



# Bedford Corporation Act 1964

## CHAPTER xxxiii

### ARRANGEMENT OF SECTIONS

#### PART I

##### PRELIMINARY

Section

1. Short title.
2. Division of Act into Parts.
3. Interpretation.

#### PART II

##### STREETS

4. Prohibition of building until street defined.
5. Access to new street.
6. Rounding or splaying off corners at street junctions.
7. Trees, grass verges and gardens.
8. Decorations in streets.
9. Interpretation of Part II.

#### PART III

##### BURIAL GROUNDS

10. Agreements to maintain graves and tombstones.
11. Extension of power to maintain burial grounds.
12. For protection of Commonwealth War Graves Commission.

#### PART IV

##### HOUSE OF INDUSTRY ESTATE

13. Interpretation of this Part of Act.

## Section

14. Appointment of committee for management of House of Industry Estate.
15. Dissolution of guardians and transfer of House of Industry Estate to Corporation.
16. Transfer of liabilities.
17. Management of House of Industry Estate.
18. Saving for agreements, deeds, actions, etc.
19. Repeal.

## PART V

## FINANCE AND MISCELLANEOUS

20. Power to borrow.
21. As to Cauldwell Recreation Ground.
22. Closing of certain lands for special purposes.
23. Power to order alteration of domestic chimneys.
24. Power to use ladders, etc., for entry or inspection.
25. Provisions as to motor vehicles let for hire.
26. Removal of vehicles.
27. Notice of variation of rent, etc.
28. As to minutes of council meetings, etc.
29. Return of library books, etc.
30. Provision of reciprocal services, etc., by Corporation and other bodies.
31. Electronic or mechanical equipment.
32. Suspension of restrictive covenants.
33. Apportionment of expenses in case of joint owners.
34. Power to charge in respect of establishment expenses.

## PART VI

## GENERAL

35. Confirming authority for byelaws.
36. Local inquiries.
37. Restriction on right to prosecute.
38. Protection of members and officers of Corporation from personal liability.
39. Application of general provisions of Act of 1936.
40. For protection of certain statutory undertakers.
41. For further protection of electricity undertakers.
42. Arbitration.
43. Saving for town and country planning.
44. Costs of Act.

## SCHEDULES:

Schedule 1—Investments.

Schedule 2—Sections of Act of 1936 applied—

Part I—Sections applied generally.

Part II—Sections applied to Part II and section 23 of this Act.

**ELIZABETH II**



**1964 CHAPTER xxxiii**

An Act to confer further powers upon the mayor, aldermen and burgesses of the borough of Bedford; to make further provision with regard to lands and for the improvement and local government of the said borough; to provide for the transfer to the said mayor, aldermen and burgesses of the estate of the guardians of the poor within the town of Bedford in the county of Bedford and the dissolution of those guardians; and for other purposes.  
[31st July 1964]

**WHEREAS—**

(1) The borough of Bedford (hereinafter referred to as “ the borough ”) is a borough under the local government and management of the mayor, aldermen and burgesses of the borough (hereinafter referred to as “ the Corporation ”):

(2) It is expedient that further and better provision should be made with reference to lands and streets and the health, local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged and extended as in this Act provided:

(3) By the Act 34 Geo. III c. xcvi (in this Act referred to as “ the Act of 1794 ”) all persons inhabiting the parishes of Saint Paul, Saint Mary, Saint John, Saint Peter and Saint Cuthbert

within the town of Bedford and qualified as therein mentioned were incorporated by the name of "The Guardians of the Poor within the Town of Bedford, in the County of Bedford" (in this Act referred to as "the guardians") and provision was made for the appointment of twelve directors (called "Directors of the Poor within the Town of Bedford in the County of Bedford") (hereinafter referred to as "the directors") who were empowered to put into execution the powers and authorities of the Act in manner therein provided and the mayor for the time being of the borough was thereby constituted an additional director:

(4) By an order dated 1st September, 1835 (in this Act referred to as "the order of 1835"), and made by the Poor Law Commissioners for England and Wales in exercise of the powers vested in them by the Poor Law Amendment Act, 1834, other parishes were added to the said parishes of Saint Paul, Saint Mary, Saint John, Saint Peter and Saint Cuthbert for the administration of the relief and for the general management of the poor of the said parishes and added parishes and it was provided that the union as so altered should be known as the Bedford Union:

(5) The order of 1835 provided for the constitution of a board of guardians for the said union who should rent of the guardians or of the directors the Poor House at Bedford called "the Bedford House of Industry" together with the several courts, yards and garden and other lands therein referred to at the net annual rent of two hundred and eighty pounds and further provided that the directors should cease to act or intermeddle as such directors in the management and government of the poor within the said parishes and that the said poor and the poor within the said added parishes should be managed and governed by the said board of guardians:

(6) The order of 1835 further provided that nothing therein contained should be construed to deprive the guardians or the directors from using and exercising all the powers and authorities given to or vested in them by the Act of 1794 so far as the same should not relate to the relief or management of the poor of the said parishes:

(7) In accordance with the provisions of the order of 1835 the relief of the poor in the borough was administered by the board of guardians constituted by that order and by virtue of the Local Government Act, 1929, the functions of the said board of guardians were transferred to the county council of the administrative county of Bedford (in this Act referred to as "the county council"):

(8) By the National Assistance Act, 1948, the said functions were transferred to the National Assistance Board and by that Act, as subsequently amended, certain discretionary powers for the relief of the poor were conferred upon the Corporation:

(9) The estate of the guardians (in this Act referred to as "the House of Industry Estate") comprises certain lands and property hereinafter referred to and the investments and cash (being or representing rent received by the guardians so far as not applied under the powers or authorities conferred by the Act of 1794) specified in Schedule 1 to this Act:

(10) The guardians have for many years past permitted part of the lands comprised in the House of Industry Estate to be used for purposes of recreation or sport:

(11) None of the powers or authorities given to or vested in the guardians or the directors by the Act of 1794 which were preserved by the order of 1835 can now usefully be exercised:

(12) It is expedient that the guardians be dissolved and that the House of Industry Estate be transferred to and vested in the Corporation upon the trusts defined by this Act:

(13) The directors have agreed on behalf of the guardians to such transfer and vesting of the House of Industry Estate as aforesaid:

(14) By an indenture dated the 29th December 1883 and made between James Howard and Frederick Howard of the one part and the Corporation of the other part and an indenture dated the 28th January 1885 and made between the Corporation of the first part, Thomas Simpson Porter of the second part, George Turner of the third part, John Turner of the fourth part and John Carrington Conquest of the fifth part, certain lands in the borough were conveyed to the Corporation in trust for the purposes of the Public Health Act 1875 or some or one of the Acts incorporated therewith and part of the said lands (comprising approximately one and a quarter acres) has been laid out by the Corporation as a place of public recreation (in this Act referred to as "the recreation ground") and has been so used by the public for at least the last sixty years:

