



CHAPTER liv.

An Act to confer powers upon the mayor aldermen and burgesses of the county borough of Rotherham for the acquisition of land in the borough and the erection of houses thereon and the development thereof to authorise the construction of an arterial road and street improvements and the acquisition of land for sundry purposes and to make further provision with regard to the transport water and gas undertakings of the said mayor aldermen and burgesses and the health local government and improvement of the borough and for other purposes. [1st August 1946.]

WHEREAS it is expedient to empower the mayor aldermen and burgesses of the county borough of Rotherham to acquire certain lands in the borough for the purposes of housing and to confer powers upon them for the development thereof and to authorise the construction of the arterial road and street improvement referred to in this Act:

And whereas the Corporation have provided a trolley vehicle system for the conveyance of passengers and goods within and without the borough and by the Rotherham Corporation (Trolley Vehicles) Order 1934 (which was confirmed by the Rotherham Corporation (Trolley Vehicles) Order Confirmation Act 1934) certain further powers were conferred upon the Corporation for the provision of trolley vehicles which have not yet been wholly exercised and it is expedient to revive the powers of that Order and to authorise the Corporation to provide trolley vehicles along the additional routes referred to in this Act:

And whereas it is expedient to confer further powers upon the Corporation in relation to their water and gas undertakings and to make further provision in regard thereto:

And whereas it is expedient that the powers of the Corporation in relation to the health local government and improvement of the borough the borrowing of money the formation of funds and the collection of rates should be enlarged as by this Act provided:

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 without the authority of Parliament:

And whereas estimates have been prepared by the Corporation for the following purposes:—

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(a) For and in connection with the purchase of lands under the powers of this Act	157,100
(b) For and in connection with the construction of Street Work No. 1 authorised by this Act	14,500
(c) For and in connection with the construction of the service reservoir authorised by this Act	45,000

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the Corporation should be empowered to borrow money for those purposes as provided by this Act:

23 & 24 Geo. 5.
c. 51.

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and showing the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the town clerk of the borough which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

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

PART I.

PRELIMINARY.

1.—(1) This Act may be cited as the Rotherham Corporation Act 1946.

Short and
collective
titles.

(2) The Rotherham Corporation Acts 1801 to 1937 the Public Works Facilities Scheme (Rotherham Corporation) Confirmation Act 1931 the Rotherham Gas Order 1932 the Rotherham Gas (No. 2) Order 1932 the Rotherham Corporation (Trolley Vehicles) Order 1934 and this Act may be cited as the Rotherham Corporation Acts and Orders 1801 to 1946.

PART I.
—cont.

(3) The Rotherham Corporation (Trolley Vehicles) Acts and Order 1928 to 1934 the Rotherham Corporation Act 1937 and this Act may be cited as the Rotherham Corporation (Trolley Vehicles) Acts and Order 1928 to 1946.

1 Edw. 8. &
1 Geo. 6.
c. lxxx.

2. This Act is divided into Parts as follows:—

Division of
Act into Parts.

- Part I.—Preliminary.
- Part II.—Lands.
- Part III.—Development and street works.
- Part IV.—Transport.
- Part V.—Water.
- Part VI.—Gas.
- Part VII.—Finance and rating.
- Part VIII.—Miscellaneous.
- Part IX.—General.

3. The Lands Clauses Acts except section 92 and sections 127 to 132 of the Lands Clauses Consolidation Act 1845 (so far as such Acts are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with and form part of this Act.

Incorporation
of Lands
Clauses Acts.
8 & 9 Vict. c. 18.

4.—(1) In this Act the several words and expressions to which meanings are assigned by sections 90 and 343 of the Public Health Act 1936 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Interpretation.
26 Geo. 5. &
1 Edw. 8. c. 49.

(2) In this Act unless otherwise expressly enacted or unless the subject or context otherwise requires—

- (i) “ The borough ” means the county borough of Rotherham;
- (ii) “ The Corporation ” means the mayor aldermen and burgesses of the county borough of Rotherham;
- (iii) “ The town clerk ” means the town clerk of the borough;
- (iv) “ The general rate fund ” and “ the general rate ” mean respectively the general rate fund and the general rate of the borough;

PART I.
—cont.9 & 10 Geo. 5.
c. 57.

(v) "Trolley vehicle" means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;

(vi) "The tribunal" means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

(vii) "Statutory borrowing power" includes a power of borrowing money conferred on the Corporation by or under any enactment except paragraph (a) of subsection (1) of section 215 of the Act of 1933;

14 & 15 Geo. 5.
c. lxxix.

(viii) "Statutory security" has the meaning assigned to that expression by section 4 (Interpretation) of the Act of 1924;

(ix) "The Minister" means the Minister of Health;

(x) "The Lands Clauses Acts" means the Lands Clauses Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919 by Part II of the Town and Country Planning Act 1944 and by this Act;

7 & 8 Geo. 6.
c. 47.

(xi) "The Act of 1933" means the Local Government Act 1933;

(xii) "The Act of 1936" means the Public Health Act 1936;

11 & 12 Geo. 5.
c. lxxxvi.18 & 19 Geo. 5.
c. cxi.20 & 21 Geo. 5.
c. clxxvi.

(xiii) "The Act of 1921" "the Act of 1924" "the Act of 1928" "the Act of 1930" and "the Act of 1937" mean respectively the Rotherham Corporation Act 1921 the Rotherham Corporation Act 1924 the Rotherham Corporation Act 1928 the Rotherham Corporation Act 1930 and the Rotherham Corporation Act 1937.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment.

PART II.

LANDS.

Power to take
lands.

