

# Bristol Corporation Act, 1960

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Ch. 1

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## CHAPTER I

An Act to authorise the lord mayor aldermen and burgesses of the city of Bristol to execute works and acquire lands to confer further powers upon the Corporation and to make further and better provision for the health improvement local government and finances of the city and for other purposes. [29th July 1960.]

**W**HEREAS the city and county of Bristol (hereinafter referred to as "the city") is a county borough under the government of the lord mayor aldermen and burgesses of the city (hereinafter referred to as "the Corporation") acting by the council of the city:

And whereas the Corporation are the owners of the docks known respectively as the City Docks the Avonmouth Docks and the Portishead Docks and also are both the port and harbour authority of the port and harbour of Bristol:

And whereas the Corporation are proposing to carry out under their general powers extensive works of improvement in the central part of the city including the construction of a system of new highways for the purpose of relieving traffic congestion in the vicinity of that part of the said City Docks known as Cumberland Basin:

And whereas for the purposes aforesaid it is expedient that the Corporation be empowered to construct the bridge works by this Act authorised over the said Cumberland Basin and the river Avon:

And whereas it is expedient that the Corporation be empowered in connection with the said improvements to acquire and to appropriate and use certain lands in the city and to stop up parts of certain highways as in this Act provided:

And whereas it is expedient to make further and better provision with reference to the health local government and improvement of the city and that the powers of the Corporation in regard thereto should be enlarged and extended as by this Act provided:

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

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas estimates have been prepared by the Corporation of the expense of the bridge works authorised by this Act and such estimates amount to the sum of one million pounds:

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

And whereas plans and sections showing the lines or situations and levels of the bridge works by this Act authorised and showing also the limits within which those works may be carried out together with a book of reference to the lands on which those works may be carried out and to the lands which may be taken or used under the powers of this Act containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same have been deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the town clerk of the city which plans sections and book of reference are in this Act referred to respectively as the deposited plans the deposited sections and the book of reference:

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

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

1. This Act may be cited as the Bristol Corporation Act 1960 and—

Short and  
collective  
titles.

(a) the Bristol Dock Acts 1848 to 1957; and

(b) so much of this Act as relates to the dock undertaking of the Corporation;

may be cited together as the Bristol Dock Acts 1848 to 1960.

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

Division of  
Act into  
Parts.

Part I.—Preliminary.

Part II.—Lands.

Part III.—Works.

Part IV.—Public order and public safety.

Part V.—Finance and superannuation.

Part VI.—Miscellaneous.

Part VII.—General.

3. The Lands Clauses Acts except sections 127 to 133 and 150 and 151 of the Lands Clauses Consolidation Act 1845 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with and form part of this Act.

Incorporation  
of Lands  
Clauses Acts.

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

Interpretation.

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

“ the Act of 1926 ” means the Bristol Corporation Act 1926;

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

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

“ the Act of 1950 ” means the Bristol Corporation Act 1950;

“ the Act of 1957 ” means the Housing Act 1957;

“ the bridges ” means the bridges and approaches (Works Nos. 1 and 2) authorised by this Act and includes all

PART I  
—cont.

- improvements thereto and the carriageways and footways thereon and other works and conveniences connected therewith or incidental thereto;
- “ the bridge works ” means the bridges and the other works authorised by this Act;
- “ the city ” means the city and county of Bristol;
- “ the commission ” means the British Transport Commission;
- “ contravention ” includes a failure to comply and “ contravene ” shall be construed accordingly;
- “ the Corporation ” means the lord mayor aldermen and burgesses of the city acting by the council;
- “ the council ” means the council of the city;
- “ daily fine ” means a fine for each day on which an offence is continued after conviction;
- “ the electricity board ” means the South Western Electricity Board;
- “ enactment ” includes an enactment in this Act or in any general or local Act and any order byelaw scheme or regulation for the time being in force within the city;
- “ the gas board ” means the South Western Gas Board;
- “ the general rate fund ” means the general rate fund of the city;
- “ the generating board ” means the Central Electricity Generating Board;
- “ the Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 by the Lands Tribunal Act 1949 by the Town and Country Planning Acts 1947 to 1959 and by this Act;
- “ magistrates’ court ” has the same meaning as in subsection (1) of section 124 of the Magistrates’ Courts Act 1952;
- “ the Minister ” means the Minister of Housing and Local Government;
- “ the town clerk ” means the town clerk of the city;
- “ the tribunal ” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919.

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

## PART II

## LANDS

5.—(1) Subject to the provisions of this Act the Corporation may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purpose of constructing a new highway maintainable at the public expense: Power to acquire lands.

Provided that the Corporation shall not under the powers of this section acquire compulsorily the lands numbered on the deposited plans 7 in the city but they may in accordance with the provisions of section 12 (Power to acquire easements only) of this Act acquire such easements and rights in relation to those lands as they may require.