(15) It is expedient to empower the Corporation to convey the whole or part of the recreation ground to the county council and, subject as in this Act provided, to extinguish all public rights over the recreation ground:

(16) The Corporation are the owners of certain lands in the borough fronting or abutting on the river Great Ouse and it is expedient that the Corporation should for special purposes close such lands to the public and exercise the powers of this Act in respect thereof, but doubts have arisen as to the power of the Corporation to close those lands and exercise those powers:

(17) It is expedient that the other provisions contained in this Act be enacted:

(18) The purposes of this Act cannot be effected without the authority of Parliament:

(19) In November, 1963, a plan showing the recreation ground and a book of reference relating thereto and a map marked "House of Industry Estate Map" showing the lands comprised in the House of Industry Estate, and a map marked "Embankment Lands Map" showing the lands proposed to be closed to the public for special purposes were deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the clerk of the county council and the town clerk of the borough:

(20) 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:

May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen'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

- Short title.** 1. This Act may be cited as the Bedford Corporation Act 1964.
- Division of Act into Parts.** 2. This Act is divided into Parts as follows:—  
 Part I.—Preliminary.  
 Part II.—Streets.  
 Part III.—Burial grounds.  
 Part IV.—House of Industry Estate.  
 Part V.—Finance and miscellaneous.  
 Part VI.—General.
- Interpretation.** 3.—(1) In this Act the several words and expressions to which meanings are assigned by section 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.
- (2) In this Act unless the subject or context otherwise requires—  
 "the Act of 1933" means the Local Government Act, 1933;  
 "the Act of 1936" means the Public Health Act, 1936;  
 "the Act of 1960" means the Road Traffic Act, 1960;  
 "the borough" means the borough of Bedford;  
 "burial ground" includes a cemetery;  
 "contravention" includes a failure to comply and  
 "contravene" shall be construed accordingly;

- “ the Corporation ” means the mayor, aldermen and burgesses of the borough;
- “ the council ” means the council of the borough;
- “ the county council ” means the county council of the administrative county of Bedford;
- “ daily fine ” means a fine for each day on which an offence is continued after conviction;
- “ the deposited plan ” means the plan referred to in the preamble to this Act;
- “ the embankment lands ” means the lands shown on the map marked “ Embankment Lands Map ” referred to in the preamble to this Act and thereon coloured green;
- “ enactment ” includes an enactment in this Act, or in any general or local Act and any order, byelaw, scheme or regulation for the time being in force within the borough;
- “ magistrates’ court ” has the same meaning as in subsection (1) of section 124 of the Magistrates’ Courts Act, 1952;
- “ the Minister ” means the Minister of Housing and Local Government;
- “ the recreation ground ” means the land known as the Cauldwell Recreation Ground delineated on the deposited plan and thereon numbered 1;
- “ statutory undertakers ” means any company, body or person authorised by an Act of Parliament or order having the force of an Act to supply electricity, gas or water;
- “ the town clerk ” means the town clerk of the borough.

(3) Except where the context otherwise requires 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 including this Act.

## PART II

### STREETS

4.—(1) Where a plan and sections of a new street have been deposited with the Corporation in pursuance of new street byelaws and have been approved by them, no person shall without their consent begin to erect a building on land abutting on the street until he has defined by posts, or in some other suitable manner, the approved line, width and level of so much of the street as abuts on any land which will be occupied as the site of, or in connection with, the building. Prohibition of street defined.

PART II  
—cont.

(2) Where the approved width of a new street has been defined as aforesaid, no person shall begin to erect a building or structure nearer to the centre of the street than the line of the posts or other marks by which the width has been so defined.

(3) If any person contravenes the provisions of either of the foregoing subsections he shall be liable to a fine not exceeding twenty pounds; and the Corporation may—

(a) in the case of a contravention of subsection (1), define as aforesaid the approved line, width and level of the new street; and

(b) in the case of a contravention of subsection (2), remove the building or structure;

and in either case recover the expenses of so doing from that person.

Access to  
new street.

5.—(1) Where a plan and sections of a new street deposited with the Corporation in pursuance of new street byelaws are approved by them, they may, for the purpose of securing adequate means of communication between the new street and any other street, whether existing or intended, by notice prohibit the erection or retention of any structure at either end of the new street on land belonging, at the time of the deposit, to the owner of the land upon which the new street is proposed to be constructed or laid out:

Provided that no such notice shall affect any structure existing at the time of the deposit until both the new street and that other street have become highways maintainable at the public expense.

(2) Such a notice shall be given to the person by whom or on whose behalf the plan and sections were deposited; and the prohibition imposed thereby shall be binding on successive owners of the land to which it relates.

(3) If any person contravenes a notice under this section he shall be liable to a fine not exceeding twenty pounds; and the Corporation may remove the structure and recover the expenses of so doing from that person.

(4) This section shall have effect subject to the provisions of the Land Charges Act, 1925, as amended by the Law of Property (Amendment) Act, 1926, with respect to the avoidance of any such notice for want of registration as a local land charge.

Rounding or  
splaying off  
corners at  
street  
junctions.

6.—(1) Where a plan and sections of a new street deposited with the Corporation in pursuance of new street byelaws are approved by them, they may, for the purposes of safety, by notice require that the corners formed at the junction of the new street with another street, whether existing or intended, but not being a trunk road, shall be rounded or splayed off in such manner as may be specified in the notice.



(2) Such a notice—

- (a) shall be given to the person by whom or on whose behalf the plan and sections were deposited; and
- (b) shall be binding on successive owners of the land to which it relates.

(3) Any person who suffers loss by the exercise of powers conferred by this section may recover from the Corporation compensation for the damage to be determined in case of dispute by the Lands Tribunal, and, so far as compensation is properly to be calculated by reference to the depreciation of the value of his interest in the land, rules 2 to 4 of the rules set out in section 5 of the Land Compensation Act, 1961, shall apply.

(4) If any person lays out or constructs a new street otherwise than in compliance with a notice in respect of the street under this section, he shall be liable to a fine not exceeding twenty pounds; and the Corporation may do such work as may be necessary to comply with the notice and recover the expenses of so doing from that person.

(5) This section shall have effect subject to the provisions of the Land Charges Act, 1925, as amended by the Law of Property (Amendment) Act, 1926, with respect to the avoidance of any such notice for want of registration as a local land charge.

7.—(1) Subject to the provisions of this section the Corporation shall have power, in any street vested in them, or on any land acquired by them for the construction or improvement of any such street or for preventing the erection of buildings detrimental to the view from the street—

- (a) to plant trees or shrubs or place containers in which to grow trees or shrubs;
- (b) to attach containers for plants to posts or standards provided by the Corporation or, with the consent of the owner thereof, to any other posts or standards;
- (c) to lay out grass verges or gardens;
- (d) to provide guards or fences, and otherwise do anything expedient, for the maintenance or protection of such trees, shrubs, containers, grass verges or gardens;
- (e) to cut down any such tree or shrub, to remove any such container, guard or fence, and to abolish any such grass verge or garden or enlarge or diminish the area thereof;
- (f) by notice to prohibit persons from entering upon, or causing or permitting horses, cattle or vehicles to enter upon, any grass verge laid out under this section and maintained in an ornamental condition or mown, or any garden so laid out;

PART II  
—cont.

