

ELIZABETH II



1966 CHAPTER XXX

An Act to confer further powers on the lord mayor, aldermen and citizens of the city of Leeds in relation to lands and buildings, and to make further provision for the improvement, health, local government and finances of the city; and for other purposes. [9th August 1966]

**W**HEREAS—

(1) The city of Leeds (in this Act called “the city”) is a county borough under the management and local government of the lord mayor, aldermen and citizens of the city (in this Act called “the Corporation”):

(2) It is expedient to confer further powers upon the Corporation in relation to lands and buildings and to make further provision with reference to the improvement, health, local government and finances of the city:

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

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

1933 c. 51. (5) 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, that is to say:—

## PART I

### PRELIMINARY

Short title. 1.—(1) This Act may be cited as the Leeds Corporation Act 1966.

(2) The Leeds Corporation Acts, 1896 to 1956, and this Act may be cited together as the Leeds Corporation Acts, 1896 to 1966.

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

Part I.—Preliminary.

Part II.—Lands and buildings.

Part III.—Streets.

Part IV.—Public health.

Part V.—Improvement and maintenance of dwellings and houses.

Part VI.—Houses in multiple occupation.

Part VII.—Public order and public safety.

Part VIII.—Finance.

Part IX.—Miscellaneous.

Part X.—General.

Interpretation. 1936 c. 49. 3.—(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.

1905 c. i. (2) In this Act unless the subject or context otherwise requires—  
“the Act of 1905” means the Leeds Corporation (Consolidation) Act, 1905;

“the Act of 1933” means the Local Government Act, 1933;

“the Act of 1936” means the Public Health Act, 1936;

1946 c. 49. “the Act of 1946” means the Acquisition of Land (Authorisation Procedure) Act, 1946;

1950 c. 39. “the Act of 1950” means the Public Utilities Street Works Act, 1950;





PART II  
—cont.

(b) the owner, purchaser or lessee of—

- (i) any land in the city; or
- (ii) any land (whether within or outside the city) acquired from or leased by the Corporation;

for the purpose of enabling or assisting him to build on such land or to extend or improve any existing building thereon:

Provided that any such 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 the borrower in the land after the purpose of the loan has been effected.”

Power to  
Corporation  
to assist  
industry.

5. If requested so to do by any person—

- (1) who is the owner or intended owner or lessee of any land in the city; or
- (2) who has purchased or intends to purchase or take on lease from the Corporation any land (whether within or outside the city);

such land being in either case land upon which an industrial building is built or is intended to be built, extended or improved, the Corporation may carry out any work required in relation to the preparation or improvement of the site for that building or for the provision or improvement of services or facilities on which any trade or business carried on or intended to be carried on in such building depends, and may make grants or loans towards the cost of such works or of the provision or improvement of such services or facilities or both:

Provided that nothing in this section shall authorise the Corporation to carry out works for the provision or improvement of services which it is the function of statutory undertakers to provide or improve.

Agreements  
with  
developers.

6.—(1) The Corporation and any person having an estate or interest in any land within the city may enter into an agreement which may provide for all or any of the following:—

- (a) determining the order in which development of that land shall be carried out as between the different parts of that land and as between the different parts of the development of any part of that land;
- (b) determining the time by which development of that land shall be completed or the times by which the parts of that development shall be completed;

- (c) providing that the estate or interest of that person in that land shall not be conveyed, leased or assigned except by way of mortgage or legal charge to any person unless the Corporation shall have first satisfied themselves that the last-mentioned person has or can command sufficient financial resources to carry out development of that land and to implement all the provisions of the agreement;
- (d) the dedication to the public of rights of way over that land or over a part or parts of any building or structure which is comprised in the development and the lighting, maintenance and cleansing of the public rights of way so dedicated including the maintenance and cleansing of the surface and the lighting of the building or structure over or above the public rights of way so dedicated and the provision and maintenance of any support of the public rights of way so dedicated;
- (e) arrangements relating to the provision, maintenance or use of facilities for the parking of vehicles for or in connection with development of that land;
- (f) any other related or consequential matters.

(2) (a) An agreement entered into under the preceding subsection may contain positive and negative covenants and whether they be positive or negative and notwithstanding that they may not enure, and may not be expressed to enure, for the benefit of any other land of the covenantee they shall, if registered in the Local Land Charges Register, be enforceable by the Corporation against the covenantor and all persons deriving title by, through or under the covenantor.

(b) In the event of the person who has entered into an agreement under the preceding subsection or any person deriving title by, through or under him failing to perform any of the positive covenants contained in the agreement the Corporation may, after giving not less than twenty-one days' notice of their intention so to do, enter on the land and do the work in default and the expenses incurred by the Corporation shall be recoverable by them from the person in default.

(c) Except as may be expressly provided in the agreement an agreement entered into under the preceding subsection shall be enforceable and be deemed to be intended to be enforceable in perpetuity or for the duration of the estate or interest which the person entering into the agreement has in the land at the time when the agreement is entered into.

(3) The Corporation may take or acquire shares or other securities in any company incorporated in the United Kingdom with which an agreement is entered into under this section.

(4) Section 291 of the Act of 1936 shall have effect as if references therein to that Act included a reference to this section.



## PART III

## STREETS

Amendment  
of section 178  
of Act of  
1905.

7.—(1) Section 178 (Corporation to kerb and sewer new streets) of the Act of 1905 shall have effect as if in subsection (2) for the words “ One half of the expense incurred by the Corporation in and about the laying out and construction of such sewer shall be paid by the Corporation and the remaining half of such expense incurred in respect of such sewer ” there were substituted the words “ Such part, if any, as the Corporation may reasonably determine of the expense incurred by the Corporation in and about the laying out and construction of such sewer shall be paid by the Corporation and the remainder, or, if the Corporation so determine, the whole of such expense incurred in respect of such sewer ”.

(2) In determining under the said section 178 as amended by this section the part (if any) of the expense of laying out and constructing a sewer in any new or unfinished street to be paid by the Corporation, regard shall be had to the size of the sewer so constructed and the size of a sewer which would be required for the purpose of draining the premises fronting or abutting on such street.

Carriage-  
crossings  
over verges,  
etc.

8.—(1) Where planning permission has been given, or has been deemed to have been given, pursuant to the Act of 1962, to a means of access which involves the construction of a carriage-crossing across a verge, ditch or footway to land adjacent to any highway in the city the Corporation may at any time after planning permission is given or, if planning permission is deemed to have been given, at any time after the development has commenced, give notice to the owner or occupier of the premises that they propose to construct the carriage-crossing.

(2) Where the Corporation give notice under the foregoing subsection, the provisions of section 155 of the Act of 1959 shall apply to the construction of the carriage-crossing, subject to any necessary modifications, and for the purposes of such application the Corporation shall be deemed to be the appropriate authority and the notice shall be deemed to be a notice given for the purposes of paragraph (a) of subsection (1) of the said section 155.

(3) The following sections of the Act of 1959, namely:—

Section 280 (Notices, etc., to be in writing; forms of certain documents);

Section 281 (Authentication of documents, etc.); and

Section 282 (Service of notices, etc.);

shall have effect as if references therein to that Act included references to this section.

9.—(1) Where an order is made by the Corporation under section 26 of the Act of 1960 and, where necessary, confirmed by the Minister of Transport in respect of any road which is a highway maintainable at the public expense, the Corporation may for the purpose of facilitating the movement of vehicular traffic along, or the safety of the public on, that road (or on any proposed widening, improvement, realignment or reconstruction thereof) or any other street, construct and maintain works in, and at the junction of, any other street for the prevention or limitation of access by vehicular traffic to or from such road (or on any proposed widening, improvement, realignment or reconstruction thereof) from or to any such street.

PART III  
—cont.

Prevention or restriction of vehicular access to and from certain roads.

(2) The powers conferred by subsection (1) of this section shall include power to light any such works as aforesaid, to pave, grass or otherwise cover them, or any part of them, to erect pillars, walls, rails or fences on, around or across them or any part of them, and to plant on them trees, shrubs and other vegetation either for ornament or in the interests of safety.

(3) The Corporation may alter or (with the consent of the Minister of Transport) remove any works constructed by them under this section.

(4) Before constructing any works under this section in any highway adjoining, or near to, any station or depot of the British Railways Board, the Corporation shall consult with that board.

