any new scheme.

(3) Where land included in a town planning scheme is in the area of more than one local authority, or is in the area of a local authority by whom the scheme was not prepared, the responsible authority may be one of those local authorities, or for certain purposes of the scheme one local authority and for certain purposes another local authority, or a joint body constituted specially for the purpose by the scheme, and all necessary provisions may be made by the scheme for constituting the joint body and giving them the necessary powers and duties :

Provided that, except with the consent of the London County Council, no other local authority shall, as respects any land in the county of London, prepare or be responsible for enforcing the observance of a town planning scheme under this Part of this Act, or for the execution of any works which under the scheme or this Part of this Act are to be executed by a local authority.

56.—(1) The Local Government Board may make regulations for regulating generally the procedure to be adopted with respect to applications for authority to prepare or adopt a town planning scheme, the preparation of the scheme, obtaining the approval of the Board to a scheme so prepared or adopted, and any inquiries, reports, notices, or other matters required in connection with the preparation or adoption or the approval of the scheme or preliminary thereto, or in relation to the carrying out of the scheme or enforcing the observance of the provisions thereof.

(2) Provision shall be made by those regulations—

- (a) for securing co-operation on the part of the local authority with the owners and other persons interested in the land proposed to be included in the scheme at every stage of the proceedings, by means of conferences and such other means as may be provided by the regulations ;
- (b) for securing that notice of the proposal to prepare or adopt the scheme should be given at the earliest stage possible to any council interested in the land ; and
- (c) for dealing with the other matters mentioned in the Fifth Schedule to this Act.

57.—(1) The responsible authority may at any time, after giving such notice as may be provided by a town planning scheme and in accordance with the provisions of the scheme—

- (a) remove, pull down, or alter any building or other work in the area included in the scheme which is such as to contravene the scheme, or in the erection or carrying out of which any provision of the scheme has not been complied with ; or
- (b) execute any work which it is the duty of any person to execute under the scheme in any case where it appears to the authority that delay in the execution of the work would prejudice the efficient operation of the scheme.

(2) Any expenses incurred by a responsible authority under this section may be recovered from the persons in default in such manner and subject to such conditions as may be provided by the scheme.

(3) If any question arises whether any building or work contravenes a town planning scheme, or whether any provision of a town planning scheme is not complied with in the erection or carrying out of any such building or work, that question shall be referred to the Local Government Board, and shall, unless the parties otherwise agree, be determined by the Board as arbitrators, and the decision of the Board shall be final and conclusive and binding on all persons.

58.—(1) Any person whose property is injuriously affected by the making of a town planning scheme shall, if he makes a claim for the purpose within the time (if any) limited by the scheme, not being less than three months after the date when notice of the approval of the

scheme is published in the manner prescribed by regulations made by the Local Government Board, be entitled to obtain compensation in respect thereof from the responsible authority.

(2) A person shall not be entitled to obtain compensation under this section on account of any building erected on, or contract made or other thing done with respect to, land included in a scheme, after the time at which the application for authority to prepare the scheme was made, or after such other time as the Local Government Board may fix for the purpose :

Provided that this provision shall not apply as respects any work done before the date of the approval of the scheme for the purpose of finishing a building begun or of carrying out a contract entered into before the application was made.

(3) Where, by the making of any town planning scheme, any property is increased in value, the responsible authority, if they make a claim for the purpose within the time (if any) limited by the scheme (not being less than three months after the date when notice of the approval of the scheme is first published in the manner prescribed by regulations made by the Local Government Board), shall be entitled to recover from any person whose property is so increased in value one-half of the amount of that increase.

(4) Any question as to whether any property is injuriously affected or increased in value within the meaning of this section, and as to the amount and manner of payment (whether by instalments or otherwise) of the sum which is to be paid as compensation under this section or which the responsible authority are entitled to recover from a person whose property is increased in value, shall be determined by the arbitration of a single arbitrator appointed by the Local Government Board, unless the parties agree on some other method of determination.

(5) Any amount due under this section as compensation to a person aggrieved from a responsible authority, or to a responsible authority from a person whose property is increased in value, may be recovered summarily as a civil debt.

(6) Where a town planning scheme is revoked by an order of the Local Government Board under this Act, any person who has incurred expenditure for the purpose of complying with the scheme shall be entitled to compensation in accordance with this section in so far as any such expenditure is rendered abortive by reason of the revocation of the scheme.

59.—(1) Where property is alleged to be injuriously affected by reason of any provisions contained in a town planning scheme, no compensation shall be paid in respect thereof if or so far as the provisions are such as would have been enforceable if they had been contained in bye-laws made by the local authority.