(g) by notice to prohibit the playing of any game on any such grass verge as aforesaid which is likely to cause damage thereto.

(2) Any such notice as is referred to in paragraph (f) or paragraph (g) of the foregoing subsection shall be conspicuously posted on, or in proximity to, the grass verge or garden to which it relates; and if any person contravenes a notice so posted he shall be liable to a fine not exceeding five pounds.

(3) The powers conferred by this section shall not be exercised so as to hinder the reasonable use of the street by any person entitled to the use thereof or so as to be a nuisance or injurious to the owner or occupier of any land or premises abutting on the street.

(4) Section 82 of the Highways Act, 1959, shall cease to apply to highways vested in the Corporation or to any such land as is referred to in subsection (1) of this section; and anything done by the Corporation under that section or under section 1 of the Roads Improvement Act, 1925, with respect to such highways or land before the passing of this Act shall be deemed to have been done under this section.

(5) Nothing in this section shall affect the duty of the Corporation to provide a footway or grass or other margins under section 67 or section 70 of the Highways Act, 1959.

(6) (a) Where the Corporation carry out works under any enactment relating to private street works, they may, with the consent of the owners of premises fronting, adjoining or abutting on the part of the street in which the works are carried out, exercise the powers conferred by this section in that part; and the expenses incurred in so doing shall be deemed part of the expenses of carrying out the works.

(b) The reference in this subsection to the consent of the owners of the said premises is a reference to the consent of the majority of them where the rateable value of the premises owned by the persons consenting is greater than the rateable value of the rest of the said premises.

Decorations  
in streets.

8.—(1) The Corporation may, on the occasion of any public festivity, cause flag-poles and pylons to be erected in any street in the borough for the purpose of displaying decorations, and may for that purpose provide sockets or slots in, or under the surface of, any such street.

(2) If any person wilfully removes or damages a flag-pole, pylon, socket or slot erected or provided under this section, he shall be liable to a fine not exceeding five pounds.

(3) The Corporation shall not exercise the powers of this section in a trunk road without the consent of the Minister of Transport or in any street belonging to or repairable by any railway undertakers without the consent of those undertakers.

PART II  
—cont.

9.—(1) In this Part of this Act—

Interpretation  
of Part II.

“new street byelaws” has the meaning assigned to it by subsection (4) of section 157 of the Highways Act, 1959;

“structure” means a wall, fence, hoarding or similar erection; but for the purpose of this definition “wall” does not include a wall forming part of a permanent building.

(2) For the purposes of this Part of this Act the erection of a building shall be deemed to have begun at the time when the clearing of the site or the excavation for the foundations thereof, whichever is the earlier, began.

### PART III

#### BURIAL GROUNDS

10.—(1) The Corporation may agree with any person, in consideration of the payment of a sum by him, to maintain, for a period fixed by the agreement, a grave or tombstone in a burial ground or crematorium provided by the Corporation.

Agreements to  
maintain  
graves and  
tombstones.

(2) In this section—

“grave” includes a grave space, niche or urn;

“tombstone” includes a monument or other memorial of a deceased person.

11.—(1) The powers of the Corporation in relation to a burial ground maintainable by them shall include power—

Extension of  
power to  
maintain  
burial  
grounds.

(a) to put, and keep, in order any tombstone or memorial therein;

(b) to level any grave therein;

(c) to remove any tombstone or memorial on any grave therein, or any railings surrounding any grave therein or any such tombstone or memorial;

(d) to alter the position of any such tombstone, memorial or railings.

(2) Before exercising a power conferred by paragraphs (b), (c) or (d) of the foregoing subsection the Corporation shall—

(a) publish a notice of their intention to do so once in each of two successive weeks in a local newspaper circulating in the borough, with an interval between the dates of publication of not less than six clear days;

PART III  
—cont.

- (b) display a notice thereof in a conspicuous position in the burial ground; and
- (c) serve a notice thereof upon the owner of the grave, or upon a relative of a deceased person whose remains are interred therein, if after reasonable inquiry the name and address of the owner, or of a relative of such a person, can be ascertained.

## (3) Each of the notices shall—

- (a) contain brief particulars of the Corporation's proposals, and specify an address at which full particulars of the proposals can be obtained, unless the brief particulars are of proposals incapable of further statement;
- (b) specify the date on which it is intended that the Corporation will begin to carry out the proposals, which shall be not earlier than the fourteenth day after the date of the later of the two publications, or than the twenty-first day after the date on which the notice in the burial ground is first displayed, or, where notice is required to be served, than the twenty-first day after the date of service whichever is the latest; and
- (c) state the effect of the next following subsection.

(4) If notice of objection to a proposal, and of the ground thereof, is given to the Corporation before the date specified under paragraph (b) of the last foregoing subsection, that proposal shall not be carried out without the consent of the Minister, unless the notice is withdrawn.

(5) The Corporation may put to such use as they think appropriate, or destroy, any tombstone, memorial or railings removed under this section, unless claimed and removed by the person claiming it or some other person acting on his behalf within three months after the date of the earlier of the two publications of the notice required by paragraph (a) of subsection (2) of this section, or, where notice has been served under paragraph (c) thereof, after the date of such service, whichever is the later.

(6) Where a tombstone is removed by the Corporation under this section, the Corporation may erect at their own expense, in substitution, a tombstone of a value not exceeding twenty-five pounds.

(7) The Corporation shall cause a record to be made of each tombstone or memorial taken from the burial ground under this section containing—

- (a) a copy of any inscription on it; and
- (b) if it is intended to preserve the tombstone or memorial, a statement showing where it has been taken to;

and shall deposit a copy of the record with the Registrar General.

(8) Nothing in the foregoing provisions of this section shall relieve the Corporation from any obligation to which they are subject apart from those provisions to obtain for any work a faculty or licence of a consistory court.

PART III  
—cont.

Subsections (2) to (4) of this section shall not have effect in relation to any work for which the Corporation obtain such a faculty or licence; and subsection (5) thereof shall not have effect in relation to any tombstone, memorial or railings for whose removal such a faculty or licence was obtained.

(9) In this section—

“grave” includes a grave space;

“tombstone” includes a kerb.

12.—(1) In this section—

“the Commission” means the Commonwealth War Graves Commission;

“Commonwealth war burial” means a burial of any officer or man of the naval, military or air forces of His Majesty fallen in the war of 1914 to 1921 or in the war of 1939 to 1947.

For  
protection of  
Common-  
wealth War  
Graves  
Commission.