5. Subject to the provisions of this Act the Corporation may enter upon take appropriate and use all or any of the lands in the borough delineated on the deposited plans and described in the deposited book of reference which they may require for the following purposes:—

(1) As regards lands other than the lands referred to in paragraphs (2) (3) (4) and (5) of this section for the

purposes of Part III (Development and street works) of this Act and for the improvement and development of frontages or of any lands abutting on or adjacent to any street and for the purpose of providing further housing accommodation for the working classes:

- (2) As regards the lands numbered 8 to 43 inclusive on the deposited plans for the purposes of education:
- (3) As regards the lands numbered 1 to 5 inclusive on the deposited plans for the purposes of the water undertaking of the Corporation:
- (4) As regards the land numbered 6 on the deposited plans for the purposes of the gas undertaking of the Corporation; and
- (5) As regards the lands numbered 7 7A and 7B on the deposited plans for the purpose of the extension of the sewage disposal works of the Corporation.

6. No person shall be required to sell a part only of any house building or factory or of any land which forms part of a park or garden belonging to a house if he is willing and able to sell the whole of the house building factory park or garden unless the tribunal determine that in the case of a house building or factory such part as is proposed to be taken can be taken without material detriment to the house building or factory or in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house and if the tribunal so determine compensation shall be awarded in respect of the severance of the part so proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the Corporation that part of the house building factory park or garden.

As to acquisition of parts only of certain properties.

7. If there is any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices having jurisdiction in the borough for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate or a copy thereof shall be deposited with the town clerk and shall be kept by him with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be

Correction of errors in deposited plans and book of reference.

PART II.
—cont.

deemed to be corrected according to the certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with the certificate.

Period for compulsory purchase of lands.

8. The powers granted by this Act for the compulsory purchase of lands shall cease on the thirty-first day of December nineteen hundred and forty-nine.

Further powers of entry.

9. At any time after notice to treat has been served for any land which the Corporation are by this Act authorised to purchase compulsorily the Corporation may after giving to the owner and occupier of the land not less than one month's notice enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845 but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those provisions had been complied with.

Extinction of private rights of way.

10.—(1) Any private right of way over land which the Corporation are authorised by this Act to acquire compulsorily shall if they so resolve and give notice of their resolution to the owner of the right be extinguished as from the acquisition by them of the land or as from the expiration of one month from the service of the notice whichever may be the later.

(2) The Corporation shall pay compensation to all persons interested in respect of any such right so extinguished and such compensation shall in case of dispute be settled in manner provided by the Lands Clauses Acts with respect of the taking of lands otherwise than by agreement.

Restriction on sale or leasing of certain lands.

11. The Corporation shall not sell the freehold of any land acquired for the purposes of paragraph (1) of section 5 (Power to take lands) of this Act or grant a lease thereof for a term of more than ninety-nine years without the consent of the Minister of Town and Country Planning which shall not be given unless he is satisfied that there are exceptional circumstances rendering the disposal of the land in that manner expedient in order to secure the best use of that or other land.

For protection of Earl Fitzwilliam's Wentworth Estates Company.

12. The Corporation shall not acquire otherwise than by agreement the interests of the Earl Fitzwilliam's Wentworth Estates Company in so much of the lands numbered 97 98 99 (part) 100 (part) 109 110 111 (part) 126 127 173 174 (part) 175 176 177 178 179 180 181 and 182 on the deposited plans as is coloured pink on the plan signed in duplicate by Sir Charles Lee des Forges on behalf of the Corporation and by Colonel James William Bainbridge Landon on behalf of the said company.

13. The Corporation shall not acquire otherwise than by agreement the interests of the South Yorkshire Chemical Works Limited in so much of the land numbered 6 on the deposited plans as is not coloured pink on the plan signed in duplicate by Sir Charles Lee des Forges on behalf of the Corporation and by George Alfred Hebden on behalf of the said company.

PART II.
—cont.

For protection
of South
Yorkshire
Chemical
Works
Limited.

14. Except so far as may be otherwise agreed in writing between the Corporation and the Rotherham District Young Men's Christian Association (Incorporated) the following provisions shall have effect:—

Arrangements
with Young
Men's
Christian
Association.

(1) In this section—

“ The association ” means the Rotherham District Young Men's Christian Association (Incorporated);

“ The Y.M.C.A. site ” means the land situate on the east side of Howard Street in the borough delineated on the deposited plans and thereon numbered 41;

“ The new college premises ” means the new technical college and youth centre intended to be provided on the land delineated on the deposited plans and thereon described as “ land for education purposes ”;

“ The new site ” means the piece of land in Wellgate in the borough coloured pink on the plan signed in duplicate by Sir Charles Lee des Forges on behalf of the Corporation and by Charles Copley on behalf of the association :

- (2) The Corporation in the exercise of the powers of this Act shall not acquire the interests of the association in the Y.M.C.A. site except for the purpose of building the new college premises or other educational purposes and under and in accordance with this section :
- (3) If the Corporation intend to acquire the interests of the association in the Y.M.C.A. site they shall give notice thereof to the association not later than the thirty-first day of December nineteen hundred and forty-seven :
- (4) If the Corporation give notice pursuant to the last preceding subsection the association shall at the request of the Corporation sell the Y.M.C.A. site to the Corporation and the Corporation shall purchase the same in fee simple free from incumbrances at a price and upon terms to be agreed or failing agreement to be determined by arbitration in accordance with the provisions of this section :

PART II.
—cont.