(5) In relation to any works constructed by the Corporation under this section, being works to which, apart from this subsection, the provisions contained in Part II of the Act of 1950 (which regulate the relations between an authority carrying out road alterations and undertakers whose apparatus is affected thereby) would not apply, the said provisions shall apply as if the works were executed for road purposes by an authority mentioned in subsection (1) of section 21 of that Act and were included in the works mentioned in paragraph (a) of the said subsection (1) of section 21.

(6) If any person, without lawful authority, removes or interferes with any works constructed under subsection (1) of this section, he shall be liable on summary conviction to a fine not exceeding five pounds.

10. Section 26 of the Act of 1960 shall have effect in its application to the city and to the council as if—

Amendment of section 26 of Act of 1960.

(1) in subsection (1) after paragraph (e) there were added the following paragraph:—

“ or (f) for improving or facilitating the movement, convenience or comfort of persons or other traffic using the road or any part of the road or in the interest of the amenity of the area surrounding the road or any part of the road.”;



PART III  
—cont.

- (2) in subsection (3) after the words “ exceptions so specified ” there were inserted the words “ or by foot-passengers ” and after paragraph (e) there were added the following paragraph:—

“ (f) prohibiting the use of roads by vehicular traffic or by foot-passengers; ”;

and after the words “ express carriage ” there were inserted the words “ and no order which could not have been made if this section had not been amended by section 10 (Amendment of section 26 of Act of 1960) of the Leeds Corporation Act 1966 shall be made prohibiting the use by vehicular traffic of a road or any part of the width thereof upon which any service of stage carriages or express carriages is operated, without the consent of the holders of the road service licence under which the service is authorised and no order shall be made for those purposes if the effect of the order would be to prevent or render less convenient the access to or egress from any station or depot of passenger road transport operators without the consent of those operators ”;

- (3) the following new subsection were inserted after subsection (3):—

“ (3A) In any case in which the authority intend to make an order under this section which could not have been made if this section had not been amended by section 10 (Amendment of section 26 of Act of 1960) of the Leeds Corporation Act 1966 and the effect of such order would be to prohibit the use of a road by vehicular traffic the authority shall consult with such persons as appear to them to be affected by the order and such representative organisations as they think fit and if, after such consultation as aforesaid, the authority determine that access to or within reasonable distance of any premises where trade or business is carried on situated on or adjacent to the road is essential for the purpose of the loading and unloading of vehicles, the order shall make such provision for such access (either with or without the permission of the authority or a police constable in each case) as the authority may determine ”;

- (4) in subsection (4) after the words “ for vehicles of any class or description ” there were inserted the words “ or for foot-passengers ” and after the words “ for vehicles of that class or description ” there were inserted the words “ or for foot-passengers ”;



- (5) in subsection (5) after the words “ last foregoing subsection ” there were inserted the words “ (except in so far as it relates to foot-passengers) ” and after the words “ buildings on or near it ” there were inserted the words “ or (if the order does not prevent access for more than eight hours in all in any consecutive period of twenty-four hours) for improving or facilitating the movement, convenience or comfort of persons or other traffic using the road or any part of the road or in the interest of the amenity of the area surrounding the road or any part of the road ”;
- (6) in subsection (7) for the words from the beginning to “ liable ” there were substituted the words “ A person who contravenes, or who uses a vehicle, or causes or permits a vehicle to be used, in contravention of, a traffic regulation order shall be liable ”.

**11.—(1)** Where it appears to the Corporation expedient for the proper planning or the improvement of the environment or the amenities of any part of the city that the use of any predominantly residential road or any predominantly residential part of a road should be restricted, the Corporation may by order made and confirmed in accordance with the following subsections prohibit or restrict the use of the road or part of the road by vehicular traffic of any class or description specified in the order:

Restriction on use of certain roads by vehicles.

Provided that—

- (a) no order shall be made prohibiting or restricting the use by vehicular traffic of a road or any part of the width thereof upon which any service of stage carriages or express carriages is operated without the consent of the holders of the road service licence under which that service is authorised;
- (b) the Minister of Transport shall not confirm an order under this section in any case which in his opinion could be more appropriately dealt with by an order under section 26 of the Act of 1960, as amended by section 10 (Amendment of section 26 of Act of 1960) of this Act.

(2) An order under this section with respect to a road or part of a road shall make provision for permitting reasonable access to, or, alternatively, access within a reasonable distance of, premises situated on or adjacent to the road or any other premises accessible from, and only from, the road.

(3) Notwithstanding any prohibition or restriction on the use of a road or part of a road under this section the Central Electricity

PART III  
—cont.

Generating Board and the Yorkshire Electricity Board shall be at liberty at all times to enter upon the road with any necessary vehicles for the purpose of placing, inspecting, repairing, maintaining, renewing or removing any apparatus in the road.

(4) (a) An order made by the Corporation under this section shall not have effect unless confirmed by the Minister of Transport.

(b) Subsections (2) and (3) of section 27 and section 29 of the Act of 1960 and any regulations made by the Minister of Transport under the said section 29 shall apply to orders under this section as they apply in relation to orders under section 26 or section 27 of that Act, as the case may be.

(5) A person who uses a vehicle, or causes or permits a vehicle to be used, in contravention of an order made and confirmed under this section shall be liable to a fine not exceeding twenty pounds.

## PART IV

## PUBLIC HEALTH

Control of  
refuse tips.

12. The prohibition on the sorting over or disturbing of material in subsection (3) of section 76 of the Act of 1936 shall apply in respect of material deposited in any place in the city used by the Corporation for the deposit of refuse whether provided by the Corporation or not.

Refuse  
disposal.

13.—(1) Where plans of a building have been deposited with the Corporation in pursuance of building regulations the Corporation may reject the plans if the Corporation are not satisfied that they show that—

- (a) adequate accommodation for the storage of refuse from the building; and
- (b) adequate means of access from a highway to the place of storage of the refuse so as to facilitate the removal of refuse to the Corporation's refuse vehicles;

will be provided:

Provided that this section shall not apply to a private dwelling-house not forming part of a building comprising more than one dwelling-house within the same curtilage.

(2) If the Corporation reject the plans under the authority of this section the notice given in pursuance of subsection (2) of section 64 of the Act of 1936 shall specify that the plans have been so rejected.

(3) Any question arising under this section between the Corporation and the person by or on whose behalf plans are



deposited as to whether the accommodation for the storage of refuse or the means of access shown on the plans is adequate may on the application of that person be determined by a magistrates' court:

PART IV  
—cont.

Provided that no such application shall be entertained unless it is made before the proposed building has been substantially commenced.

## PART V

### IMPROVEMENT AND MAINTENANCE OF DWELLINGS AND HOUSES

14. In this Part of this Act unless the context otherwise requires—

Interpretation  
for this Part  
of Act.

“dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling;

“financial year” means a period of twelve months ending on the 31st day of March;

“lease” includes an underlease, sub-lease or any tenancy;

“local improvement grant” has the meaning assigned to it by section 16 (Local improvement grants) of this Act;

“local maintenance grant” has the meaning assigned to it by section 17 (Local maintenance grants) of this Act;

“owner” means the person who receives any rent (including a rack-rent) payable by the tenant (as defined in this section) of the premises, whether on his own account or as agent or trustee for any other person, or who would so receive the rent if the premises were let at a rack-rent and for the purposes of this definition “rack-rent” means rent which is not less than two-thirds of the full net annual value of the premises;

“regulated tenancy” has the meaning assigned to it by subsection (4) of section 1 of the Rent Act 1965;

1965 c. 75.

“the Rent Acts” means the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, or any of those Acts;

“statutory tenancy” has the same meaning as in the Housing Repairs and Rents Act, 1954;

1954 c. 53.

“tenant” includes a sub-tenant and a tenant (as defined in subsection (1) of section 12 of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920) who retains possession by virtue of the Rent Acts or subsections (1) to (3) of section 13 of the Rent Act 1965, and not as being entitled to a tenancy, but does not include a tenant holding under a lease granted for a term certain of more than twenty-one years at a rent of less than two-thirds of the full net annual value of the demised premises or a mortgagee in possession.

1920 c. 17.

PART V  
—cont.Application of  
this Part of  
Act.

1959 c. 33.

**15.**—(1) This Part of this Act applies to a dwelling (not being a dwelling in respect of which an application for a standard grant under the House Purchase and Housing Act, 1959, may be approved) or house (as the case may be) which is either—

- (a) situate in an area in the city (in this section referred to as a “local improvement area”) for the time being designated by resolution of the council and shown on a map or maps deposited in accordance with subsection (2) of this section; or
- (b) a dwelling or house elsewhere in the city if the council after consultation with the Minister by resolution so determine.