(2) In relation to any burial ground to which the provisions of section 11 (Extension of power to maintain burial grounds) of this Act apply and in which there are situated any Commonwealth war graves relating to the war of 1914 to 1921 or to the war of 1939 to 1947 the Corporation shall—

(a) not later than the date upon which such notice is first published in a newspaper circulating in the borough serve upon the Commission a copy of any notice which the Corporation are required to publish pursuant to the said section 11;

(b) give written notification to the Commission of their intention to apply for a faculty or licence of a consistory court for the purposes of exercising a power conferred by paragraph (b), (c) or (d) of subsection (1) of the said section 11;

and in any such case shall have due regard to any written representations made by the Commission within a period of one month from the service of the notice or the giving of the notification, as the case may be.

(3) The Corporation shall not in pursuance of the powers of the said section 11 remove any tombstone or other memorial placed or erected over any Commonwealth war grave unless they

PART III  
—cont.

have first given to the Commission satisfactory assurances in writing in regard to all or such of the following matters as the Commission consider appropriate, namely:—

- (a) that no other memorial shall be placed or erected over such grave;
- (b) that any Commonwealth war burial in such grave shall at all times be protected from interference or disturbance otherwise than interference or disturbance authorised by a licence granted by the Secretary of State or authorised by a faculty of a consistory court after prior notification to the Commission of the application for the licence or faculty;
- (c) that in the case of any tombstone placed or erected by the Commission over any such grave such tombstone shall be removed only in accordance with such arrangements and in such manner including disposal of the tombstone as shall be agreed in writing between the Corporation and the Commission.

(4) If a Commonwealth war burial would be affected by a consent given by the Minister under subsection (4) of the said section 11 the Corporation shall, not later than the date on which the matter is referred to the Minister, inform the Commission in writing of such reference and the Minister shall consider any representations submitted to him by the Commission within a period of twenty-eight days from the date of reference to the Minister.

## PART IV

## HOUSE OF INDUSTRY ESTATE

Inter-  
pretation of  
this Part of  
Act.

13. In this Part of this Act unless the subject or context otherwise requires—

“ the Act of 1794 ” means the Act 34 Geo. III c. xcviintituled “ An Act for the better Relief, Regulation and Employment of the Poor within the Town of Bedford, in the county of Bedford ”;

“ the committee ” means the committee appointed under section 14 (Appointment of committee for management of House of Industry Estate) of this Act;

“ the guardians ” means The Guardians of the Poor within the Town of Bedford, in the County of Bedford, incorporated by the Act of 1794 and acting by the directors appointed under the Act of 1794;

“ the House of Industry Estate ” means—

(a) the lands and property shown on the map marked “ House of Industry Estate Map ” referred to

in the preamble to this Act and thereon coloured pink subject to any leases affecting the same and subsisting at the date of the passing of this Act; and

(b) the investments and cash mentioned in Schedule 1 to this Act; and

(c) the lands, property and investments and cash from time to time representing the said lands, property, investments and cash;

“needy persons” means persons who by reason of poverty, sickness or infirmity, whether young or old, are in need of financial assistance, care or attention;

“the order of 1835” means the order dated the 1st September, 1835, made by the Poor Law Commissioners for England and Wales.

PART IV  
—cont.

14.—(1) As soon as may be after the passing of this Act the council shall appoint a committee for the purposes of this Part of this Act who shall exercise and perform all the powers and duties of management of the House of Industry Estate and may from time to time submit a report of their proceedings to the council.

Appointment of committee for management of House of Industry Estate.

(2) The committee may include persons who are not members of the council:

Provided that at least two-thirds of the members of the committee shall be members of the council.

(3) The number of members of the committee and their term of office shall be fixed by the council.

(4) Every member of the committee who at the time of his appointment was a member of the council shall, upon ceasing to be a member of the council, also cease to be a member of the committee:

Provided that for the purposes of this section a member of the council shall not be deemed to have ceased by reason of retirement to be a member of the council if he has been re-elected a member thereof not later than the day of his retirement.

15. On the date of the passing of this Act the guardians shall be dissolved and as from that date the House of Industry Estate shall subject to the provisions of this Part of this Act be by virtue of this Act without any conveyance, transfer or other instrument transferred to and vested in the Corporation for all the estate and interest therein of the guardians and shall be held by the Corporation on trust to permit the committee to pay or apply the income thereof to or for the benefit either of the needy persons of the borough generally or of such needy persons for the time

Dissolution of guardians and transfer of House of Industry Estate to Corporation.

PART IV  
—cont.

being resident in the borough as the committee may select for the purpose and in such manner and in such shares as the committee may consider most advantageous to the persons benefiting.

## Transfer of liabilities.

16. Subject to the provisions of this Part of this Act on the date of the passing of this Act all duties and liabilities of the guardians shall by virtue of this Act be transferred to and attached to the Corporation and shall thereafter be discharged and satisfied by the Corporation.

## Management of House of Industry Estate.

17.—(1) Subject to the provisions of this Part of this Act the Corporation may retain and occupy the House of Industry Estate and may dispose of or otherwise deal with the same or any part thereof by way of sale, exchange, mortgage, charge, demise, lease or otherwise and the Corporation may also sell any securities vested in them by this Part of this Act:

Provided that no lands forming part of the House of Industry Estate and used immediately before the passing of this Act for the purpose of recreation or sport shall be sold or exchanged or let or used for any other purpose unless the Corporation appropriate for use for the purpose of recreation or sport other lands forming part of the House of Industry Estate, not less in area than the lands so sold, exchanged, let or used:

Provided also that no property for the time being forming part of the capital of the House of Industry Estate shall be disposed of or otherwise dealt with without such an order as is provided for by subsection (1) of section 29 of the Charities Act, 1960.

(2) The Corporation may either invest the cash comprised in the House of Industry Estate and also all proceeds of sale and other capital moneys arising in respect of any part thereof or apply the same in the purchase, improvement and adaptation of land of any tenure or the purchase, provision, improvement and adaptation of any buildings which in the opinion of the committee can conveniently be used for the benefit of needy persons of the borough or for the purposes of complying with the provisions of the first proviso to subsection (1) of this section.

(3) The committee may permit any land and any buildings on any land comprised in the House of Industry Estate to be used for purposes of recreation or sport on such terms as to payment and otherwise as the committee may from time to time think fit.

## Saving for agreements, deeds, actions, etc.

18. All agreements, awards, contracts, deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the passing of this Act were existing or pending in favour of or against the guardians shall continue and may be carried into effect, enforced and prosecuted



by or in favour of or against the Corporation to the same extent or in like manner as if the Corporation instead of the guardians had been party to or interested in the same.

PART IV  
—cont.

19. As from the passing of this Act the Act of 1794 is hereby repealed and the order of 1835 is hereby revoked.

## PART V

### FINANCE AND MISCELLANEOUS

20.—(1) The Corporation may borrow—

Power to  
borrow.

(a) such sums as may be necessary for any of the purposes of this Act; and

(b) without the consent of any sanctioning authority, such sums as may be necessary for paying the costs, charges and expenses of this Act;

and, subject to the provisions of this section, Part IX of the Act of 1933 shall have effect as if money borrowed under this section were borrowed under that Part.