(2) Property shall not be deemed to be injuriously affected by reason of the making of any provisions inserted in a town planning scheme, which, with a view to securing the amenity of the area included in the scheme or any part thereof, prescribe the space about buildings or limit the number of buildings to be erected, or prescribe the height or character of buildings, and which the Local Government Board, having regard to the nature and situation of the land affected by the provisions, consider reasonable for the purpose.

(3) Where a person is entitled to compensation under this Part of this Act in respect of any matter or thing, and he would be entitled to compensation in respect of the same matter or thing under any other enactment, he shall not be entitled to compensation in respect of that matter, or thing both under this Act and under that other enactment, and shall not be entitled to any greater compensation under this Act than he would be entitled to under the other enactment.

Co.—(1) The responsible authority may, for the purpose of a town

planning scheme, purchase any land comprised in such scheme by agreement, or be authorised to purchase any such land compulsorily in the same manner and subject to the same provisions (including any provision authorising the Local Government Board to give directions as to the payment and application of any purchase money or compensation) as a local authority may purchase or be authorised to purchase land situate in an urban district for the purposes of Part III. of the Housing of the Working Classes Act, 1890, as amended by sections two and forty-five of this Act.

(2) Where land included within the area of a local authority is comprised in a town planning scheme, and the local authority are not the responsible authority, the local authority may purchase or be authorised to purchase that land in the same manner as the responsible authority.

61.—(1) If the Local Government Board are satisfied on any representation, after holding a public local inquiry, that a local authority—

- (a) have failed to take the requisite steps for having a satisfactory town planning scheme prepared and approved in a case where a town planning scheme ought to be made; or
- (b) have failed to adopt any scheme proposed by owners of any land in a case where the scheme ought to be adopted; or
- (c) have unreasonably refused to consent to any modifications or conditions imposed by the Board;

the Board may, as the case requires, order the local authority to prepare and submit for the approval of the Board such a town planning scheme, or to adopt the scheme, or to consent to the modifications or conditions so inserted:

Provided that, where the representation is that a local authority have failed to adopt a scheme, the Local Government Board, in lieu of making such an order as aforesaid, may approve the proposed scheme, subject to such modifications or conditions, if any, as the Board think fit, and thereupon the scheme shall have effect as if it had been adopted by the local authority and approved by the Board.

(2) If the Local Government Board are satisfied on any representation, after holding a local inquiry, that a responsible authority have failed to enforce effectively the observance of a scheme which has been confirmed, or any provisions thereof, or to execute any works which under the scheme or this Part of this Act the authority is required to execute, the Board may order that authority to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively, or for executing any works which under the scheme or this Part of this Act the authority is required to execute.

(3) Any order under this section may be enforced by mandamus.

62. Where the Local Government Board are authorised by this Part of this Act or any scheme made thereunder to determine any matter, it shall, except as otherwise expressly provided by this Part of this Act, be at their option to determine the matter as arbitrators or otherwise, and, if they elect or are required to determine the matter as arbitrators, the provisions of the Regulation of Railways Act, 1868, respecting arbitrations by the Board of Trade, and the enactments amending those provisions, shall apply as if they were herein re-enacted and in terms made applicable to the Local Government Board and the determination of the matters aforesaid.

63. Section eighty-five of the Housing of the Working Classes Act, 1890 (which relates to inquiries by the Local Government Board), as amended by this Act, shall apply for any purposes of this Part of this Act as it applies for the purpose of the execution of the powers and duties of the Local Government Board under that Act.

64. All general provisions made under this Part of this Act shall be laid as soon as may be before Parliament, and the Rules Publication Act,

1893, shall apply to such provisions as if they were statutory rules within the meaning of section one of that Act.

65.—(1) For the purposes of this Part of this Act the expression "local authority" means the council of any borough or urban or rural district.

(2) Any expenses incurred by a local authority under this Part of this Act, or any scheme made thereunder, shall be defrayed as expenses of the authority under the Public Health Acts, and the authority may borrow, for the purposes of this Part of this Act, or any scheme made thereunder, in the same manner and subject to the same provisions as they may borrow for the purposes of the Public Health Acts.

(3) Money borrowed for the purposes of this Part of this Act, or any scheme made thereunder, shall not be reckoned as part of the debt of a borough or urban district for the purposes of the limitation on borrowing under sub-sections (2) and (3) of section two hundred and thirty-four of the Public Health Act, 1875.

66.—(1) This Part of this Act shall apply to the administrative county of London, and, as respects that county, the London County Council shall be the local authority.

(2) Any expenses incurred by the London County Council shall be defrayed out of the general county rate and any money may be borrowed by the Council in the same manner as money may be borrowed for general county purposes.