(2) As soon as practicable after designating a local improvement area under subsection (1) of this section the council shall deposit at the office of the town clerk of the city for public inspection at all reasonable hours a map or maps showing the local improvement area.

(3) The council may from time to time by resolution vary a local improvement area or designate an additional local improvement area or additional local improvement areas and shall as soon as practicable after passing such resolution amend the map or maps deposited under subsection (2) of this section so as to show the local improvement area as so varied or (as the case may be) the additional local improvement area or local improvement areas.

Local  
improvement  
grants.

**16.** Subject to the provisions of this Part of this Act the Corporation may, if they think fit, give assistance in respect of the improvement of any dwelling to which this Part of this Act applies by the owner thereof by the execution of such works as may in the opinion of the Corporation be required for the dwelling to be provided, for the exclusive use of its occupants, with all or any of the following amenities:—

- (a) a fixed bath or shower in a bathroom or elsewhere;
- (b) a wash-hand basin;
- (c) a hot and cold water supply at a fixed bath or shower;
- (d) a hot and cold water supply at a wash-hand basin;
- (e) a hot and cold water supply at a sink;
- (f) a water-closet; and
- (g) facilities for storing food;

by way of making a grant (hereafter in this Part of this Act referred to as a “local improvement grant”) in respect of the cost of executing the works, if an application in that behalf is made by the owner to the Corporation and approved by them before the works are begun and the works are executed to their



satisfaction within such period (if any) as may be determined by the Corporation at the time of the determination of the amount of the grant.

PART V  
—cont.

17. Subject to the provisions of this Part of this Act and without prejudice to the exercise by them of the powers vested in them by Part III of the Act of 1936, the Corporation may, if they think fit, give assistance in respect of the maintenance of any house to which this Part of this Act applies by the owner thereof by the execution of such works of repair to the structure or exterior of the house as may in the opinion of the Corporation be required in the interests of the safety, welfare or health of the persons occupying or who may occupy the house or to prevent deterioration of the structure of the house, or in the interests of the amenity of the neighbourhood in which the house is situate, by way of making a grant (hereafter in this Part of this Act referred to as a "local maintenance grant") in respect of the cost of executing the works, if an application in that behalf is made by the owner to the Corporation and approved by them before the works are begun and the works are executed to their satisfaction within such period (if any) as may be determined by the Corporation at the time of the determination of the amount of the grant.

18.—(1) An application under this Part of this Act must specify the dwelling or house and the nature and extent of the works proposed to be executed and must also contain a statement that the owner is the occupier of the dwelling or house or that the occupier has consented in writing to the making of the application.

Applications  
for and  
amounts of  
grants.

(2) The amount of a local improvement grant in respect of any dwelling shall be such amount or such proportion of the cost of the proposed works as the Corporation may determine at the time of approving the application but shall not exceed one-half of the cost shown, to the satisfaction of the Corporation, to have been incurred in executing the works in respect of which it is made, or the sum of one hundred and fifty-five pounds (whichever is the less).

(3) When approving an application for a local improvement grant in respect of a dwelling the Corporation shall by notice inform the owner of the dwelling of the period during which it is in their opinion likely to be available for use as a dwelling.

(4) The amount of a local maintenance grant in respect of any house shall be such amount or such proportion of the cost of the proposed works as the Corporation may determine at the time of approving the application but shall not exceed one-half of the cost shown to the satisfaction of the Corporation to have been incurred in executing the works in respect of which it is made, or the sum of one hundred and fifty-five pounds (whichever is the less).

PART V  
—cont.  
Conditions.

19.—(1) A local improvement grant or local maintenance grant may be made subject to such conditions with respect to the dwelling or house as the Corporation may impose at the time of the determination of the amount of the grant under subsection (2) or subsection (4) of section 18 (Applications for and amounts of grants) of this Act and any such conditions shall be observed with respect to the dwelling or house for the period specified in subsection (2) of this section and shall, so long as they are required to be observed, be deemed to be part of the terms of any lease, agreement for a lease or tenancy of the dwelling or house, and shall be enforceable accordingly.

(2) The period during which conditions are to be observed is a period of three years from the date of the completion of the works in respect of which the grant is made or such longer period as the Corporation may prescribe in the case of any particular house in respect of which a local maintenance grant is made.

(3) Without prejudice to the generality of the provisions of subsection (1) of this section the Corporation may impose all or any of the following conditions:—

(a) that the dwelling or house shall not be used for purposes other than those of a private dwelling-house except with the consent in writing of the Corporation;

(b) that, unless the Corporation otherwise agree, the dwelling or house shall, at all times at which it is not occupied—

(i) by the applicant for the local improvement grant or local maintenance grant or a member of his family; or

(ii) in the case of a dwelling or house which, or an interest in which, has since before the application for the local improvement grant or local maintenance grant was made been vested in the personal representatives of a deceased person, or in trustees, by a person who on the death, or under the trust, has become interested in the dwelling or house or interest or the proceeds of sale thereof, or by a member of the family of such person; or

(iii) by a person who on the death of the applicant has (whether or not in consequence of a disposition by will) become beneficially entitled to, or to an interest in, the interest of the applicant in the dwelling or house or the proceeds of sale thereof, or by a member of the family of such a person;

be let or kept available for letting at a rent not exceeding the rent which, by virtue of paragraph (c) of this subsection, may be paid by an occupier of the dwelling or house;



(c) that the rent payable by the occupier of the dwelling or house shall not exceed—

PART V  
—cont.

(i) in the case of

(I) a tenancy to which the Rent Acts apply, which is not a regulated tenancy; or

(II) a statutory tenancy arising on the termination of such a tenancy as is mentioned in sub-paragraph (I) of this paragraph;

the limit ascertained under section 1 of the Rent Act, 1957; and

1957 c. 25.

(ii) in any other case such rent as the Corporation may from time to time fix:

Provided that—

(A) references in the Rent Act, 1957, or the Rent Act 1965, to a grant made under section 4 of the House Purchase and Housing Act, 1959, shall be deemed to include a reference to a local improvement grant made under this Part of this Act;

1965 c. 75.

1959 c. 33.

(B) if the Corporation by a condition imposed under this subsection fix a rent, references in the Rent Act 1965 to a limit imposed by a condition under section 33 of the Housing (Financial Provisions) Act, 1958, shall be deemed to include a reference to a rent so fixed;

1958 c. 42.

(C) if the Corporation do not impose a condition under paragraph (c) (ii) of this subsection in respect of a dwelling or house which is the subject of a regulated tenancy, the rent payable by the occupier shall not exceed the limit imposed by the Rent Act 1965;

(d) that the owner of the dwelling or house shall, on being required so to do by the Corporation, certify that the conditions imposed under paragraphs (a), (b) and (c) of this subsection are being observed with respect to the dwelling or house;

(e) that in the event of the breach of any of the conditions imposed under the foregoing provisions of this subsection the Corporation may, if they think fit, require the owner for the time being of the dwelling or house to repay to them and the owner shall repay to them such part of the amount of the local improvement grant or local maintenance grant as is proportionate to the extent to which the period during which conditions are required by virtue of subsection (2) of this section to be observed with respect to the dwelling or house remains unexpired at the date of the occurrence of the breach;

PART V  
—cont.

(f) that upon the repayment by the owner of the amount of the local improvement grant or local maintenance grant, or such part thereof as the Corporation consider to be reasonable in the circumstances, the dwelling or house shall be released from any conditions imposed by the Corporation under this section;

(g) that any amounts repayable under paragraph (e) or paragraph (f) of this subsection shall bear compound interest at the rate prescribed for the purposes of subsection (2) or subsection (3) of section 34 of the Housing (Financial Provisions) Act, 1958, by regulations made by the Minister under the said Act of 1958, and with yearly rests.

1958 c. 42.

1925 c. 22.  
1926 c. 11.

(4) A condition imposed under this section shall be treated as a local land charge for the purpose of the Land Charges Act, 1925, as amended by the Law of Property (Amendment) Act, 1926.

Agreements  
with owners.

20.—(1) If the Corporation decide to make a local improvement grant in respect of a dwelling or a local maintenance grant in respect of a house, the Corporation and the owner of the dwelling or house may (with the consent in writing of the occupier thereof if the owner is not the occupier) enter into and carry into effect an agreement for the execution by the Corporation as agents for the owner of the works in respect of which the Corporation make the grant.