(2) The Corporation shall repay sums borrowed under paragraph (b) of the foregoing subsection within five years from the date of borrowing.

(3) It shall not be lawful to exercise the powers of borrowing conferred by paragraph (a) of subsection (1) of this section except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act, 1946.

21. Notwithstanding anything contained in any other enactment or any rule of law the Corporation may convey to the county council the whole or any part of the recreation ground and upon the completion of such conveyance all public rights in or upon or over the recreation ground, or so much as shall be so conveyed, shall be by virtue of this Act wholly extinguished:

As to  
Cauldwell  
Recreation  
Ground.

Provided that the Corporation shall not convey the recreation ground or any part thereof to the county council unless the Minister is satisfied and certifies that the county council have laid out and dedicated or will lay out and dedicate for the purposes of use as public walks or pleasure grounds other land, not being less in area than the land so conveyed and being equally advantageous to the public, within the area bounded by Prebend Street, Cauldwell Street, Saint Mary's Street and the river Great Ouse.

22. For the removal of doubt it is hereby declared that for the purposes of regattas, pageants, processions, shows or other special purposes the Corporation may, subject to the provisions of this section, for such time or times as they think fit close to the

Closing of  
certain lands  
for special  
purposes.

PART V  
—cont.

public any part or parts of the embankment lands and erect stands and structures thereon and demand and take or permit to be demanded and taken such reasonable sums as they think fit for the exclusive use of the part of the embankment lands so closed or any portion thereof or for admission of persons thereto and exclude therefrom any person who does not pay the reasonable sum demanded:

Provided that—

- (a) the Corporation shall not close any part of the embankment lands to the public for more than fourteen days in any calendar year; and
- (b) the frontage to the river Great Ouse of the part of the embankment lands which the Corporation may at any one time close to the public shall not exceed 200 yards.

Power to order alteration of domestic chimneys.

23.—(1) If a magistrates' court is satisfied upon a complaint by the Corporation that any smoke, gas or vapour from a chimney, flue or pipe of a building or structure forming part of, or within the curtilage of, a house in the borough is prejudicial to the health of any of the inhabitants of the borough or a nuisance, the court may make an order requiring the owner of the chimney, flue or pipe within such time as may be specified in the order—

- (a) to cause it to be raised to a height so specified; or
- (b) to cause such other means for remedying the cause of complaint to be adopted as the court thinks fit:

Provided that the court shall not make an order under this section unless it is satisfied that the work to be done in pursuance of the order need not involve an expenditure exceeding fifty pounds.

(2) If any person fails to comply with an order made under this section he shall be liable to a fine not exceeding twenty pounds and to a daily fine not exceeding forty shillings.

(3) Section 301 of the Act of 1936 shall apply to an order made under this section as if it were an order under the Act of 1936.

Power to use ladders, etc., for entry or inspection.

24.—(1) Any power conferred on an officer of the Corporation by or under any enactment to enter upon and inspect any building or works in course of construction shall include a power to use, free of expense, for the purpose of the entry or inspection, any ladders, scaffolding and plant in or about the building or works.

(2) If the builder of, or contractor for, any building or works or any person employed by him in or about any building or works—

- (a) refuses to give to such an officer all reasonable assistance in the exercise of the powers conferred by this section; or

- (b) otherwise obstructs such an officer in the exercise of those powers;

PART V  
—cont.

he shall be liable to a fine not exceeding five pounds.

25.—(1) The provisions of the Town Police Clauses Act, 1847, and of section 171 of the Public Health Act, 1875, shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by such byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages shall apply to any motor vehicle, notwithstanding that it is not a hackney carriage, which is offered or let for hire with the services of a driver and to such drivers:

Provisions as  
to motor  
vehicles let  
for hire.

Provided that this section shall not apply to—

- (a) any such vehicle which is kept by any person in connection with any business carried on by such person as funeral directors or owners of funeral vehicles available for hire and used wholly or mainly in connection with such business; or
- (b) any vehicle which is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire; or
- (c) a public service vehicle; or
- (d) any vehicle belonging to or used by the British Railways Board for the purpose of carrying passengers and their luggage to or from any of that board's railway stations or railway premises;

or to the drivers or conductors of such vehicles:

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any motor vehicle standing or plying for hire in any railway station, railway premises or in any yard belonging to the British Railways Board except with the consent of that board.

(2) In this section “public service vehicle” has the meaning assigned to that expression by section 117 of the Act of 1960.

26.—(1) If a vehicle is left in the borough elsewhere than on a road or in an off-street parking-place provided under section 81 of the Act of 1960, the Corporation may, with the consent of the occupier of the land on which the vehicle is left and after giving not less than seven days' notice to the owner of the vehicle, cause it to be removed:

Removal of  
vehicles.

PART V  
—cont.

Provided that where the vehicle appears to the Corporation to be abandoned—

- (a) the Corporation may cause it to be removed without the consent of the occupier of the land if they are unable after reasonable inquiry to ascertain his name and address; and
- (b) the Corporation may cause the vehicle to be removed without notice to the owner thereof if they are unable after reasonable inquiry to ascertain his name and address.

(2) The provisions of any regulations for the time being in force under section 43 of the Act of 1960 (which relates to the removal of vehicles from roads) about the method of removing vehicles and their loads and arrangements for the safe custody of vehicles and their loads shall apply to vehicles removed under this section.

(3) Section 15 of the Road Traffic and Roads Improvement Act, 1960 (which relates to charges for the removal and storage of vehicles) and any order for the time being in force under that section shall apply to a vehicle removed under this section as if it had been removed from a road in pursuance of regulations under section 43 of the Act of 1960.

(4) For the purpose of the said section 15 and any such order as applied by the last preceding subsection “the appropriate authority” means the Corporation and any reference in regulations under section 43 of the Act of 1960 to a charge to payment of which the Corporation are entitled under the said section 15 shall be construed accordingly.

(5) If it appears to the Corporation that a vehicle removed under this section has been abandoned the Corporation may sell or otherwise dispose of it subject to compliance with such regulations as are for the time being in force under section 43 of the Act of 1960 relating to the disposal of vehicles abandoned on roads; and the provisions of any regulations for the time being in force under that section relating to the proceeds of the sale of vehicles abandoned on roads and to the recoupment of costs incurred in connection with the disposal of such vehicles shall, with the necessary modifications, apply to the sale and disposal of vehicles under this subsection.

(6) In this section “owner” in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement means the person in possession of the vehicle under that agreement and “road” means a highway or other road to which the public has access and includes any bridge over which the road may pass.

27. The rent for the time being recoverable by the Corporation under a tenancy of any premises forming part of any housing accommodation belonging to the Corporation may be increased or reduced, or the terms and conditions of that tenancy may be varied, amended or added to, by the service by the Corporation on the tenant of a notice specifying the amount of the increase or reduction of rent, or the variation or amendment of or addition to the terms and conditions, whether or not such notice is accompanied by a notice to quit, but such increase, reduction, variation, amendment or addition shall not take effect until such date as may be specified in the notice not being earlier than—

PART V  
—cont.