67. This Part of this Act shall apply to Scotland subject to the following modifications:—

- (1) The Local Government Board for Scotland (hereinafter referred to as the Board) shall be substituted for the Local Government Board, and shall for the purposes of this Part of this Act have the same powers of local inquiry as for the purposes of the Housing Acts as defined in Part I. of this Act.
- (2) Sub-section (1) and sub-section (3) of the section of this Part of this Act which relates to the definition of local authority and expenses shall not apply.
- (3) The local authority and the area of such authority for the purposes of this Part of this Act shall respectively be the local authority for the purposes of the Housing Acts as defined in Part I. of this Act, and the district of that authority.
- (4) References to the Public Health Acts shall be construed as references to the Housing Acts as defined in Part I. of this Act.
- (5) Any local rate for the purposes of this Part of this Act (including the purposes of any loan) shall not be reckoned in any calculation as to the statutory limit of the public health general assessment.
- (6) The Board shall not themselves make an order under section sixty-one of this Act on any authority, but in lieu thereof it shall be lawful for the Board, after holding a local inquiry at which the authority shall have had an opportunity of being heard, and with the approval of the Lord Advocate, to apply for such an order by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed to do therein and to dispose of the expenses of the proceedings as to the said Division or Lord Ordinary shall appear to be just.
- (7) In any proceedings under this Part of this Act the Board shall have regard to the powers and jurisdiction of the dean of guild court in burghs.
- (8) The provision respecting the Rules Publication Act, 1893, shall have effect as if section one of that Act applied to Scotland, with the substitution of the "Edinburgh Gazette" for the "London Gazette."

PART III.

COUNTY MEDICAL OFFICERS, COUNTY PUBLIC HEALTH AND HOUSING
COMMITTEE, ETC.

68.—(1) Every county council shall appoint a medical officer of health under section seventeen of the Local Government Act, 1888.

(2) The duties of a medical officer of health of a county shall be such duties as may be prescribed by general order of the Local Government Board and such other duties as may be assigned to him by the county council.

(3) The power of county councils and district councils under the said section to make arrangements with respect to medical officers of health shall cease, without prejudice to any arrangement made previously to the date of the passing of this Act.

(4) The medical officer of health of a county shall, for the purposes of his duties, have the same powers of entry on premises as are conferred on a medical officer of health of a district by or under any enactment.

(5) A medical officer of health of a county shall be removable by the county council with the consent of the Local Government Board and not otherwise.

(6) A medical officer of health of a county shall not be appointed for a limited period only;

Provided that the county council may, with the sanction of the Local Government Board, make any temporary arrangement for the performance of all or any of the duties of the medical officer of health of the county, and any person appointed by virtue of any such arrangement to perform those duties or any of them shall, subject to the terms of his appointment, have all the powers, duties, and liabilities of the medical officer of health of the county.

(7) A medical officer of health appointed after the passing of this Act under the said section as amended by this section shall not engage in private practice, and shall not hold any other public appointment without the express written consent of the Local Government Board.

(8) An order under this section prescribing the duties of medical officers of health of a county shall be communicated to the county council and shall be laid before Parliament as soon as may be after it is made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after the order is laid before it praying that the order may be annulled, His Majesty in Council may annul the order and it shall thenceforward be void, but without prejudice to the validity of anything previously done thereunder.

69.—(1) The clerk of a rural district council shall forward to the medical officer of health of the county a copy of any representation, complaint, or information, a copy of which it is the duty of the district council to forward to the county council under section forty-five of the Housing of the Working Classes Act, 1890 (which relates to the powers of county councils).

(2) The medical officer of health of a district shall give to the medical officer of health of the county any information which it is in his power to give, and which the medical officer of health of the county may reasonably require from him for the purpose of his duties prescribed by the Local Government Board.

(3) If any dispute or difference shall arise between the clerk or the medical officer of health of a district council and the medical officer of health of a county council under this section, the same shall be referred to the Local Government Board, whose decision shall be final and binding.

(4) If the clerk or medical officer of health of a district council fails to comply with the provisions of this section, he shall on information being laid by the county council, but not otherwise, be liable on summary conviction in respect of each offence to a fine not exceeding ten pounds.

70. The foregoing provisions of this Part of this Act shall not apply to Scotland or, except sub-section (4) of section sixty-eight, to the administrative county of London, and, in the application of the said sub-section to London, the reference to a medical officer of health of a district shall be construed as a reference to the medical officer of health of a metropolitan borough.

71.—(1) Every county council shall establish a public health and housing committee, and all matters relating to the exercise and performance by the council of their powers and duties as respects public health and the housing of the working classes (except the power of raising a rate or borrowing money) shall stand referred to the public health and housing committee, and the council, before exercising any such powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the public health and housing committee, with respect to the matter in question, and the council may also delegate to the public health and housing committee, with or without restrictions or conditions as they think fit, any of their powers as respects public health and the housing of the working classes, except the power of raising a rate or borrowing money and except any power of resolving that the powers of a district council in default should be transferred to the council.