(2) The powers of the Corporation for the compulsory purchase of land under this section shall not be exercised after the expiration of three years from the first day of December nineteen hundred and sixty.

6.—(1) If the deposited plans or the deposited book of reference are inaccurate in their description of any land or in their statement or description of the ownership or occupation of any land the Corporation after giving ten days' notice to the owner lessee and occupier of the land in question may apply to two justices having jurisdiction in the city for the correction thereof. Correction of errors in deposited plans and book of reference.

(2) If on any such application it appears to the justices that the misstatement or wrong description arose from mistake the justices shall certify the fact accordingly and shall in their certificate state in what respect any matter is misstated or wrongly described.

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments and a copy thereof in the Private Bill Office House of Commons and with the town clerk and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Corporation to take the land in accordance with the certificate.

(4) Any certificate deposited under this section with the town clerk shall be kept by him with the other documents to which it relates.

7. At any time after serving a notice to treat in respect of any land that may be acquired compulsorily under this Act but not less than one month after giving the owner and occupier of the land notice of their intention to exercise the powers of this section the Corporation may enter on and take possession of the land Power to expedite entry.



PART II  
—cont.

or such part thereof as is specified in the last-mentioned notice without previous consent and without compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845:

Provided that the Corporation shall pay the like compensation for land of which possession is taken under this section and the like interest on the compensation awarded as would have been payable if the provisions of those sections had been complied with.

Power to enter for survey or valuation.

8. Any person acting on behalf of the Corporation and duly authorised by the town clerk may at all reasonable times enter on any land that the Corporation are authorised by this Act to acquire compulsorily for the purpose of surveying or valuing the land:

Provided that no land shall be entered under this section unless the Corporation not less than seven days before the date of the first entry and not less than twenty-four hours before any subsequent entry have given notice to the owner and occupier of the land.

Disregard of recent improvements and interests.

9. In determining any question of disputed compensation or purchase money in respect of land acquired under this Act the tribunal shall not take into account—

(a) any improvement or alteration made or building erected after the fifth day of December nineteen hundred and fifty-nine; or

(b) any interest in the land created after the said date;

which in the opinion of the tribunal was not reasonably necessary and was made erected or created with a view to obtaining or increasing the compensation or purchase money.

Extinction of private rights of way.

10.—(1) All private rights of way over any land that may be acquired compulsorily under this Act shall as from the acquisition of the land whether compulsorily or by agreement be extinguished.

(2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Corporation compensation to be determined in case of dispute under and in accordance with the Acquisition of Land (Assessment of Compensation) Act 1919.

Agreements with adjoining owners.

11.—(1) The Corporation may enter into and carry into effect agreements with any person being the owner of or interested in any land abutting on any portion of land that may be acquired under this Act with respect to the sale by the Corporation to him of any land.

(2) The Corporation may accept as satisfaction of the whole or any part of the consideration for any such sale the grant by the purchaser of any land required by the Corporation for the purposes of this Act or any easement or right so required.

PART II  
—cont.

12.—(1) The Corporation may instead of acquiring any land that they are authorised to acquire compulsorily under this Act acquire compulsorily such easements and rights over or in the land as they may require for the purpose of constructing using and maintaining a new highway (including the construction of any bridge to carry that highway and the approaches thereto) or of obtaining access thereto or of doing any other thing necessary in connection therewith.

Power to  
acquire  
easements  
only.

(2) Accordingly the Corporation may give notice to treat in respect of any such easement or right describing the nature thereof and may exercise the powers of this Act including in particular section 7 (Power to expedite entry) in respect of such easements or rights and subject thereto the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

(3) Where the Corporation have acquired an easement or right only in any land under this section—

- (a) they shall not be required or (except by agreement or during the execution of the said works) entitled to fence off or sever that land from the adjoining land;
- (b) the owner or occupier of the land for the time being shall subject to the easement or right have the same right to use the land as if this Act had not been passed.

13. Notwithstanding anything in any enactment or in any rule of law or otherwise to the contrary the Corporation may appropriate the lands numbered on the deposited plans 3 and 5 in the city for the purpose of constructing a new highway maintainable at the public expense.

Appropriation  
of certain  
land.

14.—(1) The Corporation may advance money to the purchaser or lessee of any land 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:

Loans for  
erection etc.  
of buildings.

Provided that any such advance shall not exceed three-quarters 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.

PART II  
—cont.