- (5) If the Corporation give notice pursuant to subsection (3) of this section the association may not later than three months after the association are required to cease to occupy the Y.M.C.A. site by notice to the Corporation require the Corporation to sell the new site to them and thereupon the Corporation shall sell and the association shall purchase that site in fee simple free from incumbrances at a price and upon terms to be agreed or failing agreement to be determined by arbitration in accordance with the provisions of this section:
- (6) Before or immediately after the acquisition by the association of the new site they shall make all necessary applications to the appropriate government departments or other authorities for such licences or consents (if any) as may be necessary to enable them to provide thereon a building in which the work of the association may be continued and within two years after the receipt of such licences or consents as aforesaid or if no such licences or consents shall prove to be necessary then within two years after the conveyance to the association of the new site the association shall carry out and complete the provision of such building:

Provided that if—

(a) within one month after the receipt of such licences or consents as are mentioned in this subsection or if no such licences or consents shall prove to be necessary within one month after such conveyance the association notify the Corporation that such labour and materials as are reasonably necessary to enable the association to construct such building are not available for that purpose; and

(b) either—

(i) the Corporation do not within one month after the receipt of such notification inform the association that they dispute the allegation contained therein; or

(ii) it shall be determined by arbitration in accordance with this section that such labour and materials are not available;

then the association shall carry out and complete the provision of such building within two years after such date as may be agreed between the Corporation and the association or failing agreement may be determined by arbitration to be the date on which such labour and materials become available:

(7) If the association give notice to the Corporation in pursuance of subsection (5) of this section that they require the Corporation to sell the new site to them and if when the Corporation require the association to give up possession of the Y.M.C.A. site the building to be provided pursuant to subsection (6) of this section has not been completed the Corporation at the request of the association shall provide alternative accommodation for them in a part of the new college premises and the association shall be entitled to use the same until the completion of their building on the new site or the date by which that building should have been completed in accordance with subsection (6) of this section (whichever shall be the earlier) upon terms to be agreed or failing agreement determined by arbitration in accordance with this section and the floor space of such alternative accommodation shall not be less than the floor space now occupied and used by the association on the Y.M.C.A. site:

(8) If the association give notice to the Corporation in pursuance of subsection (5) of this section that they require the Corporation to sell the new site to them then notwithstanding anything in subsection (4) of this section the association shall not be required to give up possession of the Y.M.C.A. site until either—

(a) the building to be provided pursuant to subsection (6) of this section has been completed or under that subsection should have been completed; or

(b) alternative accommodation is available for occupation by the association pursuant to subsection (7) of this section:

(9) (a) All matters which under this section are to be determined by arbitration and any question or difference which may arise between the Corporation and the association with respect to any of the matters provided for in this section shall be referred to arbitration and unless otherwise agreed the arbitrator shall be appointed by the President of the Royal Institution of Chartered Surveyors on the application of either party after notice in writing to the other party;

(b) The rules contained in section 2 of the Acquisition of Land (Assessment of Compensation) Act 1919 so far as they are applicable to any matters so to be determined by arbitration shall apply in regard

PART II.
—cont.

to such determination as if the arbitrator appointed pursuant to this section were an official arbitrator and as if the association were a local or public authority and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any arbitration hereunder.

PART III.

DEVELOPMENT AND STREET WORKS.

Power to
develop lands.

15.—(1) The Corporation may exercise the powers of this section upon or in respect of any of the lands referred to in paragraph (1) of section 5 (Power to take lands) of this Act.

(2) The Corporation may—

- (a) lay out and develop the said lands;
- (b) construct streets thereon;
- (c) erect and maintain houses shops offices workshops warehouses and other buildings thereon;
- (d) provide open spaces recreation grounds and playing fields;
- (e) use the said lands for the purposes of or connected with any of their undertakings powers or duties;
- (f) sell lease exchange or otherwise dispose of the said lands and of any buildings thereon upon and subject to such terms conditions and restrictions (including conditions and restrictions upon the use thereof or as to buildings to be erected thereon or as to the use to which such buildings may be put) as they may think fit.

(3) Any terms conditions and restrictions imposed in pursuance of this section may be enforced by the Corporation against the person upon whom they are imposed and against any person deriving title under him.

(4) Any development carried out under the powers of this section shall require the consent of the Minister of Town and Country Planning.

(5) The Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any of the lands to which this section applies at a price or a rent or for a consideration of a value less than the current market value of such lands but a purchaser or lessee shall not be concerned to enquire whether the direction of the Minister is necessary or has been obtained.

16.—(1) The Corporation may advance money to the purchaser or lessee of any of the lands referred to in paragraph (1) of section 5 (Power to take lands) of this Act for the purpose of enabling or assisting him to erect buildings on such land:

PART III.
—cont.

Power to
advance
money for
erection of
buildings.

Provided that any advance shall not exceed nine-tenths of the amount which in the opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

(2) Every such advance shall be repaid with interest at a rate not less than the rate for the time being in operation under the Small Dwellings Acquisition Acts 1899 to 1923 as amended by section 92 of the Housing Act 1935 within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee.

25 & 26 Geo. 5.
c. 40.

(3) The repayment may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such periods not exceeding half a year as may be agreed between the purchaser or lessee and the Corporation.

(4) Any such purchaser or lessee to whom an advance has been made may at any of the usual quarter days after one month's notice and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the instrument hereinafter referred to or as the Corporation may be prepared to accept) or a multiple of one hundred pounds (or of such less sum as aforesaid) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced where a part of the advance shall be paid off shall be determined by a table to be annexed to the instrument securing the repayment of the advance.

(5) Before making any advance under this section the Corporation shall be satisfied that the repayment to them of the advance is secured by a mortgage of the building in respect of the erection of which the advance is made and of the land upon which such building is to be erected or of the lessee's interest therein to the Corporation subject to the right of redemption by the said purchaser or lessee and requiring the said purchaser or lessee to keep the building insured against fire to the satisfaction of the Corporation and to produce the receipts for the premium paid in respect of such insurance to the Corporation when required by them and to keep the building in good repair.