(2) This section shall not apply to Scotland or the London County Council.

72.—(1) The county council may promote the formation or extension of and may, subject to the provisions of this section, assist societies on a co-operative basis, having for their object or one of their objects the erection or improvement of dwellings for the working classes.

(2) The county council, with the consent of and subject to the regulations made by the Local Government Board, may for the purpose of assisting a society make grants or advances to the society, or guarantee advances made to the society, upon such terms and conditions as to rate of interest and repayment, or otherwise, and on such security, as the council think fit, and the making of such grants or advances shall be a purpose for which a council may borrow :

Provided that the regulations of the Board shall provide that any such advance made on the security of any property shall not exceed two-thirds of the value of that property.

PART IV.

SUPPLEMENTAL.

73.—(1) Where any scheme or order under the Housing Acts or Part II. of this Act authorises the acquisition or appropriation to any other purpose of any land forming part of any common, open space, or allotment, the scheme or order, so far as it relates to the acquisition or appropriation of such land, shall be provisional only, and shall not have effect unless and until it is confirmed by Parliament, except where the scheme or order provides for giving in exchange for such land other land, not being less in area, certified by the Local Government Board after consultation with the Board of Agriculture and Fisheries to be equally advantageous to the persons, if any, entitled to commonable or other rights and to the public.

(2) Before giving any such certificate the Board shall give public notice of the proposed exchange, and shall afford opportunities to all persons interested to make representations and objections in relation thereto, and shall, if necessary, hold a local inquiry on the subject.

(3) Where any such scheme or order authorises such an exchange, the scheme or order shall provide for vesting the land given in exchange in the persons in whom the common or open space was vested, subject to the same rights, trusts, and incidents as attached to the common or open space, and for discharging the part of the common, open space, or allotment acquired or appropriated from all rights, trusts, and incidents to which it was previously subject.

(4) For the purposes of this Act the expression "common" shall include any land subject to be enclosed under the Inclosure Acts, 1845 to 1882, and any town or village green; the expression "open space" means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground; and the expression "allotment" means any allotment set out as a fuel allotment or a field garden allotment under an Inclosure Act.

74.—(1) Where any land proposed to be included in any scheme or order to be made under the Housing Acts or Part II. of this Act, or any land proposed to be acquired under the Housing Acts or Part II. of this Act, is situate within the prescribed distance from any of the royal palaces or parks, the local authority shall, before preparing the scheme or order or acquiring the land, communicate with the Commissioners of Works, and the Local Government Board shall, before confirming the scheme or order or authorising the acquisition of the land or the raising of any loan for the purpose, take into consideration any recommendations they may have received from the Commissioners of Works with reference to the proposal.

(2) For the purposes of this section "prescribed" means prescribed by regulations made by the Local Government Board after consultation with the Commissioners of Works.

75.—The enactments mentioned in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

76.—(1) This Act may be cited as the Housing, Town Planning, etc., Act, 1909, and Part I. of this Act shall be construed as one with the Housing of the Working Classes Acts, 1890 to 1903, and that Part of this Act and those Acts may be cited together as the Housing of the Working Classes Acts, 1890 to 1909.

(2) This Act shall not extend to Ireland.

FIRST SCHEDULE.

PROVISIONS AS TO THE COMPULSORY ACQUISITION OF LAND BY A LOCAL AUTHORITY FOR THE PURPOSES OF PART III. OF THE HOUSING OF THE WORKING CLASSES ACT, 1890.

(1) Where a local authority propose to purchase land compulsorily under this Act, the local authority may submit to the Board an order putting in force as respects the land specified in the order the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(2) An order under this schedule shall be of no force unless and until it is confirmed by the Board, and the Board may confirm the order either without modification or subject to such modifications as they think fit, and an order when so confirmed shall, save as otherwise expressly provided by this Schedule, become final and have effect as if enacted in this Act; and the confirmation by the Board shall be conclusive evidence that the requirements of this Act have been complied with, and that the order has been duly made and is within the powers of this Act.

(3) In determining the amount of any disputed compensation under any such order, no additional allowance shall be made on account of the purchase being compulsory.

(4) The order shall be in the prescribed form, and shall contain such provisions as the Board may prescribe for the purpose of carrying the order into effect, and of protecting the local authority and the persons interested in the land, and shall incorporate, subject to the necessary adaptations, the Lands Clauses Acts (except section one hundred and twenty-seven of the Lands Clauses Consolidation Act, 1845) and sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, but subject to this modification, that any question of disputed compensation shall be determined by a single arbitrator appointed by the Board, who shall be deemed to be an arbitrator within the meaning of the Lands Clauses Acts, and the provisions of those Acts with respect to arbitration shall, subject to the provisions of this schedule, apply accordingly.