Notice of  
variation of  
rent, etc.

- (1) four weeks after the service thereof; or
- (2) the date on which, if this section had not been enacted, the tenancy could have been terminated by serving a notice to quit on the date of the service of the notice under this section;

whichever shall be the later:

Provided that if before the date specified in the notice the tenant upon whom such notice has been served serves a counter-notice upon the Corporation requiring them to treat the notice as a notice to quit the notice shall be deemed to be a notice to quit the premises on that date.

28. Notwithstanding anything contained in paragraph 3 of Part V of the Third Schedule to the Act of 1933 or in any other enactment or rule of law to the contrary, the minutes of the proceedings of meetings of the council or of any committee or sub-committee thereof may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed and each leaf comprising those minutes being initialled at the same or next ensuing meeting of the council or committee or sub-committee (as the case may be) by the person presiding thereat, and any minutes purporting to be so signed shall be received in evidence without further proof.

As to  
minutes of  
council  
meetings, etc.

29.—(1) In this section—

the expression “a library” means any library maintained under the Public Libraries Acts, 1892 to 1919, by the Corporation (either alone or in combination with another authority) and any library maintained under the said Acts any part of the cost of the maintenance of which is borne by the Corporation;

Return of  
library books,  
etc.

the expression “article” includes a book, music (whether printed or manuscript), pamphlet, manuscript, gramophone record or specimen of art.

PART V  
—cont.

(2) Any person borrowing an article from a library shall not be entitled to retain the same after the expiration of such period (not being less than fourteen days) after the date of the borrowing thereof as may be prescribed in relation to that article by the Corporation, and for the purposes of this provision the Corporation may prescribe different periods for different kinds of articles.

(3) Without prejudice to any other powers with respect to articles borrowed from a library, the Corporation may recover from any person failing to return any article borrowed from that library within such period as may be prescribed as aforesaid such reasonable sum as they may prescribe in respect of each day or each week or part of a week during which he fails to return the article, together with any expenses incurred in sending to him notices in respect of the article:

Provided that the sum prescribed as aforesaid shall not exceed sixpence or such greater sum as may be approved from time to time by the Secretary of State in respect of any week or part of a week during which the article is not returned as aforesaid.

(4) Where the Corporation become entitled under this section to recover any sum from any person that person shall not have any right, until that sum has been duly paid, to borrow any other article from any library.

(5) The provisions of this section shall cease to have effect on the coming into force of any general Act relating to public libraries and museums and containing provisions relating to the matters referred to in this section.

Provision of reciprocal services, etc., by Corporation and other bodies.

30.—(1) For the better performance of their respective powers or duties, provision may be made by agreement between the Corporation and any other authority to whom this section applies for the taking by either party thereto of action of the following kinds:—

- (a) The undertaking by one party for the other of any administrative, clerical, professional or technical services;
- (b) The use or maintenance by one party of any vehicle, plant, equipment or apparatus of the other party and if it appears convenient the services of any staff employed in connection therewith;
- (c) The carrying out of works of maintenance by one party in connection with land or buildings for the maintenance of which the other is responsible.

(2) The Corporation and the county council may by agreement make provision for the supply and planting of trees, shrubs and

plants by the Corporation for or in any gardens of the county council for the time being provided in connection with their county hall within the borough.

PART V  
—cont.

(3) Where provision could be made either by an agreement under this section or by virtue of the powers conferred by section 271 of the Act of 1936 it shall be made under the said section 271 and not under this section.

(4) In its application to the use of any mechanical road-making equipment or plant the provisions of subsection (1) of this section shall extend to enable the Corporation to let for hire such equipment or plant to any other authority to whom this section applies or to any person carrying out work for or on behalf of the Corporation.

(5) This section applies to the Corporation, the county council, the North Bedfordshire Water Board, the Kempston Urban District Council and the Bedford Rural District Council, and extends to authorise the Corporation to enter into agreements with any voluntary organisation in receipt of a grant lawfully made by the Corporation within twelve months of the exercise of the powers of this section for the taking by the Corporation of action of any of the kinds mentioned in subsection (1) of this section.

31. At any time after the Corporation have provided any electronic or mechanical accounting or calculating equipment for the purposes of any of their work they may by agreement with any other person use or permit that other person to use the said equipment for the purposes of that other person and they may make such charges as may be agreed for the use of the said equipment.

Electronic or  
mechanical  
equipment.

32.—(1) If the Corporation—

(a) acquire land by agreement; or

(b) enter into an agreement to acquire land;

Suspension  
of restrictive  
covenants.

for a purpose for which they are for the time being or could under any enactment for the time being in force (including this Act) be authorised to acquire the land compulsorily and the land is affected by any restriction arising under a covenant as to the user thereof or the building thereon, the council may, subject to the provisions of this section, by resolution suspend the operation of such restriction.

(2) The resolution shall describe by reference to a map the land to which it applies.

(3) The Corporation shall—

(a) in four successive weeks publish in one or more local newspapers circulating in the locality in which the land

PART V  
—cont.

referred to in the resolution is situated a notice stating that the resolution has been passed, describing the land and naming a place within the locality where a copy of the resolution and map may be inspected and specifying the time (not being less than three months from the first publication of the notice) within which and the manner in which objections to the suspension of the restriction can be made:

Provided that in any case in which there is more than one such local newspaper as aforesaid such notice shall be published in each of four successive weeks by publication in at least one of such newspapers in the first and third of those weeks and in at least one other of such newspapers in the second and fourth of those weeks;

- (b) serve on every person who appears to them after diligent inquiry to be entitled to the benefit of the restriction to which the resolution relates a notice containing the like particulars to those specified in the preceding paragraph of this subsection; and
- (c) affix to some conspicuous object or objects on the land to which the resolution relates a notice or notices containing the like particulars to those specified in paragraph (a) of this subsection.

(4) Any person claiming to be entitled to the benefit of the restriction may object to the suspension of the restriction by sending notice of his objection and of the grounds thereof to the appropriate Minister within the period specified in the notice and by sending a copy thereof to the Corporation.

(5) If any objection is duly made as aforesaid and is not withdrawn, the resolution shall be of no effect unless and until it is confirmed by the appropriate Minister, and before confirming the resolution the appropriate Minister shall cause a public local inquiry to be held into the proposed suspension of the restriction and, after considering the report of the person who held the inquiry, may confirm the resolution.

(6) (a) If no objection is duly made under subsection (4) of this section, or if all objections so made are withdrawn, the restriction shall be suspended on and after the date of the expiration of the period specified in the notice or the date of the withdrawal of the objection, or (if more than one) the last objection, or the date on which the Corporation acquire the land (whichever is the latest).

(b) If objection is duly made as aforesaid and the appropriate Minister confirms the resolution the restriction shall be suspended



on and after such date as the appropriate Minister shall determine, not being earlier than the date on which the Corporation acquire the land.