(2) An agreement made under subsection (1) of this section may impose such conditions as the Corporation are authorised to impose under section 19 (Conditions) of this Act and such conditions shall be observed in like manner and for a like period as conditions imposed under the said section 19 and shall be enforceable accordingly.

Notice of  
intention to  
execute works.

21. Where it appears to the Corporation—

(1) that the living conditions in a dwelling to which this Part of this Act applies are such that it is desirable in the interests of the welfare or health of persons occupying or who may occupy the dwelling that all or any of the amenities specified in section 16 (Local improvement grants) of this Act should be provided in the dwelling; or

(2) that works of exterior repair are required to the structure of a house to which this Part of this Act applies in the interests of the safety, welfare or health of persons occupying or who may occupy the house or are necessary



to prevent deterioration of the structure of the house or interference with the amenity of the neighbourhood in which the house is situate;

PART V  
—cont.

and the owner of the dwelling or house is not willing to execute the works for the purpose with the assistance of a local improvement grant or a local maintenance grant, or to enter into and carry into effect an agreement for the purpose in accordance with the provisions of section 20 (Agreements with owners) of this Act, or that an occupier of the dwelling or house has withheld his consent thereto, then the Corporation may give notice to the owner and occupier of such dwelling or house of their intention after the expiration of such period (not being less than six weeks) from the date of the service of the notice as may be specified in the notice to execute such works to the dwelling or house as may be specified in the notice, being works in respect of which the Corporation might have made a local improvement grant under section 16 (Local improvement grants) of this Act or a local maintenance grant under section 17 (Local maintenance grants) of this Act if the works had been executed by the owner and being works the expense of executing which would not exceed three hundred and ten pounds..

22.—(1) The owner of a dwelling or house upon whom a notice is served under section 21 (Notice of intention to execute works) of this Act may, within six weeks from the date of the service of the notice, appeal to the county court on any of the following grounds:—

- (a) that the Corporation have unreasonably refused to make a local improvement grant or a local maintenance grant or to enter into an agreement under section 20 (Agreements with owners) of this Act; or
- (b) that the works specified in the notice are unreasonable in character or extent; or
- (c) that the dwelling or house is not or is no longer in such condition that the terms of section 21 (Notice of intention to execute works) of this Act apply to it; or
- (d) that some person other than the appellant will, as the holder of an estate or interest in the dwelling or house, derive a benefit from the execution of the works and that that person ought to pay the whole or part of the cost of the execution of the works.

(2) The occupier of a dwelling or house upon whom a notice is served under section 21 (Notice of intention to execute works) of this Act may within six weeks from the date of the service of the notice appeal to the county court on the ground that the carrying out of works specified in the said notice will

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—cont.

cause unreasonable hardship to him or to any member of his family residing with him, regard being had to the age, health and any infirmity of the occupier or any such member.

(3) On an appeal to the county court under this section, the judge may make such order either confirming or quashing or varying the notice as he thinks fit.

(4) Where the grounds on which an appeal under this section is brought include the grounds specified in paragraph (d) of subsection (1) of this section, the judge may, on the hearing of the appeal, make such order as he thinks fit with respect to the payment to be made by that other person to the appellant.

Execution of  
works by  
Corporation.

23.—(1) Unless on an appeal under section 22 (Appeal to county court) of this Act the court has quashed the notice referred to in that section, the Corporation may at any time after the expiration of the period specified in the notice, or if the owner or occupier has appealed under the said section 22, at any time after the appeal is finally determined or withdrawn or fails for want of prosecution, enter the dwelling or house and execute the works specified in the notice or, as the case may be, in the notice as varied by the court.

(2) Upon the completion of the works referred to in subsection (1) of this section being works in respect of which the Corporation might have made a local improvement grant under section 16 (Local improvement grants) of this Act if the works had been executed by the owner—

(a) the Corporation may impose such conditions as they would have been authorised to impose under section 19 (Conditions) of this Act if they had made a local improvement grant and the provisions of this Part of this Act shall apply to such conditions as if they had been imposed under the said section 19; and

(b) for the purposes of the Rent Act, 1957, and the Rent Act 1965, the owner of the dwelling shall be deemed to have carried out the works and to have expended on the improvement an amount equivalent to the cost of the works and the Corporation shall be deemed to have made a grant to the owner under section 4 of the Housing and House Purchase Act, 1959, equal to one-half of the cost of the works; and

(c) in respect of each financial year after the completion of the works the owner of the dwelling shall pay to the Corporation and the Corporation may recover from the owner a sum equal to  $12\frac{1}{2}$  per cent. of one-half of the cost of the works by two equal instalments payable in arrear on the 30th September and the 31st March in each financial year:

1957 c. 25.  
1965 c. 75.

1959 c. 33.



Provided that—

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—cont.

- (i) the Corporation shall make to an owner who pays an instalment under paragraph (c) of this subsection on or before the date upon which it became due an allowance equal to 10 per centum of the amount payable;
- (ii) unless the works are completed on the 31st March in any year the sum payable in respect of the period from the date of the completion of the works until the next 31st March shall be the appropriate proportion of the sum payable in respect of a financial year;
- (iii) if the owner of the dwelling who is not also the occupier thereof, after taking all such action as he is lawfully entitled to take, is unable to recover either by way of an increase of the rent of the dwelling in consequence of the improvement effected by the execution of the works, or by any other means, a sum equal to  $12\frac{1}{2}$  per cent. of one-half of the cost of the works, the amount which the owner shall pay and which the Corporation may recover under paragraph (c) of this subsection in respect of each financial year shall be an amount equal to such sum (if any) as he is able to recover as aforesaid in respect of that financial year and paragraph (i) of this proviso shall apply as if that amount were the amount payable;
- (iv) if and when the aggregate of the sums paid in respect of a dwelling under paragraph (c) of this subsection equals the total cost of the works no further sum shall be payable under this section in respect of those works.

(3) Upon the completion of the works referred to in subsection (1) of this section if—

- (a) the works are works in respect of which the Corporation might have made a local maintenance grant under section 17 (Local maintenance grants) of this Act if the works had been executed by the owner; and
- (b) the Corporation are satisfied that the house upon which the works have been executed is in such condition as not to be unfit for human habitation and that it is likely to remain in that condition and available for use as a dwelling for a period of not less than the period specified in subsection (2) of section 5 of the House Purchase and Housing Act, 1959; 1959 c. 33.

the Corporation may impose such conditions as they would have been authorised to impose under section 19 (Conditions) of this Act if they had made a local maintenance grant and may recover from the owner of the house an amount equal to the whole or such proportion of the cost of the works as they may

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—cont.

determine. The provisions of this Part of this Act shall apply to conditions imposed under this subsection as if they had been imposed under the said section 19.

(4) The execution of works under this section shall not give rise to any liability on the part of a lessee to reinstate the premises at any time in the condition in which they were before the works were executed, or to any liability for failure so to reinstate the premises.

(5) The Corporation may (if they think fit) repair and maintain any works executed by them under this section being works in respect of which the Corporation might have made a local improvement grant under section 16 (Local improvement grants) of this Act if the works had been executed by the owner.

Purchase  
notice.

24. The owner of a dwelling served with a notice under section 21 (Notice of intention to execute works) of this Act to execute works being works in respect of which the Corporation might have made a local improvement grant if the works had been executed by the owner or, if such notice was served on a person as being one who received the rack-rent of the dwelling as agent or trustee for any other person, that other person may serve a counter-notice on the Corporation at any time within six weeks from the date on which the notice is served (or within such longer period as may be agreed between the owner or such other person as aforesaid and the Corporation) requiring the Corporation to purchase his interest in the premises and the like consequences shall follow upon the service of such counter-notice as if it were a notice served in accordance with the provisions of subsection (1) of section 59 of the Housing Act 1964.

1964 c. 56.

Compensation  
on  
compulsory  
acquisition.

25.—(1) If the Corporation at any time acquire compulsorily under the powers of any enactment any dwelling upon which work has been executed under section 23 (Execution of works by Corporation) of this Act, in assessing the compensation payable in respect of the said dwelling there shall be deducted from the amount of the compensation, which but for the provisions of this subsection would be payable, an amount equivalent to the amount expended by the Corporation in the execution of the work less—

(a) the aggregate of the amounts paid to the Corporation by the owner under subsection (2) of the said section 23; and

(b) any amount recovered by the Corporation from the owner under subsection (3) of that section:

Provided that in no case shall the compensation be reduced below the compensation which would be payable under subsection (2) of section 59 of the Act of 1957.