(5) The order shall be published by the local authority in the prescribed manner, and such notice shall be given both in the locality in which the land is proposed to be acquired, and to the owners, lessees, and occupiers of that land as may be prescribed.

(6) If within the prescribed period no objection to the order has been presented to the Board by a person interested in the land, or if every such objection has been withdrawn, the Board shall, without further inquiry, confirm the order, but, if such an objection has been presented and has not been withdrawn, the Board shall forthwith cause a public inquiry to be held in the locality in which the land is proposed to be acquired, and the local authority and all persons interested in the land and such other persons as the person holding the inquiry in his discretion thinks fit to allow shall be permitted to appear and be heard at the inquiry.

(7) Where the land proposed to be acquired under the order consists of or comprises land situate in London, or a borough, or urban district, the Board shall appoint an impartial person, not in the employment of any Government Department, to hold the inquiry as to whether the land proposed to be acquired is suitable for the purposes for which it is sought to be acquired, and whether, having regard to the extent or situation of the land and the purposes for which it is used, the land can be acquired without undue detriment to the persons interested therein or the owners.

of adjoining land, and such persons shall in England have for the purpose of the inquiry all the powers of an inspector of the Local Government Board, and, if he reports that the land, or any part thereof, is not suitable for the purposes for which it is sought to be acquired, or that owing to its extent or situation or the purpose for which it is used it cannot be acquired without such detriment as aforesaid, or that it ought not to be acquired except subject to the conditions specified in his report, then, if the Local Government Board confirm the order in respect of that land, or part thereof, or, as the case may require, confirm it otherwise than subject to such modifications as are required to give effect to the specified conditions, the order shall be provisional only, and shall not have effect unless confirmed by Parliament.

Where no part of the land is so situated as aforesaid, before confirming the order, the Board shall consider the report of the person who held the inquiry, and all objections made thereat.

(8) The arbitrator shall, so far as practicable, in assessing compensation act on his own knowledge and experience, but, subject as aforesaid, at any inquiry or arbitration held under this schedule the person holding the inquiry or arbitration shall hear, by themselves or their agents, any authorities or parties authorised to appear, and shall hear witnesses, but shall not, except in such cases as the Board otherwise direct, hear counsel or expert witnesses.

(9) The Board may, with the concurrence of the Lord Chancellor, make rules fixing a scale of costs to be applicable on an arbitration under this schedule, and an arbitrator under this schedule may, notwithstanding anything in the Lands Clauses Acts, determine the amount of costs, and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily and any other costs which he considers to have been caused or incurred unnecessarily.

(10) The remuneration of an arbitrator appointed under this schedule shall be fixed by the Board.

(11) In construing for the purposes of this schedule or any order made thereunder, any enactment incorporated with the order, this Act together with the order shall be deemed to be the special Act, and the local authority shall be deemed to be the promoters of the undertaking.

(12) Where the land is glebe land or other land belonging to an ecclesiastical benefice, the order shall provide that sums agreed upon or awarded for the purchase of the land, or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or other injury affecting the land, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Ecclesiastical Commissioners to be applied by them as money paid to them upon a sale, under the provisions of the Ecclesiastical Leasing Acts, of land belonging to a benefice.

(13) In this schedule the expression "Board" means the Local Government Board, and the expression "prescribed" means prescribed by the Board.

(14) The provisions of this schedule, except those relating to land belonging to an ecclesiastical benefice, shall apply to Scotland, subject to the following modifications:—

- (a) for the reference to section one hundred and twenty-seven of the Lands Clauses Consolidation Act, 1845, there shall be substituted a reference to section one hundred and twenty of the Lands Clauses Consolidation (Scotland) Act, 1845, and for the reference to sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, there shall be substituted a reference to sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845;

- (b) for references to an arbitrator there shall be substituted references to an arbiter ;
- (c) for the references to the Lord Chancellor there shall be substituted a reference to the Lord Advocate ;
- (d) for the reference to the Local Government Board there shall be substituted a reference to the Local Government Board for Scotland, and for the reference to a borough or urban district there shall be substituted a reference to a burgh.

SECOND SCHEDULE.