PART V  
—cont.

(7) The Corporation shall pay compensation in accordance with the provisions of section 68 of the Lands Clauses Consolidation Act, 1845, to any person entitled to the benefit of a restriction suspended under the powers of this section who suffers loss in consequence thereof and the amount of such compensation shall be determined in case of dispute in accordance with the Land Compensation Act, 1961.

(8) Any restriction suspended under the powers of this section shall be unenforceable so long as the Corporation are the owners of the land to which the restriction relates and if compensation is paid by the Corporation under subsection (7) of this section in respect of the suspension of a restriction relating to the building upon or use of land that restriction shall remain unenforceable in respect of such building or use notwithstanding any subsequent conveyance or disposition of the land to any other person:

Provided that if such compensation is paid on the basis that land may be used for a particular purpose the restriction shall after any subsequent conveyance or disposition of the land remain unenforceable only so long as the land is used for that purpose.

(9) If the Corporation dispose of any land to which the restriction suspended under the powers of this section relates they shall in two successive weeks publish notice thereof in one or more local newspapers circulating in the locality in which the land is situated.

(10) Nothing in this section shall apply to any restriction for the protection of or for securing access to apparatus of any statutory undertakers contained in any deed, wayleave, agreement or other instrument.

(11) In this section the expression "the appropriate Minister" means the Minister of the Crown having power to authorise the compulsory purchase of the land for the purpose for which the Corporation have acquired or agreed to acquire that land.

33. Where, under the provisions of any enactment, the Corporation shall execute any works of common benefit to two or more buildings belonging to different owners, and the expenses of any such works or any part of those expenses are recoverable by the Corporation, they shall (if no provision is made in the enactment or in any other enactment applied thereto or incorporated therewith as to the incidence of the expenses so recoverable) be paid by the owners of such buildings in such proportions as shall be determined by the Corporation or, in case of dispute, by a magistrates' court.

Apportionment of expenses in case of joint owners.

PART V  
—cont.

Power to charge in respect of establishment expenses.

**34.** Without prejudice to section 292 of the Act of 1936, and to that section as applied by any other enactment, where under any enactment the Corporation are empowered to execute works at the request of, or in default of, the owner or occupier of any premises and to recover from him the expenses incurred by them in so doing, they may include in and recover as part of the expenses such additional sum not exceeding five per centum of the cost of the works as they think fit in respect of their establishment charges.

PART VI  
GENERAL

Confirming authority for byelaws.

**35.** As respects byelaws made under this Act the confirming authority for the purpose of section 250 of the Act of 1933 shall be the Secretary of State.

Local inquiries.

**36.**—(1) Any Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.

(2) Subsections (2) to (5) of section 290 of the Act of 1933 shall apply in relation to any such inquiry; and for that purpose the definition of “department” in subsection (8) of that section shall include any Minister of the Crown having functions under this Act as well as the Ministers therein mentioned.

(3) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown (Transfer of Functions) Act, 1946.

Restriction on right to prosecute.

**37.** The written consent of the Attorney-General shall be requisite for the taking of proceedings in respect of an offence created by or under this Act (except section 25 (Provisions as to motor vehicles let for hire)) by any person other than a party aggrieved or the Corporation.

Protection of members and officers of Corporation from personal liability.

**38.** Section 265 of the Public Health Act, 1875, shall apply to the Corporation as if any reference in that section to the said Act of 1875 included a reference to this Act and as if any reference in that section to a member of a local authority included a reference to a member of a committee of a local authority.

Application of general provisions of Act of 1936.

**39.**—(1) The sections of the Act of 1936 mentioned in Part I of Schedule 2 to this Act shall have effect as if references therein to that Act included a reference to this Act.

(2) The sections of the Act of 1936 mentioned in Part II of the said schedule shall have effect as if references therein to that Act included a reference to Part II (Streets) and section 23 (Power to order alteration of domestic chimneys) of this Act.

40. For the protection of the undertakers the following provisions shall, unless otherwise agreed in writing between the Corporation and the undertakers, apply and have effect:—

PART VI  
—cont.

For  
protection of  
certain  
statutory  
undertakers.

(1) In this section, unless the subject or context otherwise requires—

“ apparatus ” means—

(a) in relation to the electricity board or the generating board, any electric lines and works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by either of such undertakers;

(b) in relation to the gas board, mains, pipes or other apparatus belonging to, or maintained by, that board;

and includes any works constructed for the lodging therein of apparatus;

“ in ” in a context referring to apparatus includes under, over, across, along or upon;

“ position ” includes depth;

“ the undertakers ” means—

the Central Electricity Generating Board;  
the Eastern Electricity Board;  
the Eastern Gas Board;

or any of them as the case may be:

(2) For the purposes of section 4 (Prohibition of building until street defined) of this Act land shall not be deemed to be occupied as the site of or in connection with a building by reason only of the existence of apparatus in such land:

(3) (a) Not less than twenty-eight days before the Corporation in the exercise of the powers of section 6 (Rounding or splaying off corners at street junctions) of this Act require the addition to the carriageway of a street of any portion of a footway or grass margin or garden in which any apparatus is situate the Corporation shall give to the undertakers notice in writing of their intention so to do accompanied by a plan and section of the intended alteration and the undertakers may (and if reasonably so required by the Corporation shall) alter the position of the apparatus to such other position in—

(i) the carriageway or footway; or

(ii) the grass margin or garden (if any) as altered;

as may be reasonable;

(b) The undertakers shall within twenty-eight days from the receipt of a notice from the Corporation pursuant to

PART VI  
—cont.

sub-paragraph (a) of this paragraph give to the Corporation not less than fourteen days' notice of their intention to alter the position of any apparatus (otherwise than on the requirement of the Corporation) under the provisions of that sub-paragraph and shall at the same time deliver to the Corporation a plan and section of the proposed alteration. If such plan and section be not disapproved by the Corporation within fourteen days from the receipt thereof the proposed position of the apparatus shown thereon shall be deemed to be approved.

If such plan and section be disapproved by the Corporation within fourteen days from the receipt thereof the altered position of the apparatus shall be settled by arbitration in default of agreement between the undertakers and the Corporation:

- (4) Nothing in section 7 (Trees, grass verges and gardens) of this Act shall affect the rights of the undertakers with respect to any apparatus (including the placing of apparatus) in any grass verge, garden or space:

Provided that, in exercising such rights, the undertakers shall not cause or permit, except in case of necessity, horses or vehicles to enter upon such verge or space which is maintained in an ornamental condition or mown, or any garden:

- (5) Nothing in the following sections of this Act shall relieve the Corporation from liability for damage caused by them to any apparatus in the exercise of the powers of the said sections, and the Corporation shall so exercise those powers as not to render unreasonably inconvenient the access to any apparatus:—

Section 7 (Trees, grass verges and gardens);

Section 8 (Decorations in streets):

- (6) The Corporation shall repay to the undertakers the reasonable expenses incurred by them in, or in connection with, the alteration of the position of any apparatus under the provisions of paragraph (3) of this section and the reasonable costs of and incidental to—

(a) the cutting off of any apparatus from any other apparatus; and

(b) any other work or thing rendered reasonably necessary in consequence of any such operations as are referred to in this paragraph:

Provided that subsections (3) and (4) of section 23 of the Public Utilities Street Works Act, 1950 (which imposes limitations on undertakers' rights to payment)

shall so far as applicable extend and apply to any payment to be made by the Corporation under this paragraph as if the works hereinbefore in this paragraph mentioned were such undertakers' works as are referred to in the said subsection (3) and as if in that subsection for the words "specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act or agreed so to be by the promoting authority" there were substituted the words "agreed or settled by arbitration under section 40 (For protection of certain statutory undertakers) of the Bedford Corporation Act 1964":

PART VI  
—cont.

