



## CHAPTER xxii

An Act to authorise the lord mayor aldermen and citizens of the city of Birmingham to provide and use an exhibition hall and for other purposes.

[9th July 1959.]

### WHEREAS—

(1) The city of Birmingham (hereinafter referred to as “the city”) is a county borough under the government of the lord mayor aldermen and citizens of the city (hereinafter referred to as “the Corporation”):

(2) It is expedient to empower the Corporation to provide an exhibition hall and parking place:

(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:

(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:—

Short and collective titles.

1.—(1) This Act may be cited as the Birmingham Corporation Act 1959.

(2) The Birmingham Corporation Acts 1876 to 1958 and this Act may be cited jointly as the Birmingham Corporation Acts 1876 to 1959.

Interpretation.

2.—(1) In this Act unless the subject or context otherwise requires—

“ the city ” means the city of Birmingham;

“ the Corporation ” means the lord mayor aldermen and citizens of the city.

(2) Except where the context otherwise requires any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

Power to provide and use exhibition hall.

3.—(1) The Corporation may upon any lands in the city acquired or appropriated by them for the purpose provide erect maintain and conduct an exhibition hall and other buildings and shops and premises and a parking place for vehicles (whether on the ground level or under ground or on one or more storeys) and all necessary offices restaurants and cloakrooms (all of which are hereafter in this section referred to as “ the exhibition hall ”).

(2) Without prejudice to the generality of the provisions of subsection (1) of this section the Corporation may exercise the following powers with respect to the exhibition hall:—

(a) they may use the exhibition hall for the purpose of exhibitions displays concerts public or private meetings sports games contests and other purposes;

(b) they may let or licence the use of the whole or any part or parts of the exhibition hall subject to such terms and conditions as they think fit;

(c) they may make or allow to be made such charges (if any) as they may think fit for or in connection with the use of the whole or any part or parts of the exhibition hall or for admission thereto.

(3) Nothing in this section shall empower the Corporation—

(a) to carry on the business of a merchant or shopkeeper (whether wholesale or retail) in any shop provided under the powers of this section;

- (b) to sell or supply motor vehicles or fuel lubricants accessories spare parts or equipment for motor vehicles; or
- (c) to carry on the business of maintaining or repairing motor vehicles.

(4) If the Corporation exercise any of the powers conferred by section 132 of the Local Government Act 1948 in relation to the whole or any part of the exhibition hall the cost of maintaining the exhibition hall and any loan charges in relation thereto shall not be taken into account for the purpose of determining whether any and if so what expenditure may be incurred in any year under subsection (3) of the said section 132.

(5) Nothing in this section shall affect the provisions of any enactment by virtue of which a licence is required for the public performance of a stage play or the public exhibition of cinematograph films or for boxing or wrestling entertainments or for public music or dancing.

4. The following sections of the Public Health Act 1936 shall have effect as if references therein to that Act included a reference to this Act:—

Application of provisions of Public Health Act 1936.

Section 271 (Interpretation of "provide");

Section 304 (Judges and justices not to be disqualified by liability to rates); and

Section 328 (Powers of Act to be cumulative).

5. The following provisions of the Birmingham Corporation (Consolidation) Act 1883 so far as they are applicable in that behalf shall with any necessary modifications extend and apply to the exercise of the powers of this Act in the same manner as if those provisions were re-enacted in this Act (namely):—

Application of existing enactments.

Section 8 (Power to appoint committees); and

Section 9 (Proceedings of committees).

6. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Saving for town and country planning.

7. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation.

Costs of Act.

*Table of Statutes referred to in this Act*

Short title	Session and chapter
Birmingham Corporation (Consolidation) Act 1883	46 & 47 Vict. c. lxx.
Local Government Act 1933 ... ..	23 & 24 Geo. 5 c. 51.
Public Health Act 1936 ... ..	26 Geo. 5 & 1 Edw. 8 c. 49.
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6 c. 51.
Local Government Act 1948 ... ..	11 & 12 Geo. 6 c. 26.

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