PART III.
—cont.

(6) The Corporation shall have power at all reasonable times to enter the building in respect of the erection of which any advance is made by them by any person authorised by them in writing for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are complied with.

(7) The said purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building in respect of which such advance is made and the land upon which the same is erected but any such transfer shall be made subject to the foregoing provisions of this section.

Power to
construct
street works.

17. Subject to the provisions of this Act the Corporation may within the borough make and maintain in the lines and according to the levels shown on the deposited plans and sections the works referred to in this section together with all necessary and proper works and conveniences connected therewith or incidental thereto (that is to say):—

Street Work No. 1 The widening and improvement of Potter Hill and Main Street Greasbrough on both sides thereof;

Street Work No. 2 A new arterial road commencing at Wortley Road at its junction with Bradgate Road and proceeding in a northerly and north-easterly direction and terminating at Street Work No. 1.

Limits of
deviation.

18. In the construction of the works authorised by this Part of this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections as regards Street Work No. 1 to any extent not exceeding five feet either upwards or downwards and as regards Street Work No. 2 to any extent either upwards or downwards.

For protection
of Central
Electricity
Board.

45 & 46 Vict.
c. 56.

62 & 63 Vict.
c. 10.

19. Nothing in this Act shall authorise any alteration in the position of or other interference with any electric lines or works of the Central Electricity Board except in accordance with the provisions of section 15 of the Electric Lighting Act 1882 and section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of those sections shall apply to such alteration or interference and shall extend to and include any electric lines or works of the said board constructed or placed upon or above the level of the ground.

For protection
of Postmaster-
General.

20.—(1) If in relation to the works authorised by section 17 (Power to construct street works) of this Act or by section 16 (Power to make subsidiary works) of the Act of 1921 as applied to this Act (which said two sections are hereinafter referred to

as " the specified sections ") the Corporation require an alteration either temporarily or permanently in any telegraphic line belonging to or used by the Postmaster-General the enactments numbered (1) to (8) in section 7 of the Telegraph Act 1878 shall apply with respect to such alteration.

PART III.
—cont.

41 & 42 Vict.
c. 76.

(2) If in consequence of the exercise or intended exercise by the Corporation of any of the powers conferred on them by the specified sections the Postmaster-General considers it necessary or expedient that an alteration should be made in any telegraphic line belonging to or used by him and placed in any highway affected by the exercise or intended exercise by the Corporation of any of the said powers the Postmaster-General may himself make such alteration in such telegraphic line as he deems necessary or expedient and the Corporation shall pay to the Postmaster-General all the expenses incurred by him in respect of such alteration and the amount of any loss or damage sustained by him in consequence thereof Provided that—

- (a) before making such alteration the Postmaster-General shall give a notice to the Corporation containing particulars of the telegraphic line to be altered and of the nature of the alteration he intends to make;
- (b) the Corporation may within fourteen days of the receipt of the notice give to the Postmaster-General a notice objecting to the alteration on the ground that it is unnecessary or unreasonable and thereupon a difference shall be deemed to have arisen and sections 4 and 5 of the Telegraph Act 1878 shall apply accordingly and the tribunal by which the difference is determined may make such order as it thinks just as to the alteration (if any) to be made in the telegraphic line and as to the manner in which the proposed work of the Corporation is to be carried out.

(3) Expressions in this section have the same meaning as in the Telegraph Act 1878.

PART IV.

TRANSPORT.

21. The Corporation may exercise the powers which were conferred upon them by the Rotherham Corporation (Trolley Vehicles) Order 1934 (confirmed by the Rotherham Corporation (Trolley Vehicles) Order Confirmation Act 1934) notwithstanding proviso (e) to section 3 thereof (which limited the time for the exercise of the powers of the Order) and that Order shall accordingly have effect as if that proviso had been omitted therefrom.

Revival of
powers of
Order of 1934.

PART IV.

—cont.

Trolley
vehicles upon
new routes.

22.—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following routes in addition to any routes upon which they are already authorised to use trolley vehicles:—

Route No. 1 (situate in the borough 4 furlongs 5.8 chains or thereabouts in length) commencing at the junction of Blackburn Lane and Grange Mill Lane proceeding along Grange Mill Lane and terminating at a point in that lane 200 yards or thereabouts beyond the northern entrance gates to the engineering works of Ambrose Shardlow & Co. Ltd.;

Route No. 2 (situate in the parish of Thurcroft in the rural district of Rotherham 5 furlongs 7.3 chains or thereabouts in length) commencing at the junction of Sandy Lane and Green Arbour Road proceeding along Sandy Lane and Riddings to its junction with School Road thence along School Road to its junction with Green Arbour Road;

Route No. 3 (situate in the urban district of Maltby 6 furlongs 1.6 chains or thereabouts in length) commencing in Tickhill Road at its junction with Upper New Riding and Lower New Riding proceeding along Tickhill Road to its junction with Scotch Spring Lane.

(2) The Corporation may also with the consent of the Minister of Transport use trolley vehicles along any other street or road within or without the borough which the Corporation think it necessary or convenient to use for the purpose of providing a turning point.

(3) (a) Before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval and shall also in the case of any turning point which is outside the borough submit a copy of such plans to the county council of the administrative county of the west riding of Yorkshire and to the chief constable of that county.

(b) Before approving any such last-mentioned plans the said Minister shall give to the said county council and chief constable an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him.