- (7) (a) Any difference which may arise between the Corporation and the undertakers under this section shall be determined by arbitration;
- (b) In settling any difference under this section the arbitrator may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the apparatus is used.

41. For the protection of the undertakers the following provisions shall, unless otherwise agreed in writing between the Corporation and the undertakers, apply and have effect:—

For further protection of electricity undertakers.

- (1) In this section—

“apparatus” means any electric lines and works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by the undertakers and includes any works constructed for the lodging therein of apparatus;

“the undertakers” means—

the Central Electricity Generating Board;

the Eastern Electricity Board;

or either of them as the case may be:

- (2) Nothing in section 22 (Closing of certain lands for special purposes) of this Act shall relieve the Corporation from liability for damage caused by them to any apparatus in the exercise of the powers of the said section and the said powers shall be so exercised as not to obstruct or render unreasonably inconvenient the access to any apparatus:
- (3) The Corporation shall give to the undertakers not less than twenty-eight days' prior notice in writing of their intention to exercise the powers of section 22 of this Act:

PART VI  
—cont.

(4) Notwithstanding the closing to the public of any part or parts of the embankment lands under the powers of section 22 of this Act the undertakers, their engineers or workmen or others in their employ shall, in a case of emergency, be entitled to exercise their rights of access to any apparatus situated in such part or parts of the embankment lands and shall be at liberty to execute emergency works in, upon or under those lands:

Provided that such rights of access shall, so far as possible, be exercised only when the part or parts of the embankment lands is not in active use for any of the purposes mentioned in the said section and any emergency works carried out shall be completed as expeditiously as possible so as to cause the minimum interference with such use for that purpose.

In this paragraph “emergency works” means works whose execution at the time when they are executed is requisite in order to put an end to or prevent the arising of circumstances then existing or imminent which are calculated to cause danger to persons or property or the interruption of a supply or service afforded by the undertakers:

(5) Any difference which may arise between the Corporation and the undertakers under this section shall be determined by arbitration.

## Arbitration.

**42.** In arbitrations under section 40 (For protection of certain statutory undertakers) or section 41 (For further protection of electricity undertakers) of this Act the reference shall be to a single arbitrator to be appointed by agreement between the parties, or, in default of agreement, to be appointed by the President of the Institution of Civil Engineers on the application of any party after giving notice in writing to the other party or parties.

## Saving for town and country planning.

**43.** The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof is or may be authorised or regulated by or under this Act.

## Costs of Act.

**44.** All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act shall be paid by the Corporation.

## SCHEDULES

## SCHEDULE 1

## INVESTMENTS

£662 9s. 1d. 2½ per cent. Consolidated Loan.  
£2,750 loan to the Corporation.

CASH (as at 19th June, 1964)  
£502 19s. 6d.

## SCHEDULE 2

## SECTIONS OF ACT OF 1936 APPLIED

## PART I

## SECTIONS APPLIED GENERALLY

Section	Marginal note
271	Interpretation of "provide".
283	Notices to be in writing; forms of notices, &c.
288	Penalty for obstructing execution of Act.
296	Summary proceedings for offences.
297	Continuing offences and penalties.
304	Judges and justices not to be disqualified by liability to rates.
328	Powers of Act to be cumulative.

## PART II

## SECTIONS APPLIED TO PART II AND SECTION 23 OF THIS ACT

Section	Marginal note
275	Power of local authority to execute certain work on behalf of owners or occupiers.
276	Power of local authority to sell certain materials.
277	Power of councils to require information as to ownership of premises.
287	Power to enter premises.
289	Power to require occupier to permit works to be executed by owner.
291	Certain expenses recoverable from owners to be a charge on the premises: Power to order payment by instalments.
293	Recovery of expenses, &c.
294	Limitation of liability of certain owners.
295	Power of local authority to grant charging orders.
299	Inclusion of several sums in one complaint, &c.
329	Saving for certain provisions of the Land Charges Act, 1925.

*Table of Statutes referred to in this Act*

Long and short titles	Session and chapter
An Act for the better Relief, Regulation, and Employment of the Poor, within the Town of Bedford, in the county of Bedford	34 Geo. 3 c. xcvi.
Poor Law Amendment Act, 1834 ...	4 & 5 Will. 4 c. 76.
Lands Clauses Consolidation Act, 1845 ...	8 & 9 Vict. c. 18.
Town Police Clauses Act, 1847 ...	10 & 11 Vict. c. 89.
Public Health Act, 1875 ...	38 & 39 Vict. c. 55.
Electric Lighting Act, 1882 ...	45 & 46 Vict. c. 56.
Land Charges Act, 1925 ...	15 & 16 Geo. 5 c. 22.
Roads Improvement Act, 1925 ...	15 & 16 Geo. 5 c. 68.
Law of Property (Amendment) Act, 1926	16 & 17 Geo. 5 c. 11.
Local Government Act, 1929 ...	19 & 20 Geo. 5 c. 17.
Local Government Act, 1933 ...	23 & 24 Geo. 5 c. 51.
Public Health Act, 1936 ...	26 Geo. 5 & 1 Edw. 8 c. 49.
Ministers of the Crown (Transfer of Functions) Act, 1946	9 & 10 Geo. 6 c. 31.
Borrowing (Control and Guarantees) Act, 1946	9 & 10 Geo. 6 c. 58.
National Assistance Act, 1948 ...	11 & 12 Geo. 6 c. 29.
Public Utilities Street Works Act, 1950 ...	14 Geo. 6 c. 39.
Magistrates' Courts Act, 1952 ...	15 & 16 Geo. 6 & 1 Eliz. 2 c. 55.
Highways Act, 1959 ...	7 & 8 Eliz. 2 c. 25.
Road Traffic Act, 1960 ...	8 & 9 Eliz. 2 c. 16.
Charities Act, 1960 ...	8 & 9 Eliz. 2 c. 58.
Road Traffic and Roads Improvement Act, 1960	8 & 9 Eliz. 2 c. 63.
Land Compensation Act, 1961 ...	9 & 10 Eliz. 2 c. 33.
Town and Country Planning Act, 1962 ...	10 & 11 Eliz. 2 c. 38.

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