(2) If—

- (a) the Corporation make a local improvement grant in respect of the cost of executing works in a dwelling; and
- (b) the Corporation acquire the dwelling compulsorily under the powers of any enactment at any time within the period specified in a notice under subsection (3) of section 18 (Applications for and amounts of grants) of this Act or within the period of eight years from the date of the making of the local improvement grant (whichever is the earlier); and
- (c) the amount of the compensation would but for the provisions of this subsection be the amount of compensation payable under subsection (2) of section 59 of the Act of 1957;

there shall be added to the compensation which would be so payable an amount equal to  $12\frac{1}{2}$  per cent. of one-half of the cost of executing the works in respect of each year by which the period from the date of the payment of the local improvement grant until the date of the compulsory acquisition is less than the said period specified in the said notice or the said period of eight years (whichever is the less).

26.—(1) The Minister may by order vary the sums mentioned in subsections (2) and (4) of section 18 (Applications for and amounts of grants) of this Act and section 21 (Notice of intention to execute works) of this Act. Power of Minister to vary certain sums.

(2) An order made under this section may be varied or revoked by a subsequent order.

## PART VI

### HOUSES IN MULTIPLE OCCUPATION

27.—(1) In this Part of this Act the several words and expressions to which meanings are assigned by the Housing Acts, 1957 to 1964, have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation of this Part of Act.

(2) In this Part of this Act unless the subject or context otherwise requires—

“ the Act of 1961 ” means the Housing Act, 1961; 1961 c. 65.

“ the scheme ” means a scheme made by the Corporation and confirmed by the Minister under section 22 as modified by this Part of this Act and for the time being in force;

“ newly registrable house ” means a house which at any time on or after the appointed day is not so let or occupied as to be registrable under the scheme whether or not it is subsequently so let or occupied;

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—cont.

PART VI  
—cont.  
1964 c. 56.

“section 22” means section 22 of the Act of 1961 (which relates to the registration of houses in multiple occupation) as amended by the Housing Act, 1964.

Local Act  
scheme.

28.—(1) The register which the Corporation are authorised by the scheme to compile and maintain may include (in addition to the houses and buildings mentioned in subsection (1) of section 22) newly registrable houses in respect of which application is made for registration disclosing an intention to let them or cause them to be occupied in such a way as to render them registrable under the scheme.

(2) In addition to the matters which under subsection (3) of section 22 may be provided for the scheme may in respect of newly registrable houses—

- (a) prescribe the persons who may make application for registration under this Part of this Act and the particulars to be given in any such application;
- (b) provide for the entry in the register of any conditions imposed under section 30 (Registration of newly registrable houses) of this Act; and
- (c) prescribe the persons to whom notice must be given under subsection (4) of the said section 30.

Prohibition on  
letting, etc.,  
of certain  
houses unless  
registered.

29. On and after the appointed day no person shall let a newly registrable house in lodgings or permit a newly registrable house to be occupied by members of more than one family so as to render it registrable under the scheme unless it is registered by the Corporation under the scheme.

Registration of  
newly  
registrable  
houses.

30.—(1) Upon application being made for registration of a newly registrable house the Corporation may register the house or may give notice to the applicant that—

- (a) they refuse to register the house on the ground that—
  - (i) the house is unsuitable and incapable of being made suitable for letting in lodgings or for occupation by members of more than one family at all, or as proposed by the applicant or is situate in a locality the amenity or character of which would be injured by such letting or occupation; or
  - (ii) the person having control of the house or the person intended to be the person managing the house is not a fit and proper person; or
- (b) they will register the house if and when there have been executed to the satisfaction of the Corporation such works as, having regard to the then state of repair of the



house, the facilities then existing in the house and any conditions which may be imposed on registration, the Corporation may specify, being—

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—cont.

(i) works which will render the house suitable for letting in lodgings or for occupation by members of more than one family; or

(ii) works which they may be empowered by section 15 or 16 of the Act of 1961 to require the person having control of or the person managing the house to execute.

(2) If the Corporation do not within five weeks from the date of the receipt of an application for registration of a newly registrable house, or within such longer period as may be agreed in writing between the Corporation and the applicant, notify the applicant that they have registered the house to which the application relates, they shall be deemed to have refused to register it.

(3) The Corporation may when registering a newly registrable house impose conditions—

(a) as to the number of individuals who may live or lodge in the house so registered;

(b) as to the number of families or households which may live or lodge in the house so registered.

(4) The Corporation may on giving notice to such person as may be prescribed by the scheme vary any condition imposed by virtue of the last foregoing subsection.

31.—(1) Any person aggrieved by a notice given under sub-section (1) of the last foregoing section or by a deemed refusal of the Corporation to register a newly registrable house or by any condition imposed on registration or by a variation of any such condition (otherwise than in accordance with a direction under section 19 of the Act of 1961) may appeal to the county court within twenty-one days from the date of the service of the notice or (as the case may be) the date on which the Corporation are deemed to have refused to register the house or the date on which the Corporation notify him of the condition or variation, or within such longer period as the Corporation may in writing allow.

(2) On an appeal to the county court under this section the judge may make such order confirming, reversing or varying the decision of the Corporation as he thinks fit, and if the order reverses or varies the decision of the Corporation, it shall be the duty of the Corporation to give effect thereto.

PART VI  
—cont.Fines for  
offences.

## 32.—(1) If a person—

- (a) contrary to the provisions of this Part of this Act lets a newly registrable house in lodgings or permits a newly registrable house to be occupied by members of more than one family; or
- (b) permits a greater number of individuals, or, as the case may be, a greater number of families or households, to live or lodge in a newly registrable house than the number prescribed by a condition imposed on the registration of the house;

the Corporation may serve a notice on him requiring him, within such reasonable time as may be specified in the notice, to comply with the said provisions or, as the case may be, the said condition.

(2) If a person, upon whom a notice has been served under subsection (1) of this section, fails to comply with the notice within the time specified therein, he shall be liable—

- (a) in the circumstances mentioned in paragraph (a) of subsection (1) of this section—
  - (i) where he has not been previously convicted of an offence under this Part of this Act, to a fine not exceeding one hundred pounds; or
  - (ii) where he has been previously convicted of an offence under this Part of this Act, to imprisonment for a term not exceeding three months, or to a fine not exceeding one hundred pounds, or to both imprisonment and fine;
- (b) in the circumstances mentioned in paragraph (b) of the said subsection (1) to a fine not exceeding fifty pounds.

## PART VII

## PUBLIC ORDER AND PUBLIC SAFETY

Securing of  
unoccupied  
buildings.

33.—(1) (a) Before accepting, under section 16 of the Act of 1957, an undertaking that any house will not be used for human habitation until the Corporation cancel the undertaking the Corporation may require an additional undertaking that, until the first-mentioned undertaking is cancelled, the premises will be effectively secured so as to prevent, so far as is reasonably practicable, the entry into the premises, or any part thereof, when unoccupied, of any person other than the owner or a person authorised by the owner or the Corporation.

(b) Section 17 of the Act of 1957 shall, subject to any necessary modifications, apply in relation to any such additional undertaking as it applies in relation to such undertaking as is mentioned in the said section 16.



## (2) Where—

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—cont.

- (a) by a closing order made under section 17, 18, 26 or 35 of the Act of 1957 the Corporation have ordered any house or building, or any part thereof, to be closed; or
- (b) by a clearance order made under section 44 of the Act of 1957 the Corporation have ordered any building, or any part thereof, to be vacated, and in such a case it appears to the Corporation that the building, or the part thereof (as the case may be), will not be, or is unlikely to be, demolished within six weeks from the date when, in pursuance of the order, the premises are vacated; or
- (c) a house or building in the city is unoccupied for a period exceeding six weeks;

the Corporation may, by notice to the owner of the house or building, require him, within such reasonable time as may be specified in the notice (not being less than seven days from the date when the notice becomes operative), to do such things in relation to the house or building, or the part thereof (as the case may be), as are reasonably required effectively to secure it so as to prevent the entry into the premises, when unoccupied, of any person other than the owner or a person authorised by the owner or the Corporation:

## Provided that—

- (i) a notice under this subsection with respect to a house or building to which paragraph (c) thereof applies shall not require a person to seal a door, window or other opening by means of any work which involves the use of bricks or masonry; and
- (ii) notwithstanding anything contained in this section the owner of a house or building or part thereof shall not be required to comply with a notice under this subsection with regard thereto if he has so secured the house or building or part to which the notice relates immediately before or at any time after it was closed or vacated or became unoccupied (as the case may be).