(4) Subject to the provisions of this Act the unrepealed provisions of Part III (Tramways trolley vehicles and omnibuses) of the Act of 1928 in so far as those provisions relate to trolley vehicles and trolley vehicle routes shall extend and

apply to and in relation to the routes referred to in and authorised by this section as if those routes were authorised by the said Part III of the Act of 1928:

PART IV.
—cont.

Provided that for the purposes of such extension and application section 74 (For protection of West Riding County Council in respect of trolley vehicles) of the Act of 1928 shall be read and have effect as though the expression "main road" in that section included any county road within the meaning of the Local Government Act 1929 and as though the expression "county or main road bridge" therein included any bridge repairable by the county council pursuant to the last-mentioned Act. 19 & 20 Geo. 5.
c. 17.

(5) Subsection (1) of section 63 (Vehicles not to be deemed light locomotives or motor cars) of the Act of 1928 and proviso (a) to subsection (3) of section 3 of the Rotherham Corporation (Trolley Vehicles) Order 1934 are hereby repealed.

23. If the Corporation shall not have commenced to use trolley vehicles along any of the routes authorised by section 21 (Revival of powers of Order of 1934) and section 22 (Trolley vehicles upon new routes) of this Act within five years from the passing of this Act or such extended time as the Minister of Transport may upon the application of the Corporation allow the powers conferred by this Act with reference to the use of trolley vehicles along the route or routes along which the Corporation have not commenced to use trolley vehicles shall cease to be exerciseable. Period for
commence-
ment of trolley
vehicle
services.

24. The following sections of the Act of 1930 shall with any necessary modifications extend and apply to the exercise of the powers of this part of this Act as if the same were re-enacted therein:— Application of
provisions of
Act of 1930.

Section 12 (Byelaws as to intending passengers outside borough);

Section 13 (Property found in Corporation vehicles);

Section 14 (For protection of Yorkshire Electric Power Company and Electrical Distribution of Yorkshire Limited).

PART V.

WATER.

25. The Corporation may construct a service reservoir upon the lands referred to in paragraph (3) of section 5 (Power to take lands) of this Act and may use those lands for the purposes of their water undertaking. Use of land for
water under-
taking.

PART V.
—cont.

Period for
completion of
service
reservoir.

26. If the service reservoir authorised by this Act is not completed within ten years from the passing of this Act then on the expiration of that period the power granted by this Act to construct such service reservoir shall cease except as to so much thereof as is then completed:

Provided that the Corporation may extend enlarge alter reconstruct renew or remove such service reservoir as and when occasion may require.

PART VI.

GAS.

Extension of
Car House
Gasworks.

19 & 20 Geo. 5.
c. 24.

27. The Corporation may upon the lands described in the schedule to this Act extend their Car House gasworks and may erect maintain alter improve and renew gasworks on such lands with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them or purchased by them under the powers conferred by section 4 of the Gas Undertakings Act 1929 and for this purpose the Corporation may purchase from any source and use such material as is required to work up and convert any such residual products.

Application of
Support of
Sewers Act.

46 & 47 Vict.
c. 37.
10 & 11 Vict.
c. 17.

28.—(1) Subject to the provisions of this section the provisions of the Public Health Act 1875 (Support of Sewers) Amendment Act 1883 and of sections 18 to 27 of the Waterworks Clauses Act 1847 therein referred to shall apply to the lands referred to in the Third Schedule to the Act of 1937 and to the lands referred to in the schedule to this Act and those lands shall accordingly be "sanitary works" within the meaning of the Act of 1883.

(2) For the purposes of the sections of the Waterworks Clauses Act 1847 referred to in the foregoing subsection—

- (a) it shall suffice for the map or plan therein referred to to be a map showing the said lands on the scale of twenty-five inches to one mile;
- (b) the said map shall be deposited in accordance with the said sections of the Act of 1847 within three months after the passing of this Act;
- (c) the provisions shall apply to any buildings or works for the time being erected or constructed on the said lands;
- (d) it shall not be necessary to make corrections of the said map as buildings or works are erected or constructed on the said lands;

(e) the lands referred to in paragraph 2 of the schedule to this Act may be shown on the said map although they have not already been acquired by the Corporation.

29. The powers of the Corporation under section 16 of the Gasworks Clauses Act 1847 of stopping supplies of gas and cutting off or disconnecting service pipes or works and under section 23 of the Gasworks Clauses Act 1871 of recovering the expenses incurred in such cutting off or disconnecting shall be exerciseable in any case in which there remains unpaid any part of any charge or sum due to the Corporation for gas supplied by them or in respect of any gas apparatus or fitting which has been let on hire by the Corporation or supplied by them on hire-purchase terms and which the Corporation are under obligation to maintain.

Power to cut off gas supplies where charges &c. not wholly paid.
10 & 11 Vict. c. 15.
34 & 35 Vict. c. 41.

30. Section 67 (Minimum charge for gas laid on to premises having supply of electricity) of the Rotherham Corporation Act 1911 shall have effect as if for twenty-five shillings there were substituted five shillings and the second and third provisions to that section are hereby repealed.

Minimum charge for gas laid on to premises having supply of electricity.
1 & 2 Geo. 5. c. cxvi.

31.—(1) On and after the first day of October nineteen hundred and forty-six the maximum prices in respect of gas supplied by the Corporation to consumers by meter within the areas hereinafter mentioned shall be as follows:—

Maximum prices for gas.