(2) Before any advance is made under this section its repayment shall be secured to the satisfaction of the Corporation by a mortgage of the land and building in respect of which the advance is to be made or of the lessee's interest therein and the instrument securing the advance shall—

- (a) fix the rate of interest to be paid being a rate not less than one-quarter per centum in excess of the rate of interest which at the date on which the terms of the advance are settled was the rate fixed by the Treasury under section 1 of the Public Works Loans Act 1897 in respect of loans to local authorities advanced out of the local loans fund and repayable over the same period as the advance;
- (b) fix the period within which the advance is to be repaid being a period not exceeding thirty years from the date of the advance;
- (c) require the repayment to be made either by equal instalments of principal or by an annuity of principal and interest combined;
- (d) fix the intervals at which all payments on account of principal and interest are to be made being intervals not exceeding half a year;
- (e) authorise the borrower at any of the usual quarter days after one month's notice and on paying all sums due on account of interest to repay the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the said instrument or as the Corporation may be prepared to accept) or a multiple of one hundred pounds (or of such less sum as aforesaid);
- (f) where the repayment is to be made by an annuity of principal and interest combined provide for determining the amount by which the annuity is to be reduced when a part of the advance is paid off otherwise than by way of an instalment of the annuity;
- (g) require the borrower either—
  - (i) to keep the building in respect of which the advance is made insured against fire to the satisfaction of the Corporation and to produce to the Corporation when required the receipts for the premiums paid in respect of the insurance; or
  - (ii) (if the Corporation elect themselves to insure the said building against fire) to repay to the Corporation the amounts of any premiums paid by them from time to time in that behalf;
- (h) require the borrower to keep the said building in good repair.

(3) Any authorised officer shall have power at all reasonable times after giving not less than seven days' notice to the occupier to enter any building in respect of which an advance has been made under this section for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are being complied with.

PART II  
—cont.

(4) In this section the expression "lessee" includes a person to whom the Corporation have agreed to grant a lease and the expression "lease" shall be construed accordingly.

### PART III

#### WORKS

15.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the following works in the city together with all necessary and proper works and conveniences connected therewith or incidental thereto (that is to say):—

Power to  
construct  
works.

Work No. 1 A bridge over Cumberland Basin with an opening span and approaches commencing at a point on the southern side of Cumberland Basin Road twenty-one yards or thereabouts east of the northern extremity of the existing swing bridge adjacent to the entrance lock to Cumberland Basin and terminating at a point seventy-two yards or thereabouts north of the north-west corner of the bonded warehouse known as the "B" Bonded Warehouse (Tobacco);

Work No. 2 A fixed bridge over the river Avon (New Cut) and approaches commencing at a point forty-two yards or thereabouts west of the north-west corner of the said bonded warehouse and terminating in the southern bank of the river Avon (New Cut).

(2) In the construction of each of the bridges the Corporation shall erect on each side thereof a good and sufficient parapet.

16.—(1) The Corporation may abandon and discontinue so much of the southernmost of the two outer locks at Cumberland Basin as is shown on the deposited plans as intended to be closed to navigation.

Abandonment  
of portion of  
Cumberland  
Basin.

(2) In connection with the abandonment and discontinuance of the portion of Cumberland Basin referred to in subsection (1)

PART III  
—cont.

of this section the Corporation may construct within the limits shown on the deposited plans relating to the said portion of Cumberland Basin such fixed bridges dams walls sluices or other structures as they think fit.

(3) As from the date of abandonment and discontinuance of the said portion of Cumberland Basin all rights of navigation along or over and all rights of user of the said portion of Cumberland Basin shall cease and be extinguished.

As to existing bridges.

17. As from the completion of the bridge (Work No. 1) authorised by this Act the Corporation may demolish and remove the existing swing bridge adjacent to the entrance lock to Cumberland Basin and at any time during the construction of the bridge works the Corporation may demolish and remove the whole or any portion of the existing fixed bridge over the sluices to Cumberland Basin for the purposes of the bridge works and as from the date of such demolition and removal any obligations with respect thereto imposed by the Bristol Dock Acts 1848 to 1957 shall cease and determine.

Power to deviate.

18. The Corporation in constructing the bridge works may deviate from the lines thereof shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and may deviate from the levels shown on the deposited sections to any extent not exceeding twenty-five feet either upwards or downwards but in the exercise of the powers of this section the Corporation shall provide—

- (a) a headroom of not less than eight feet one and a half inches above the mean level of the water in the navigable channel adjacent to the entrance lock to Cumberland Basin; and
- (b) a headroom of not less than six feet one and a half inches above the high-water mark of ordinary spring tides in the river Avon.

Power to make subsidiary works.

19. Within the limits of deviation shown on the deposited plans the Corporation in connection with and as part of the bridge works may execute or do any of the following works or things:—

- (a) make junctions and communications with any streets contiguous to the bridge works and divert widen or alter the line or alter the level of any such street for the purpose of connecting the same with the bridge works;
- (b) execute any works for the protection of any adjoining land or buildings;

- (c) execute any works and do any things necessary for the strengthening and supporting of any quays lock walls or walls of adjoining buildings;
- (d) remove alter divert or stop up any drain sewer pipe channel or watercourse;
- (e) construct or place and maintain use divert alter or remove electric gas water and other mains pipes lines wires and other works and apparatus other than those belonging to statutory undertakers;

and shall make compensation for any damage done by them in exercise of the powers of this section.