(3) A notice under subsection (2) of this section shall not require a person, when he has effectively secured a house or building, or any part thereof, as may be required in the notice, to keep the premises so secured but, if at any time after the premises have been so secured (whether in compliance with such a notice or in the circumstances mentioned in paragraph (ii) of the proviso to the said subsection (2)) it appears to the Corporation that they are no longer so secured, they may, after giving to the owner not less than forty-eight hours' notice of their

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—cont.

intention to do so, themselves do such things in relation to the house or building, or part thereof, as will so secure the premises against entry.

(4) Sections 10, 11 and 37 of the Act of 1957 (which make provision for enforcement of certain notices and with respect to appeals against, and the date of operation of, such notices) shall, subject to any necessary modifications, apply in relation to a notice under subsection (2) of this section.

(5) A notice shall not be given under subsection (2) of this section in any case where the Corporation have approved the use for any purpose of any premises which have been ordered to be closed so long as the premises are used for that purpose.

(6) Nothing in this section shall prejudice the powers of the Corporation to take steps to deal with any dangerous building under section 202 (Dangerous places to be repaired or enclosed) of the Act of 1905 or section 25 of the Public Health Act, 1961.

1961 c. 64.

(7) In this section—

“ house ” has the same meaning as in the Act of 1957;

“ owner ” includes any person deemed to be the person having control of the house for the purposes of Part II of that Act.

Misleading  
signs on  
motor  
vehicles.

1962 c. 13.

34. If in the city any person exhibits or permits to be exhibited on any motor vehicle (not being a hackney carriage licensed to ply for hire or a public service vehicle as defined in the Act of 1960) any sign (not being a sign required to be exhibited by virtue of section 14 of the Vehicles (Excise) Act, 1962), or advertisement which might reasonably be taken to indicate that the vehicle is a hackney carriage licensed to ply for hire he shall be liable to a fine not exceeding five pounds.

Removal of  
furniture, etc.,  
from land  
adjoining  
streets.

35.—(1) Where it appears to the Corporation that any furniture, articles, goods or materials have been placed or dropped (whether accidentally or otherwise) in or upon any verge of a street or roadside waste or open space adjoining any street in the city (not being in any such case part of a highway) and that they have remained there for more than seven days, the Corporation may remove and store any such furniture, articles, goods or materials and shall not be liable for any loss or damage caused by such removal or storage.

(2) If the Corporation remove any furniture, articles, goods or materials under the powers of this section—

(a) they shall, if and as soon as it is reasonably practicable to do so, notify the person whom they believe to be the owner thereof; and



(b) the furniture, articles, goods or materials shall be deemed to be materials within the meaning of section 276 of the Act of 1936, but the Corporation shall not exercise any power to sell any such furniture, articles, goods or materials, whether under that section or otherwise, until after the expiration of twenty-eight days from the date of such notification or six months from the day on which they removed the furniture, articles, goods or materials, whichever shall first occur.

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—cont.

(3) Nothing in this section shall apply to—

(a) any articles, goods or materials placed in or upon any verge of a street or roadside waste or open space adjoining any street in connection with or for the purpose of undertakers' works within the meaning of section 1 of the Act of 1950; or

(b) new building materials placed upon any verge of a street or roadside waste or open space in connection with any building operations being carried out or intended to be carried out on such open space or any neighbouring site.

36.—(1) In this section “entertainment club” means a club, Entertainment clubs. organisation or body which, in furtherance of the objects or purposes for which the club, organisation or body was formed, is used by the members thereof for the purpose of entertainment, dancing or the playing of games in any premises.

(2) Subject to the provisions of subsection (15) of this section, on and after the appointed day—

(a) any premises in the city used, whether occasionally or not, by an entertainment club shall be registered with the Corporation in accordance with the provisions of this section;

(b) if the owner or occupier of any premises in the city uses the premises for the purposes of an entertainment club or permits the premises to be used for those purposes he shall unless the premises have been registered with the Corporation in accordance with the provisions of this section and the registration remains in force be liable to a fine not exceeding fifty pounds.

(3) The Corporation may by notice refuse to register or renew the registration of any premises for use by an entertainment club if in the opinion of the Corporation—

(a) the premises are not safe for the purpose having regard to their character and condition and the size and nature of the club; or

(b) the premises are not provided with satisfactory means of lighting, sanitation and ventilation; or

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—cont.

(c) the premises are not provided with adequate precautions against fire and satisfactory means of escape in case of fire and equipped with suitable fire-fighting appliances.

(4) Registration under this section shall, unless revoked, remain in force for such period not exceeding thirteen months as may be fixed by the Corporation.

(5) An application for registration or renewal of registration under this section shall be made in writing to the Corporation by the owner or occupier of the premises to which the application relates and every such application shall state—

(a) the address or situation of the premises to which the application relates; and

(b) such other information regarding the premises to be registered and the manner in which the premises are proposed to be used as the Corporation may reasonably require.

(6) Any person making application for registration or renewal of registration under this section shall when making application pay to the Corporation in respect thereof such fee not exceeding one pound as the Corporation may prescribe.

(7) The Corporation may at any time by notice revoke the registration of any premises if they are of the opinion that the requirements of subsection (3) of this section are no longer satisfied.

(8) (a) The Corporation may on registering or renewing the registration of any premises for use as an entertainment club impose conditions as to—

(i) the maintenance of public order and safety;

(ii) the maintenance in proper order of precautions against fire, means of escape in case of fire, fire-fighting appliances and means of lighting the premises;

(iii) the maintenance in safe condition of means of heating the premises; and

(iv) the hours of opening and closing the premises for the entertainment club so as to ensure that nuisance is not likely to be caused to residents in the neighbourhood.

(b) Any person who contravenes a condition imposed under this subsection shall be liable to a fine not exceeding ten pounds.

(9) Before refusing to register or renew the registration of any premises or revoking the registration of any premises the Corporation shall give to the person applying for registration or renewal of registration or in whose name the premises are registered an opportunity of appearing before and of being heard by a committee of the council, and if so required by him, the Corporation shall within seven days of their decision give to him a statement of the grounds on which it was based.



(10) Any person aggrieved by the refusal of the Corporation to register or renew the registration of any premises or by the revocation of any such registration or by any condition imposed on registration under this section may within twenty-one days from the date of the service of the notice of such refusal, revocation or condition appeal to a magistrates' court.

(11) If any premises are used by an entertainment club which is being conducted in a disorderly manner, or while being used by an entertainment club have been habitually used for an unlawful purpose or for indecent displays or as a resort of criminals or prostitutes, or if during the last preceding twelve months there have been at the premises while so being used illegal sales of intoxicating liquor, or if during that period any drug to which the Pharmacy and Poisons Act, 1933, or the Drugs (Prevention of Misuse) Act 1964, or the Dangerous Drugs Act 1965, applies has been unlawfully supplied by a person to any other person resorting to the premises while so being used—

- (a) any person concerned in the organisation or management of the entertainment club; and
- (b) any other person who, knowing or having reasonable cause to suspect that the premises were used in such manner or for any such purpose as aforesaid—
  - (i) allowed the premises to be so used; or
  - (ii) let the premises or otherwise made the premises available to any person by whom an offence in connection with such use has been committed;

shall be liable to a fine not exceeding fifty pounds.

(12) Any duly authorised officer of the Corporation shall on producing if so required some duly authenticated document showing his authority, and any police officer shall have a right to enter, at all reasonable times, any premises used by an entertainment club for the purpose of ascertaining—

- (a) whether there is, or has been, in or in connection with the premises, any contravention of the provisions of this section or of any condition imposed under the powers of this section;
- (b) whether or not circumstances exist which would authorise the Corporation to take any action under this section.

(13) The provisions of subsections (2), (3) and (4) of section 287 of the Act of 1936 shall apply to entry into any premises for the purposes of subsection (12) of this section as they apply to entry into premises for the purposes of subsection (1) of that section.