(a) As regards the area to which the Rotherham Gas (Charges) Order 1923 applies (namely the borough and the parishes of Brinsworth Catcliffe Dalton Thrybergh Treeton Whiston and Wickersley and parts of the parish of Wentworth in the rural district of Rotherham and parts of the urban district of Rawmarsh) and as regards so much of the parish of Ecclesfield in the rural district of Wortley as is comprised within the limits of the Corporation for the supply of gas twelve pence per therm;

(b) As regards the parishes of Hooton Roberts and Ravenfield in the rural district of Rotherham the urban district of Conisbrough and the parishes of Conisbrough Parks and Denaby in the rural district of Doncaster fourteen decimal four pence per therm; and

(c) As regards the parishes of Braithwell Township and Stainton in the rural district of Doncaster sixteen pence per therm.

PART VI.
—cont.

(2) The prices charged by the Corporation in respect of gas supplied by them to consumers by meter within the following areas may exceed the prices for the time being charged by the Corporation in respect of gas so supplied within the borough as follows:—

- (a) As regards the parishes of Hooton Roberts and Ravenfield by not more than five pence per therm;
- (b) As regards the parishes of Braithwell Township and Stainton by not more than eight pence per therm; and
- (c) As regards the urban district of Conisbrough and the parishes of Conisbrough Parks and Denaby by not more than five decimal six pence per therm.

PART VII.

FINANCE AND RATING.

Power to
borrow.

32.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow at interest without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within such periods as the Corporation may determine not exceeding the respective periods mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for repayment calculated (except when otherwise stated) from the date or dates of borrowing.
(a) The purchase of lands under the powers of this Act.	£ 157,100	Sixty years.
(b) The construction of Street Work No. 1 authorised by this Act.	14,500	Thirty years.
(c) The construction of the service reservoir authorised by this Act.	45,000	Forty years.
(d) The payment of the costs charges and expenses of this Act.	The sum requisite	Five years from the passing of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for

the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

PART VII.
—cont.

(3) In the application of the provisions of Part IX of the Act of 1933 to the borrowing of any further money for the purposes of the transport undertaking of the Corporation the Minister of Transport shall be the sanctioning authority.

33. So long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Act 1939 or under that Act as extended by any subsequent enactment including the Supplies and Services (Transitional Powers) Act 1945 or so long as the borrowing of money in Great Britain without the consent of the Treasury is prohibited by an Order made under the Borrowing (Control and Guarantees) Act 1946 it shall not be lawful to exercise the powers of borrowing conferred by this Act (other than the power of borrowing to pay the costs charges and expenses of this Act as hereinafter defined) without such consent.

Saving for powers of Treasury.
2 & 3 Geo. 6.
c. 62.
9 Geo. 6. c. 10.
9 & 10 Geo. 6.
c. 58.

34. It shall not be lawful to exercise the powers of borrowing conferred by the provisions of this Act otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945.

As to exercise of borrowing powers.
8 & 9 Geo. 6.
c. 18.

35.—(1) The Corporation may transfer to their general loans account any amount standing to the credit of any fund accumulated for the redemption of debt reserve renewals repairs depreciation contingency accident insurance superannuation capital or other similar fund (hereinafter referred to as the "lending fund") and not for the time being required and such amount shall be used or applied by the Corporation—

Use of money in reserve and other funds.

- (a) in the redemption of securities issued by the Corporation (other than stock or housing bonds) or the repayment of any moneys borrowed by the Corporation; and
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation.

(2) The moneys of the general loans account not so used or applied or about to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the general loans account and the moneys of the general loans account shall not except with the consent of the Minister be used otherwise than as provided in this subsection.

PART VII.
—cont.

(3) The amounts transferred under subsection (1) of this section shall be retransferred to the lending fund as and when required for meeting the obligations for which that fund was established.

(4) There shall be paid to the general rate fund an amount equal to the interest on any amount transferred under subsection (1) of this section and for the time being not retransferred at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings and if the provisions relating to the lending fund require the interest on investments of the fund to be added thereto there shall be credited to the lending fund in the accounts of the general rate fund an amount equal to the interest paid as aforesaid unless the amount standing to the credit of the lending fund amounts to the prescribed maximum for that fund.

Renewal and
repairs fund.

36.—(1) The Corporation may (if they think fit) establish a fund to be called the “renewal and repairs fund” for the purpose of defraying the expenditure to be incurred from time to time in repairing maintaining and renewing any buildings works plant tools machinery appliances horses carts vehicles boilers and equipment and apparatus in connection therewith office machinery furniture fittings and appliances or things and may from time to time apply any fund so established or any part thereof in defraying such expenditure but this section shall not apply to any buildings works plant appliances or things for the purposes of any undertaking of the Corporation in respect of which they are authorised to provide a reserve fund or to any building in respect of which they are required by the Acts relating to housing to keep a housing repairs account.

(2) The Corporation may from time to time pay out of the general rate fund such sums as they think fit into a fund or funds to be established under this section.

(3) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed fifty thousand pounds.

(4) (a) Pending the application of moneys forming part of the renewal and repairs fund to the purposes authorised by this section such moneys shall (unless applied in any other manner authorised by this or any other Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the renewal and repairs fund in manner provided by this subsection together with any income arising from the application of the fund to the purposes authorised shall

be carried to and form part of the general rate fund and an amount equivalent to such income shall be credited to the renewal and repairs fund unless the amount standing to the credit of that fund amounts to fifty thousand pounds.

37.—(1) The Corporation may (if they think fit) establish a fund to be called “ the insurance fund ” with a view to providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any risks against which the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

(a) such a sum as shall in their opinion be not less than the aggregate amount of the premiums which would be payable if the Corporation fully insured in some insurance office of good repute against the several risks for which the insurance fund is intended to provide; or

(b) if the Corporation insure in some insurance office against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last-mentioned insurance be not less than the aggregate amount aforesaid.