MINOR AMENDMENTS OF HOUSING ACTS.

| Enactment to be amended. | Nature of Amendment. |
|---|---|
| Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70). | |
| Section 23 - | After the word "displaced" the words "in consequence of" shall be substituted for the word "by." |
| Section 34 - | The words "the order becomes operative" shall be substituted for the words "service of the order." |
| Section 35 - | The words "if he is not entitled to appeal to the Local Government Board against the order" shall be inserted after the word "may" where it first occurs. |
| Section 38 (1) (a) - | The words "or impedes" shall be inserted after the word "stops." |
| Section 38 (7) - | The words "house or other building or manufactory" shall be substituted for the words "house or manufactory" wherever they occur in that subsection. |
| Section 39 (8) - | The words "as amended by any subsequent Act" shall be inserted after the word "Act" where it first occurs, and the words "to the power of the Local Government Board to enforce that duty" shall be inserted after the word "execution." |
| Section 40 - | After the word "displaced" the words "in consequence of" shall be substituted for the word "by." |
| Section 85 - | The words "powers and" shall be inserted before the word "duties." |
| Section 88 - | The words "or Part III." shall be inserted after the words "Part II." |
| Section 89 - | After the word "Act" where it first occurs the words "or any person authorised to enter dwelling-houses, premises, or buildings in pursuance of this Act" shall be inserted; the words "authority or person" shall be substituted for the words "or authority," and the word "he" shall be substituted for the words "such person." |

THIRD SCHEDULE.

MODIFICATIONS OF THE SCHEDULE TO THE HOUSING OF THE WORKING CLASSES ACT, 1903, IN ITS APPLICATION TO SCOTLAND.

In the above-mentioned schedule, as applying to Scotland, the expression "district within the meaning of the Public Health (Scotland) Act, 1897," shall be substituted for the expressions "borough," "urban district," and

“ parish ” respectively ; “ Local Government Board for Scotland ” shall be substituted for “ Local Government Board ” ; “ every such appropriation of lands shall be recorded as a real burden affecting such lands in the appropriate register of sasines ” shall be substituted for “ every conveyance, demise, or lease of any such lands shall be endorsed with notice of this provision ” ; “ sub-sections one and three (with the substitution of the Local Government Board for Scotland for the Secretary for Scotland) of section ninety-three of the Local Government (Scotland) Act, 1889 ” shall be substituted for “ sub-sections one and five of section eighty-seven of the Local Government Act, 1888 ” ; “ Court of Session ” shall be substituted for “ High Court ” ; “ order of the Court of Session on the application of the Board ” shall be substituted for “ mandamus ” ; and “ local authority for the purposes of the Public Health (Scotland) Act, 1897, in whose district ” shall be substituted for “ council of any administrative county and the district council of any county district ; or in London the council of any metropolitan borough, in which.”

FOURTH SCHEDULE.

MATTERS TO BE DEALT WITH BY GENERAL PROVISIONS PRESCRIBED BY THE LOCAL GOVERNMENT BOARD.

1. Streets, roads, and other ways, and stopping up, or diversion of existing highways.
2. Buildings, structures, and erections.
3. Open spaces, private and public.
4. The preservation of objects of historical interest or natural beauty.
5. Sewerage, drainage, and sewage disposal.
6. Lighting.
7. Water supply.
8. Ancillary or consequential works.
9. Extinction or variation of private rights of way and other easements.
10. Dealing with or disposal of land acquired by the responsible authority or by a local authority.
11. Power of entry and inspection.
12. Power of the responsible authority to remove, alter, or demolish any obstructive work.
13. Power of the responsible authority to make agreements with owners, and of owners to make agreements with one another.
14. Power of the responsible authority or a local authority to accept any money or property for the furtherance of the object of any town planning scheme, and provision for regulating the administration of any such money or property and for the exemption of any assurance with respect to money or property so accepted from enrolment under the Mortmain and Charitable Uses Act, 1888.
15. Application with the necessary modifications and adaptations of statutory enactments:
16. Carrying out and supplementing the provisions of this Act for enforcing schemes.
17. Limitation of time for operation of scheme.
18. Co-operation of the responsible authority with the owners of land included in the scheme or other persons interested by means of conferences, etc.
19. Charging on the inheritance of any land the value of which is increased by the operation of a town planning scheme the sum required to be paid in respect of that increase, and for that purpose applying, with the necessary adaptations, the provisions of any enactments dealing with charges for improvements of land.

FIFTH SCHEDULE.