(14) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the

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—cont.

body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

(15) (a) Nothing in this section shall apply to—

- (i) any building of a description specified in subsection (5) of section 59 of the Act of 1936 during the time the building is used for the purpose or purposes therein described; or
- (ii) a private house or private flat; or
- (iii) any premises in respect of which there is in force for the time being a justices' on-licence within the meaning of subsection (2) of section 1 of the Licensing Act 1964; or
- (iv) any premises owned by or while used by members of an organisation which holds a certificate of exemption granted by the Minister under subsection (6) of section 269 of the Act of 1936 or any branch of such organisation.

1964 c. 26.

(b) Nothing in this section shall apply to—

- (i) a club registered or licensed under the Licensing Act 1964;
- (ii) a club, organisation or body registered as a charity under section 4 of the Charities Act, 1960;
- (iii) a club provided or maintained by the Corporation;
- (iv) a club, organisation or body for the benefit of which the Corporation have exercised any of the powers conferred upon them by section 4 of the Physical Training and Recreation Act, 1937;
- (v) a club, organisation or body in respect of the use of any premises exclusively and bona fide for the purpose of—
  - (A) games played on a playing field held with those premises;
  - (B) a gymnasium or swimming bath;
  - (C) playing badminton, fives, racquets, squash, ten-pin bowling, billiards, chess, dominoes, bridge, whist or any game similar to any of those games.

1960 c. 58.

1937 c. 46.

(c) Nothing in this section shall apply to any premises in respect of which a licence is for the time being in force for—

- (i) the public performance of stage plays; or
- (ii) public music or dancing or other entertainment of the like kind; or
- (iii) a cinematograph exhibition;

provided that the terms, conditions, restrictions and rules attaching to the licence or subject to which the licence has been granted are complied with during the time the premises are used for the



purposes of an entertainment club, so far as they relate to precautions against fire, the means of escape in case of fire and the provision of suitable fire-fighting appliances.

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—cont.

37.—(1) As from the appointed day any person intending to install or place oil-burning equipment in any building in the city, whether erected before or after the passing of this Act, or on any land in the city shall give not less than fourteen days' notice to the Corporation of his intention so to do.

Oil-fired  
boilers.

(2) (a) The Corporation may make byelaws for securing that, in relation to any oil-burning equipment so installed or placed after the coming into operation of the byelaws, proper arrangements will be made for preventing or reducing danger from fire.

(b) Byelaws made under this section may include provisions—

(i) prescribing in connection with the installation or placing of oil-burning equipment in any such building or on any such land as aforesaid the works, apparatus and fittings and fire-fighting appliances to be provided, and the mode of arrangement of any such works, apparatus, fittings and appliances; and

(ii) empowering the Corporation, if they are satisfied that proper arrangements will be made for preventing or reducing danger from fire, to approve the installation or placing of any oil-burning equipment notwithstanding that it does not comply with the appropriate specification for such equipment contained in the byelaws.

(3) (a) Any oil-burning equipment installed or placed in accordance with plans and specifications submitted to, and passed by, the Corporation shall, for the purposes only of this section, be deemed to be approved by the Corporation as complying with the appropriate specification for such equipment contained in the byelaws in respect of all matters shown in the plans and specifications so passed.

(b) If the Corporation do not, within two months from the submission of plans and specifications of any oil-burning equipment under this subsection, notify the person by whom they were submitted of the rejection or passing of the said plans and specifications, they shall be deemed to have passed them.

(4) (a) Any person aggrieved by the refusal of the Corporation to approve the installation or placing of any oil-burning equipment under any byelaw made under sub-paragraph (ii) of paragraph (b) of subsection (2) of this section may, within twenty-one days from the receipt of notification of the refusal, appeal to the Secretary of State.

(b) Where an appeal is brought under this subsection the Secretary of State may dismiss or allow the appeal or may vary the decision of the Corporation against which the appeal is made.

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—cont.

(c) The decision of the Secretary of State on any such appeal shall have effect as if it were a decision of the Corporation given under the byelaw.

(5) (a) If any person installs oil-burning equipment in any building or on any land in the city without giving notice to the Corporation in accordance with subsection (1) of this section he shall be liable to a fine not exceeding fifty pounds.

(b) If any person contravenes any byelaw made under subsection (2) of this section he shall be liable to a fine not exceeding fifty pounds, and if—

(i) that person after conviction of the contravention; or

(ii) any other person after notice of the conviction has been served on him by the Corporation;

uses the oil-burning equipment in contravention of that byelaw he shall be liable to a fine not exceeding ten pounds for each day on which he so uses it.

(6) (a) In this section—

the expression “oil-burning equipment” means a boiler designed or adapted for the combustion of oil and includes the burner, the storage tanks and the apparatus, fittings, devices and catch-pits and any other equipment used for or in connection with the heating of the boiler;

the expression “boiler” means a boiler, furnace, heater, oven or similar plant;

the expression “storage tank” means a tank, container or device designed or adapted for the purpose of supplying oil to a boiler;

the expression “apparatus and fittings” includes pipes and pipe fittings, taps, valves, pumps, gauges, vessels, fans and filters.

(b) References in this section to the installation or placing of oil-burning equipment in any building or on any land shall be construed as including the installation or placing of oil-burning equipment which is partly in a building and partly on land outside the building.

(7) Nothing in this section or any byelaws made thereunder shall apply to—

(a) any oil-burning equipment if the storage tank or tanks supplying or designed or adapted to supply oil to the boiler has or have a total capacity of less than 600 gallons; or

(b) any oil-burning equipment installed in a private dwelling-house not comprised in a block of flats; or



(c) any oil-burning equipment installed in any building in respect of which a licence under the Cinematograph Acts, 1909 and 1952, is for the time being in force; or

(d) the installation of any oil-burning equipment by the Central Electricity Generating Board or the Yorkshire Electricity Board for the purposes of their respective undertakings:

Provided that the exemption conferred by this paragraph shall not extend—

(i) to houses; or

(ii) to buildings used as offices or showrooms; or

(e) the installation of any oil-burning equipment by the North Eastern Gas Board for the purposes of their undertaking:

Provided that the exemption conferred by this paragraph shall not extend—

(i) to houses; or

(ii) to buildings used as offices or showrooms; or

(f) the installation of any oil-burning equipment by the British Railways Board for the purposes of their undertaking:

Provided that the exemption conferred by this paragraph shall not extend—

(i) to houses; or

(ii) to buildings used as offices or showrooms other than buildings so used which form part of a railway station.

(8) Section 250 of the Act of 1933 shall in its application to byelaws made under this section be construed as if it had been amended by the insertion of the words “or confirm with modifications” after the word “confirm” in the second place where that word occurs in subsection (6) thereof.

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

(10) The provisions of any byelaw made under this section shall cease to apply in relation to any premises to which the Factories Act, 1961, applies on the coming into force in 1961 c. 34. relation to those premises of regulations made under that Act and relating to the same subject-matter as this section.

PART VII  
—cont.Fire  
precautions  
in registered  
clubs.

1964 c. 26.

38.—(1) An officer of the Corporation authorised in writing by the Corporation may on giving not less than forty-eight hours' notice to the secretary of a club in the city registered under the Licensing Act 1964, on production of his authority, enter and inspect as regards any matter affecting fire risks the premises occupied by the club at any reasonable time on such day as may be specified in the notice; and a fire officer authorised in writing by the chief fire officer of the Corporation shall have the like right to enter and inspect the premises but the chief fire officer shall not so authorise a fire officer unless in his opinion special reasons exist making it necessary that the premises should be inspected for the proper discharge of his functions in relation to any matter affecting fire risks.

(2) Any person obstructing an officer of the Corporation in the exercise of the power conferred by this section shall be liable to a fine not exceeding twenty pounds.

## PART VIII

## FINANCE

Power to  
borrow.

39.—(1) The Corporation may borrow—

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

1946 c. 58.

Amendment  
of section 306  
of Act of  
1905.

40.—(1) Section 306 (Power to issue bills and promissory notes) of the Act of 1905 is hereby amended as follows:—

- (a) the purposes for which the Corporation may issue and renew Leeds Corporation bills or promissory notes is extended so as to include in addition to the purpose mentioned in subsection (1) of the said section 306 any purpose for which the revenues of the Corporation may properly be applied;



(b) the following proviso shall be substituted for the second proviso to subsection (1)—

PART VIII  
—cont.