(4) When the insurance fund shall amount to the prescribed amount (as hereinafter defined) the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below the prescribed amount the Corporation shall re-commence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the prescribed amount.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the general rate fund and shall show the same in their accounts under the separate heading or division in respect of the particular undertaking department or service of the Corporation which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premium of such insurance.

PART VII.
—cont.

(6) (a) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (unless applied in any manner authorised by this or any other Act) be invested in statutory securities and the interest and other annual proceeds received by the Corporation in respect of such investments shall be carried to the general rate fund.

(b) In addition to the sum required to be paid into the insurance fund by subsection (3) of this section the Corporation shall in every year so long as the fund is less than the prescribed amount carry to the credit of that fund out of the general rate fund an amount equal to the interest and other annual proceeds carried to the general rate fund in pursuance of the last preceding paragraph.

(c) If and so long as the insurance fund amounts to the prescribed amount the interest and other annual proceeds received by the Corporation in respect of or on investments forming part of the insurance fund and carried to the general rate fund may be apportioned in the accounts of the Corporation between the several undertakings departments or services liable to contribute to the insurance fund in such shares or proportions as may be equitable.

(7) For the purposes of this section the Corporation may if they deem it expedient include in the risks for which the fund is intended to provide risks of accident to any teacher employed in any aided school in the borough.

(8) (a) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister borrow at interest under and subject to the provisions of Part IX of the Act of 1933 such sums of money as will be necessary to make up the deficiency.

(b) The amounts of the annual charges in respect of interest on and repayment of principal of any sums borrowed in pursuance of this subsection and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the general fund and charged in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings departments or services of the

Corporation and in such proportions as the Corporation may determine having regard to the risks through which such deficiencies arise.

(9) In this section "the prescribed amount" means such sum as may from time to time be prescribed by the Corporation.

38.—(1) Section 43 (Power to create accident fund) of the Rotherham Corporation Act 1915 shall have effect as if for the words "ten thousand pounds" there were substituted the words "fifty thousand pounds."

Increase of
accident fund.
5 & 6 Geo. 5.
c. lii.

(2) At any time after the Corporation have established an insurance fund under the last preceding section they shall close the fund formed under the said section 43 and in that case any moneys then standing to the credit of that fund shall be carried to and form part of the insurance fund established under the last preceding section.

39.—(1) The Corporation may establish a fund to be called "the capital fund" to which they may pay any sums derived from the sale of lands of the Corporation the balance of the general rate fund in hand on the thirty-first day of March in any year and such other sums from the general rate fund (including a sum equal to the interest earned on the capital fund and the income (if any) arising from the application of the fund to the purposes authorised) as the Corporation may by resolution direct not being moneys directed by law to be applied to any other purpose:

Capital fund.

Provided that any sum directed by the Corporation to be paid to the capital fund from the general rate fund (in addition to the sum equal to the interest earned on the capital fund and the income (if any) arising from the application of the fund to the purposes authorised) shall not exceed in any year the equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925.

15 & 16 Geo. 5.
c. 90.

(2) The Corporation may apply the moneys in the capital fund for defraying any expenditure to which capital is properly applicable or in providing money for payments into sinking funds in respect of loans raised under any statutory borrowing power other than a statutory borrowing power in respect of the undertakings of the Corporation (but not in making the annual payment required to be made thereto) or in the purchase or acquisition or taking on lease of any lands or buildings which they are authorised to purchase or acquire or take on lease under section 9 (Further powers for acquisition of land) of the Act of 1921 other than land or buildings in connection with the undertakings of the Corporation.

PART VII.
—cont.

(3) (a) Pending the application of the capital fund to the purposes authorised in the foregoing subsection the moneys in the fund shall (unless applied in any other manner authorised by this or any other Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the capital fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund.

(4) All moneys derived from the sale of land of the Corporation which are applied from the capital fund under the provisions of this section shall and all other moneys which are applied from the capital fund under those provisions may if the Corporation think fit be repaid from the account to which such moneys were advanced by such annual instalments with or without interest and within such period as may be determined by the Corporation. Provided that where the advance is in the exercise of a statutory borrowing power such period shall not exceed the period prescribed for the repayment of moneys borrowed under that power.

(5) When the Corporation establish a capital fund under this section section 85 of the Act of 1930 shall cease to have effect and any moneys standing to the credit of the capital reserve fund established under that section shall be carried to and form part of the capital fund established under this section.

Recovery of
rate &c. from
persons
removing.

40. If a justice is satisfied on complaint by any rate collector or other authorised officer of the Corporation that any person is quitting or about to quit any premises and has failed to pay on demand any general rate or any water gas or electricity rate or charge which may be due from him to the Corporation and intends to evade payment of the same the justice may in addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the person named therein forthwith to enter the premises and to seize sufficient goods and chattels of the defaulter to meet the claim and to detain them until the complaint is determined upon the return of the summons.

Rating of
owners instead
of occupiers.

41. As from the thirty-first day of March nineteen hundred and forty-seven section 65 (Rating of owners instead of occupiers) of the Act of 1921 shall have effect with the following amendments:—

- (1) In proviso (i) "ten per centum" shall be substituted for "fourteen per centum":
- (2) In proviso (ii) "of five per centum" shall be substituted for "not exceeding fifteen per centum."

42. For the purposes of section 15 of the Rating and Valuation Act 1925 the rates due from a person rated for any hereditament within the borough shall be deemed to be in arrear if such rates are not paid within two months after lawful demand in writing has been made for the same.

PART VII.

—cont.

Recovery of rates from tenants and lodgers.

PART VIII.

MISCELLANEOUS.

43. The Corporation may provide furniture fittings and bedding for use in houses occupied by their tenants and may let on hire or sell the same to such tenants.

Provision of furniture.

