



CHAPTER xlvii.

An Act to make further provision in regard to certain A.D. 1919.
loans raised by the mayor aldermen and burgesses
of the county borough of Rotherham for the purposes
of their electricity undertaking and in regard to the
purchase of certain lands by them and for other
purposes. [15th August 1919.]

WHEREAS the mayor aldermen and burgesses of the county
borough of Rotherham (in this Act called "the Corporation")
supply electricity within that borough under the provisions of
the Rotherham Corporation Electric Lighting Order 1898 and
further powers in relation to their electricity undertaking are
conferred upon them by the Rotherham Corporation Acts 1904
1915 and 1918:

And whereas under the said Order of 1898 the Corporation
erected a generating station and have for many years supplied
electricity at prices that compare favourably with those charged
by other similar undertakings and their undertaking has been
carried on without loss a large proportion of the capital having
been repaid and a substantial reserve fund accumulated:

And whereas in order to meet the large demand for an
increased supply of electricity not only in the borough but also
in the neighbourhood thereof the Corporation in response to a
request made by the Ministry of Munitions determined in the
year nineteen hundred and seventeen to erect on the banks of
the River Don a new power station of great magnitude and
containing very large units for which purpose they obtained
from the Local Government Board the sanctions particulars of
which are set forth in the schedule to this Act for borrowing
sums amounting in all to eight hundred and twenty-three

A.D. 1919. — thousand and eleven pounds for the purchase of land for and for the construction and equipment of the power station :

And whereas with the assistance of the Ministry of Munitions the Corporation entered into contracts for the immediate erection and equipment of the power station with the view to its being sufficiently constructed to permit the supply of electricity therefrom to be commenced in December nineteen hundred and seventeen and to the station being completed before the end of the year nineteen hundred and eighteen but owing to circumstances over which the Corporation had no control the completion has been delayed and the station will not be sufficiently equipped to enable any energy to be supplied therefrom before the month of September nineteen hundred and nineteen and it will not be possible to furnish therefrom the full supply of electricity which the plant now being installed will be capable of supplying before the year nineteen hundred and twenty :

And whereas by the provisions of the Public Health Act 1875 in pursuance of which the loans for the power station are raised the Corporation are under obligation forthwith to commence paying off the loans so raised either by instalments or by the formation of a sinking fund :

And whereas in view of the foregoing circumstances no revenue has yet been derived from the power station and no substantial revenue will be derived therefrom until after the thirty-first day of March nineteen hundred and twenty and it is expedient to permit the Corporation to postpone the formation of a sinking fund for the repayment of the loans and also to borrow money for the payment of interest due thereon prior to the first day of April nineteen hundred and twenty :

And whereas it is expedient to extend the periods for the repayment of the said loans :

And whereas the Corporation have acquired certain lands known as the Oakwood Hall Estate in the parish of Whiston immediately adjoining the borough for the purposes of a recreation ground the erection of a sanatorium and the provision of housing accommodation and for other purposes and it is expedient that they be empowered to borrow money for the purchase thereof and that the provisions of this Act in regard thereto be enacted :

And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected A.D. 1919. without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

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

PART I.

PRELIMINARY.

1.—(1) This Act may be cited as the Rotherham Corporation Act 1919. Short and collective titles.

(2) The Rotherham Corporation Acts 1801 to 1918 and this Act may be cited as the Rotherham Corporation Acts 1801 to 1919.

2. In this Act unless the subject or context otherwise requires— Interpretation.

(A) "The borough" means the county borough of Rotherham;

(B) "The Corporation" means the mayor aldermen and burgesses of the county borough of Rotherham;

(C) "The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the borough;

(D) "The scheduled loans" means the loans raised in pursuance of the sanctions particulars of which are contained in the schedule to this Act.

PART II.

ELECTRICITY.

3. Notwithstanding anything contained in any other Act it shall not be obligatory upon the Corporation to make the first payment to a sinking fund for the repayment of the scheduled loans until the thirty-first day of March nineteen hundred and twenty-one. Postponement of sinking funds.

A.D. 1919.

Payment of
interest out
of capital.

4.—(1) The Corporation may independently of any other borrowing power borrow at interest such sums as may be necessary for the payment of interest falling due on the scheduled loans prior to the first day of April nineteen hundred and twenty and in order to secure the repayment of money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge the revenue of their electricity undertaking and the district fund and the general district rate.

(2) The Corporation shall pay off all money borrowed under this section within thirty years from the thirty-first day of March nineteen hundred and twenty.

Extension of
periods for
repayment of
scheduled
loans.