“ Provided also that the total amount of such bills or promissory notes which shall be issued by the Corporation and outstanding for the time being shall not at any time exceed the sum of two million five hundred thousand pounds, except by the amount payable on bills issued shortly before any other bills fall due in order to pay off such last-mentioned bills and no bill or promissory note shall be issued for a less sum than one thousand pounds.”

(2) In this section the expression “ revenues ” in relation to the Corporation has the same meaning as in section 218 of the Act of 1933.

41. In its application to the investment by the Corporation under subsection (3) of section 21 of the Local Government Superannuation Act, 1937, of any moneys forming part of but not for the time being required to meet payments out of the superannuation fund maintained by the Corporation under that Act, the Trustee Investments Act, 1961, shall have effect as if the following paragraph were included in Part III, Wider-Range Investments, of Schedule 1 to that Act:—

Extension of  
power to  
invest  
moneys in  
superannuation  
fund.  
1937 c. 68.  
1961 c. 62.

“ 4. In the purchase of freehold ground rents or freehold or leasehold land messuages tenements and hereditaments within the United Kingdom provided that as regards leaseholds the term thereof has at the time of making the investment at least sixty years to run.”

42. Section 338 (Reserve fund) of the Act of 1905 shall have effect as if the following words “ but such maximum shall in no case exceed at any one time a sum equal to one-fifth of the aggregate capital expenditure for the time being by the Corporation ” were omitted.

Amendment  
of section 338  
of Act of  
1905.

## PART IX

### MISCELLANEOUS

43.—(1) The Corporation may, by agreement with any local authority or any other body or person, use or permit that local authority or that other body or person to use for the purpose of that local authority or that other body or person any electronic or mechanical accounting equipment which the Corporation have

Electronic or  
mechanical  
accounting  
equipment.

PART IX  
—cont.

provided for the purposes of all or any of their accounting work, and they may make such charges as may be agreed for the use of the said equipment.

(2) In this section the expression “local authority” means the council of a county, county borough or county district.

Notice of  
variation of  
rent, etc.

**44.** 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—

- (a) specifying the amount of the increase or reduction in rent or the variation or amendment of or addition to the terms and conditions; or
- (b) in the case of an increase or reduction in rent, showing in general terms how the increase or reduction in rent has been determined and indicating that the revised rent has been or will be included in the rent book provided by the Corporation;

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 is specified in the notice not being earlier than four weeks after the service thereof:

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 the said date or, in the case of an increase or reduction in rent notified by means of a general notice as aforesaid and an entry in the rent book, such later date (not being more than four weeks from the date on which the revised rent is so entered) as the tenant may indicate in the counter-notice.

Removal of  
vehicles.

**45.—**(1) If a vehicle is left in the city 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:

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.

PART IX  
—cont.

(2) The provisions of any regulations for the time being in force under section 43 of the Act of 1960 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, 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. 1960 c. 63.

(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 made 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 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 bridges over which the road passes.

## PART X

### GENERAL

46.—(1) Any Minister of the Crown may cause such local Local inquiries to be held as he may consider necessary for the purpose inquiries. 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.

PART X  
—cont.

1946 c. 31.

The appointed  
day.

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

47.—(1) In this Act “the appointed day” means such day as may be fixed by resolution of the council subject to and in accordance with the provisions of this section.

(2) Different days may be fixed under this section for the purpose of different provisions of this Act.

(3) The Corporation shall cause to be published in a local newspaper circulating in the city notice—

(a) of the passing of any such resolution and of the date fixed thereby; and

(b) of the general effect of the provisions of this Act coming into operation as from that date;

and the date so fixed shall not be earlier than the expiration of one month from the date of publication of the said notice.

(4) Either—

(a) a copy of any such newspaper containing any such notice; or

(b) a photostatic or other reproduction certified by the town clerk of the city to be a true reproduction of a page, or part of a page, of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

(5) Where any provision of this Act coming into operation on a day fixed by resolution under this section requires the registration of premises used for any purpose, it shall be lawful for any person who—

(a) immediately before that day was using any premises for that purpose; and

(b) had before that day duly applied for the registration required by that provision;

to continue to use those premises for that purpose until he is informed of the decision with regard to his application, and, if the decision is adverse, during such further time as is provided under subsection (2) of section 49 (Appeals) of this Act.

Restriction on  
right to  
prosecute.

48. 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 by any person other than a party aggrieved or the Corporation.

Appeals.

49.—(1) Section 300 of the Act of 1936 shall apply to appeals to a magistrates’ court under this Act; and sections 301 and 302 of that Act shall apply accordingly.



(2) Where any requirement, refusal or other decision of the Corporation against which a right of appeal is conferred by this Act—

- (a) involves the execution of any work or the taking of any action; or
- (b) makes it unlawful for any person to carry on a business which he was lawfully carrying on up to the time of the requirement, refusal or decision, or to use premises for any purpose for which they were lawfully used up to that time;

then, until the time for appealing has expired or, when an appeal is lodged, until the appeal is disposed of or withdrawn or fails for want of prosecution—

- (i) no proceeding shall be taken in respect of any failure to execute the work, or take the action, nor shall the Corporation themselves execute the work or take the action; and
- (ii) that person may carry on that business, and use those premises for that purpose.

**50.** 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.

Protection of members and officers of Corporation from personal liability.

1875 c. 55.

**51.** 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 protection of certain statutory undertakers.

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

“ apparatus ” means—

(a) in relation to the Central Electricity Generating Board and the Yorkshire Electricity Board electric lines and works (as respectively defined in the Electric Lighting Act, 1882) belonging to or maintained by either of those boards;

1882 c. 56.

(b) in relation to the North Eastern 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;

“ the undertakers ” means the Central Electricity Generating Board, the Yorkshire Electricity Board and the North Eastern Gas Board, or any of them as the case may be:

PART X  
—cont.

(2) Notwithstanding any traffic regulation order prohibiting the use of any road by vehicular traffic or by foot-passengers made pursuant to section 26 of the Act of 1960 as amended by section 10 (Amendment of section 26 of Act of 1960) of this Act for a purpose mentioned in paragraph (f) of subsection (1) of the said section 26 as so amended, the undertakers, their engineers or workmen and others in their employ shall at all times be at liberty to enter upon such road and to execute and do all such works and things in, upon or under such road as may be necessary for placing, inspecting, repairing, maintaining, renewing or removing apparatus:

(3) Nothing in section 33 (Securing of unoccupied buildings) of this Act shall prejudice the rights of the undertakers to enter upon any premises in exercise of their statutory powers in that behalf:

Provided that without prejudice to any other obligation or liability arising in respect of any entry in exercise of statutory powers, the undertakers in exercising such powers of entry in respect of any premises required to be secured under the said section 33 shall ensure that the premises are not left less secure by reason of the entry:

(4) (a) Any difference which may arise between the Corporation and the undertakers under this section (other than a difference as to the meaning or construction of this section) shall be determined by a single arbitrator to be appointed by agreement between the parties or, in default of agreement, to be appointed on the application of either party (after notice in writing to the other party) by the President of the Institution of Civil Engineers;

(b) In determining any difference under this section the arbitrator shall have regard to any duty or obligation which the undertakers may be under in respect of any apparatus and 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.

Application  
of general  
enactments.

52.—(1) The sections of the Act of 1936 mentioned in Part I of the schedule to this Act shall have effect as if references therein to that Act included references to this Act except the following sections, namely:—

Section 7 (Amendment of section 178 of Act of 1905);

Section 8 (Carriage-crossings over verges, etc.);

Section 10 (Amendment of section 26 of Act of 1960);



Section 11 (Restriction on use of certain roads by vehicles);  
and

Section 45 (Removal of vehicles).

PART X  
—cont.

(2) The sections of the said Act of 1936 mentioned in Part II of the said schedule shall have effect as if references therein to that Act included references to Part IV (Public health), Part V (Improvement and maintenance of dwellings and houses) and Part VII (Public order and public safety) of this Act.

(3) Section 287 of the Act of 1936 shall have effect as if references therein to that Act included references to the following Part and sections of this Act, namely:—

Part V (Improvement and maintenance of dwellings and houses);

Section 33 (Securing of unoccupied buildings);

Section 35 (Removal of furniture, etc., from land adjoining streets);

Section 37 (Oil-fired boilers).

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

Section 52.

## SCHEDULE

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OF THIS ACT

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329	Saving for certain provisions of the Land Charges Act, 1925.

1925 c. 22.

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# Leeds Corporation Act 1966

## CHAPTER xxx

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3. Interpretation.

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