44.—(1) The Corporation may accept a capital sum for the purpose of maintaining either for a period or in perpetuity a grave or grave space or monument either in a cemetery provided under the Public Health Acts or in a burial ground provided under the Burial Acts 1852 to 1906.

Maintenance of graves.

(2) All such sums (unless applied in any manner duly authorised) shall be invested in statutory securities and an amount equal to the interest thereon shall be applied in maintaining graves grave spaces and monuments in such manner as the Corporation think fit.

(3) Any such capital sum and the interest thereon shall be shown separately in the accounts of the Corporation relating to their cemetery or burial ground.

45. Section 52 of the Act of 1936 (which relates to the care of sanitary conveniences used in common) shall within the borough apply to a sanitary convenience which is situate in a yard court or passage used in common by the occupiers of two or more houses whether or not the convenience is used in common by members of two or more families.

Care of sanitary conveniences.

PART IX.

GENERAL.

46. Section 298 of the Act of 1936 shall apply to offences created by or under section 45 (Care of sanitary conveniences) of this Act as if they were offences created by or under that Act.

Restriction on right to prosecute.

47. The sections of the Act of 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

Application of provisions of Public Health Act 1936.

Section 271 (Interpretation of "provide");

Section 275 (Power of local authority to execute certain work on behalf of owners or occupiers);

PART IX
—cont.

	Section 277	(Power of councils to require information as to ownership of premises);
	Section 284	(Authentication of documents);
	Section 286	(Proof of resolutions &c.);
	Section 287	(Power to enter premises);
	Section 288	(Penalty for obstructing execution of Act);
	Section 289	(Power to require occupier to permit works to be executed by owner);
	Section 291	(Certain expenses recoverable from owners to be a charge on the premises; power to order payment by instalments);
	Section 292	(Power to make a charge in respect of establishment expenses);
	Section 293	(Recovery of expenses &c.);
	Section 294	(Limitation of liability of certain owners);
	Section 295	(Power of local authority to grant charging orders);
	Section 296	(Summary proceedings for offences);
	Section 297	(Continuing offences and penalties);
	Section 304	(Judges and justices not to be disqualified by liability to rates);
	Section 328	(Powers of Act to be cumulative);
15 & 16 Geo. 5. c. 22.	Section 329	(Saving for certain provisions of the Land Charges Act 1925).

Incorporation
of sections
from existing
Acts.

48. The following sections of the Acts hereinafter mentioned shall so far as they are applicable for the purpose 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):—

63 & 64 Vict.
c. cliii.

The Rotherham Corporation Act 1900—

- Section 54 (Persons under disability may grant easements &c.);
- Section 58 (Proceeds of sale of surplus lands); and
- Section 59 (Agreements with landowners).

4 Edw. 7.
c. ccxxxii.

The Rotherham Corporation Act 1904—

- Section 49 (Power to appropriate lands);
- Section 181 (Persons acting in execution of Act not to be personally liable);
- Section 186 (Compensation how to be determined);
- Section 190 (Damages and charges to be settled by court); and
- Section 194 (Saving for indictments &c.).

The Rotherham Corporation Act 1911—

Section 61 (Temporary stoppage of streets).

The Act of 1921—

Section 16 (Power to make subsidiary works); and

Section 17 (Power to alter steps areas pipes &c.).

The Act of 1924—

Section 10 (Application of road materials excavated in constructing works); and

Section 11 (Land laid into streets to form part thereof).

The Act of 1937—

Section 10 (Power to enter upon property for survey and valuation);

Section 11 (Benefits to be set off against compensation);

Section 12 (Compensation in case of recently acquired interest); and

Section 93 (Inquiries by Minister of Transport):

Provided that in the application of section 12 of the Act of 1937 the twentieth day of November nineteen hundred and forty-five shall be deemed to be referred to instead of the twentieth day of November nineteen hundred and thirty-six.

49. The provisions of the Town and Country Planning Acts 1932 and 1943 and the Town and Country Planning Act 1944 and of any order scheme or regulation made under those Acts or under any enactment repealed by those Acts so far as those provisions are from time to time in force in respect of the land on which any development within the meaning of those Acts is carried out under this Act shall apply to that development.

Saving for town and country planning.
22 & 23 Geo. 5. c. 48.
6 & 7 Geo. 6. c. 29.

50. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Crown rights.

51. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund or out of moneys to be borrowed under this Act for that purpose.

Costs of Act.

Section 27.

The SCHEDULE referred to in the foregoing Act.

GAS LANDS.

1. A piece of land belonging to the Corporation situate in the borough containing 7.4 acres or thereabouts being the lands numbered 251A¹ 251A² 252B (part) 252C 252D 254 254A 254B 254C and 254D on the 1/2500 Ordnance map of Yorkshire (West Riding) (edition 1935) sheet CCLXXXIX.7 and bounded on the south-westerly side by Greasbrough Road on the north-westerly and north-easterly sides by land belonging to Earl Fitzwilliam's Wentworth Estates Company and on the south-easterly side by other land of the said company forming the site of a proposed road.

2. A piece of land situate in the borough containing 10.578 acres or thereabouts being the lands numbered 251 and 251A (part) on the 1/2500 Ordnance map of Yorkshire (West Riding) (edition 1935) sheet CCLXXXIX.7 and bounded on the north-easterly side by a footpath leading from the junction of Rotherham Road and Rawmarsh Road to Scrooby Lane on the south-easterly side by the London Midland and Scottish Railway on the south-westerly side by land belonging to the Corporation and described in the Third Schedule to the Rotherham Corporation Act 1937 and on the north-westerly side by an accommodation road leading from Greasbrough Road to the said footpath.

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