1. Procedure anterior to and for the purpose of an application for authority to prepare or adopt a scheme :—
 - (a) Submission of plans and estimates.
 - (b) Publication of notices.
2. Procedure during, on, and after the preparation or adoption and before the approval of the scheme :—
 - (a) Submission to the Local Government Board of the proposed scheme, with plans and estimates.
 - (b) Notice of submission of proposed scheme to the Local Government Board.
 - (c) Hearing of objections and representations by persons affected, including persons representing architectural or archaeological societies or otherwise interested in the amenity of the proposed scheme.
 - (d) Publication of notice of intention to approve scheme and the lodging of objections thereto.
3. Procedure after the approval of the scheme :—
 - (a) Notice to be given of approval of scheme.
 - (b) Inquiries and reports as to the beginning and the progress and completion of works, and other action under the scheme.
4. Duty, at any stage, of the local authority to publish or deposit for inspection any scheme or proposed scheme, and the plans relating thereto, and to give information to persons affected with reference to any such scheme or proposed scheme.
5. The details to be specified in plans, including, wherever the circumstances so require, the restrictions on the number of buildings which may be erected on each acre, and the height and character of those buildings.

SIXTH SCHEDULE.

ENACTMENTS REPEALED.

| Session and Chapter. | Short Title. | Extent of Repeal. |
|-------------------------|---|---|
| 51 & 52 Vict. c. 41. | The Local Government Act, 1888. | Section seventeen, from "who shall not hold" to end of the section. |
| 53 & 54 Vict. c. 70. | The Housing of the Working Classes Act, 1890. | The words "for sanitary purposes" in paragraph (2) of subsection (1) of section six. Subsection (6) of section eight, and section nine. Subsection (5) of section twelve. Subsection (2) of section fifteen, including the proviso thereto. Sections seventeen, eighteen, and nineteen. In section twenty-five, the words at the end of the section "such loan shall be repaid "within such period, not exceeding fifty "years, as may be recommended by the "confirming authority." Sections twenty-seven and twenty-eight. In section twenty-nine, the words "means any inhabited building and" in the definition of "dwelling-house." |

| Session and Chapter. | Short Title. | Extent of Repeal. |
|-------------------------|---|---|
| 53 & 54 Vict. c. 70. | The Housing of the Working Classes Act, 1890— <i>cont.</i> | <p>Sections thirty-two and thirty-three.</p> <p>In section thirty-nine, the words "by agreement" in subsection (4) where those words first occur, and all after the word "sanctioned" to the end of that subsection; subsections (5) and (6); the words "to costs to be awarded in certain cases" by a Committee of either House of "Parliament" in subsection (8); and subsection (9) from "Provided that" to the end.</p> <p>In subsection (3) of section forty-seven, the words "the time allowed under any order" for the execution of any works or the "demolition of a building, or."</p> <p>In section fifty-three, subsection (2)</p> <p>Section fifty-four, so far as unrepealed.</p> <p>Section fifty-five, so far as it applies to Scotland.</p> <p>Section sixty-three.</p> <p>Section sixty-five, from "and (iii)" to the end of the section.</p> <p>In section sixty-six, the words "or special."</p> <p>Section seventy-seven.</p> <p>Section eighty-three.</p> <p>In section eighty-five, the words "not exceeding three guineas a day."</p> <p>Section ninety-two, from "but in" to the end of the section.</p> <p>Subsection (3) except paragraph (c), and subsection (4) of section ninety-four.</p> <p>Subsections (1), (2), (7), (8), and (14) of section ninety-six.</p> <p>In subsection (3) of section ninety-seven the words "the time allowed under any" "order for the execution of any works" "or the demolition of a building or."</p> <p>The First Schedule, so far as it applies to Scotland.</p> <p>The Third, Fourth, and Fifth Schedules.</p> <p>Section three.</p> |
| 59 & 60 Vict. c. 31. | The Housing of the Working Classes Act, 1890, Amendment (Scotland) Act, 1896. | Section three. |
| 63 & 64 Vict. c. 59. | The Housing of the Working Classes Act, 1900. | Sections two, six, and seven. In section eight the words "Scotland or." |
| 3 Edw. 7. c. 39. | The Housing of the Working Classes Act, 1903. | <p>Paragraphs (a) and (b) of subsection (2) of section five, sections six and eight, in section ten the words "in the manner" "provided by subsection three of section" "thirty-two of the principal Act," and section sixteen.</p> <p>In section seventeen the words "Scotland or."</p> |

APPENDIX F

A LIST OF LITERATURE.

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Extracts from Evidence given before the Glasgow Municipal Commission on the Housing of the Poor, 1903.

"A Housing Policy." Cornish Bros. Ltd., 37, New Street, Birmingham. Price 6d.

Birmingham Housing Committee's Reports—

(1) Information on general Housing conditions and their causes. Chairman's speech explaining recommendations. October 20th, 1903.

(2) Property imperfectly repaired. February 6th, 1906.

(3) Town Planning. July 3rd, 1906. And Chairman's speech in support of it.

Lantern lecture, explaining the Birmingham Housing Committee's Slum Reform work, and advocating Town Planning. Delivered in the Birmingham Town Hall, March 28th, 1906.

"Midland Conference on Town Planning." October 27th, 1906.