5. Notwithstanding anything contained in the sanctions of the Local Government Board in pursuance of which the scheduled loans were raised the periods within which the Corporation shall be under obligation to pay off those loans (except the loan raised under the sanction dated the thirtieth day of November nineteen hundred and sixteen) shall be as follows:—

(1) As regards loans raised for the construction of the power station not exceeding one hundred and forty-four thousand and eighty-five pounds the period of forty years from the date or dates of borrowing:

(2) As regards cables and mains in connexion with the power station not exceeding fifty-five thousand pounds the period of thirty years from the date or dates of borrowing:

(3) As regards the remaining loans (except as aforesaid) not exceeding six hundred and sixteen thousand seven hundred and fifty-one pounds the period of twenty years from the date or dates of borrowing.

PART III.

OAKWOOD HALL ESTATE.

Borrowing
powers for
purchase of
land.

6.—(1) The Corporation may independently of any other borrowing power borrow at interest such sums as may be necessary for and in connexion with the purchase of the lands known as the Oakwood Hall Estate in the parish of Whiston in the rural district of Rotherham in the West Riding of the county of York and in order to secure the repayment of the

money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge the district fund and the general district rate. A.D. 1919.

(2) The Corporation shall pay off all money borrowed under this section within sixty years from the date or dates of borrowing the same.

7.—(1) The Corporation may appropriate and use the lands referred to in the last preceding section for any purpose for which they have for the time being authority to acquire or hold lands and may notwithstanding anything in any other Act or Acts to the contrary retain hold and use for such time as they may think fit or sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any of the said lands or any interest therein and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange Provided that no part of the said lands shall be appropriated for the purpose of a sanatorium or of housing accommodation except with the approval of the Minister of Health. Retention and appropriation of lands.

(2) Any capital moneys received by the Corporation on the resale or exchange of or by leasing any lands under the authority of this Act shall be applied in or towards the extinguishment of any loan raised by them under the powers of this Part of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health.

(3) When any of the said lands shall be appropriated by the Corporation to any undertaking or to any of their powers or duties a transfer of a due proportion of the outstanding loan raised under this section shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section

A.D. 1919. shall be payable out of the district funds and the general district rate.

Application of provisions relating to parks.

8. The provisions contained in any general or local Act for the time being in force in the borough relating to parks recreation grounds and pleasure grounds shall extend and apply to any part of the lands comprised in the Oakwood Hall Estate which for the time being are appropriated for the purposes of a recreation ground and notwithstanding anything contained in the Public Health Act 1875 or in any other Act proceedings for the recovery of any penalty under any of those provisions or any byelaws made thereunder may be taken by the Corporation or by any officer of the Corporation duly authorised in that behalf.

PART IV.

MISCELLANEOUS.

Saving as to form of mortgage.

9. The provisions contained in this Act prescribing the revenue fund or rate to be mortgaged or charged for securing the repayment of money borrowed and the payment of interest thereon shall not limit the powers conferred upon the Corporation by section 175 (Power to use one form of mortgage for all purposes) of the Rotherham Corporation Act 1904.

Incorporation of sections from existing Acts.

10. The following provisions so far as they are applicable for the purpose shall extend and apply with the necessary modifications to and in relation to this Act and be incorporated with and form part of this Act (that is to say):—

The Rotherham Corporation Act 1896—

Section 30 Mode of repayment of moneys borrowed;

Section 32 Protection of lender from inquiry;

Section 34 Corporation not to regard trusts;

Section 35 Power to borrow under Local Loans Act 1875; and

Section 37 Application of moneys borrowed.

The Rotherham Corporation Act 1911—

Section 84 Certain provisions of Public Health Act as to borrowing not to apply;

Section 85 Provisions of Public Health Act as to mortgages to apply;

Section 88 Appointment of receiver;

Section 90 Audit of accounts; and

Section 91 Expenses of execution of Act.

[9 & 10 GEO. 5.] *Rotherham Corporation Act, 1919.* [Ch. xlvii.]

11.—(1) The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the revenue of their electricity undertaking and out of the district fund in such proportions as the Corporation may determine or the Corporation may if they think fit borrow the sum necessary for the payment of such costs charges and expenses and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the revenue of their electricity undertaking and the district fund and the general district rate.

A.D. 1919.
Costs of
Act.

(2) The Corporation shall pay off all money borrowed under this section within five years from the passing of this Act.

The SCHEDULE referred to in the foregoing Act.

PARTICULARS OF SANCTIONS FOR LOANS FOR POWER STATION.

1. Date of Sanction.	2. Purpose.	3. Amount.
		£
30th November 1916 - - -	The electricity undertaking - - -	7,175
1st August 1917 - - -	The electricity undertaking - - -	442,736
5th November 1917 - - -	The electricity undertaking - - -	30,000
4th March 1918 - - -	The electricity undertaking - - -	11,012
4th March 1918 - - -	The electricity undertaking - - -	24,850
4th March 1918 - - -	The electricity undertaking - - -	141,392
4th March 1918 - - -	The electricity undertaking - - -	38,956
4th March 1918 - - -	The electricity undertaking - - -	126,890
		£823,011

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FOR

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