"Slum Reform and Town Planning." Birmingham and District Housing Reform and Open Spaces Association, 293A, Broad Street, Birmingham. (A leaflet.)

"Housing Problem—Present Powers of Local Authorities." Reprinted from the *Local Government Officer*, October 5th, 1907. (A leaflet.)

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(1) Minutes of Council Meeting, June 13th, 1907.

(2) Deputation to Premier, August 7th, 1907.

"Town Planning in Theory and Practice." Garden City Association. Price 1s.

Itinerary, for visitors coming to inspect Birmingham's Slum Reform work.

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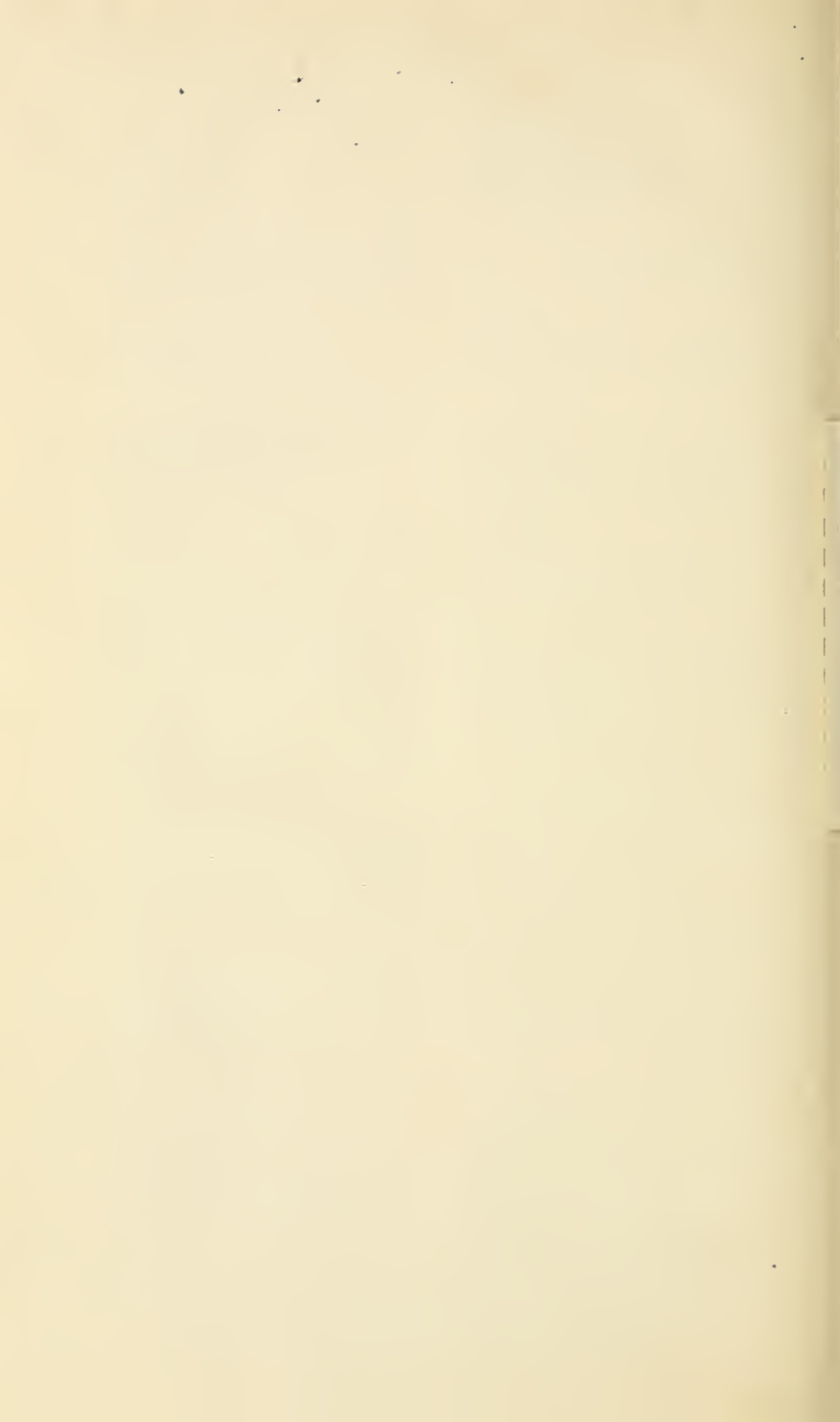
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Job 2025 for

Mend by HP Time 4.17-4.21

[Unusual mending time charged extra]

Stab by G No. Sect. 10 B Sew by e

Before sewing, Score.... Press.... Strip Sect....
[Scoring is necessary on stiff or heavy paper]

Rate

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