20. Notwithstanding anything contained in the Public Utilities Street Works Act 1950 or in any other enactment no person shall be entitled to enter upon break up or interfere with the bridges for the purpose of laying down any main pipe or wire or executing any work therein thereon or thereunder except with the consent of the Corporation and in accordance with such terms and conditions as the Corporation may determine.

No mains or pipes to be laid in bridges.

21.—(1) Subject to the provisions of this Act any work authorised by this Act so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides shall only be constructed in accordance with plans and sections approved by the Minister of Transport and subject to such conditions and restrictions as the said Minister may prescribe before such work is begun.

Works below high-water mark to be subject to approval of Minister of Transport.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the said Minister may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the said Minister summarily as a civil debt.

22.—(1) In case of injury to or destruction or decay of any work constructed by the Corporation under the powers of this Act or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Corporation shall lay down such buoys exhibit such lights or take such other means for

Provision against danger to navigation.

PART III  
—cont.

preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House of Deptford Strond and shall apply to that corporation for directions as to the means to be taken.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable to a fine not exceeding ten pounds and to a daily fine not exceeding twenty shillings.

Abatement  
of work  
abandoned  
or decayed.

**23.**—(1) Where any work constructed by the Corporation under the powers of this Act and situate wholly or partially on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Minister of Transport may by notice in writing either require the Corporation at their own expense to repair and restore such part of such work as is situate below high-water mark of ordinary spring tides or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the said Minister may think proper.

(2) Where any part of any such work which has been abandoned or suffered to fall into decay is situate above high-water mark of ordinary spring tides and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the said Minister may include any such part of such work or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Corporation they have failed to comply with such notice the said Minister may execute the works required to be done by the notice at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the said Minister summarily as a civil debt.

Survey of  
works by  
Minister of  
Transport.

**24.** If at any time the Minister of Transport deems it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Corporation under the powers of this Act which shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides or of the site upon which it is proposed to construct any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the

Corporation to the Crown and shall be recoverable either as a debt due to the Crown or where the amount does not exceed twenty pounds by the said Minister summarily as a civil debt.

PART III  
—cont.

25.—(1) After the completion of the bridges the Corporation shall on each side thereof exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House of Deptford Strond shall from time to time direct.

Permanent  
lights on  
works.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable to a fine not exceeding twenty pounds and to a daily fine not exceeding forty shillings.

26.—(1) The Corporation shall at or near such part of any work constructed by them under the powers of this Act as shall be below high-water mark of ordinary spring tides during the whole time of the construction alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Minister of Transport shall from time to time require or approve.

Lights on  
works during  
construction.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable to a fine not exceeding twenty pounds and to a daily fine not exceeding forty shillings.

27.—(1) The Corporation may stop up—

(a) the portions of Ashton Avenue and Clift House Road in the city shown on the deposited plans as intended to be stopped up;

(b) the portion of the unnamed highway between the points marked "A" and "B" shown on the deposited plans as intended to be stopped up;

(c) the portion of the public footpath between the points marked "C" and "D" shown on the deposited plans as intended to be stopped up;

(each of which is hereinafter in this section referred to as "the highway") and thereupon all rights of way over or along the highway shall be extinguished:

Provided that the Corporation shall not stop up a portion of a highway under this section unless—

(i) the Corporation are owners in possession of all lands on both sides thereof except so far as the owners lessees and occupiers of those lands otherwise agree; and

Power to stop  
up certain  
highways etc.



PART III  
—cont.

(ii) the Minister of Transport has certified in writing that an alternative highway has been constructed to his satisfaction by the Corporation and is open for public use.

(2) As from the date upon which all rights of way are extinguished under subsection (1) of this section over the portion of Ashton Avenue carried over the river Avon by means of Ashton Avenue Bridge (formerly known as Ashton Swing Bridge and being Work G authorised by section 6 (Powers for and in relation to the construction of works) of the Bristol Dock Act 1897) the Corporation may abandon and discontinue so much of the said bridge as is no longer required for highway purposes under paragraph (4) of section 7 (Arrangements between the Corporation and the Company) of the said Act of 1897.

## PART IV

## PUBLIC ORDER AND PUBLIC SAFETY

Removal etc.  
of dangerous  
trees.

28.—(1) If it appears to the Corporation that for the prevention of danger to persons generally or to property any tree in the city should be lopped cut removed or felled the Corporation may serve a notice on the owner or occupier of the premises on which the tree is growing or situated requiring him within twenty-one days to lop cut remove or fell the tree or execute such other works as the Corporation may consider necessary to prevent the danger.

(2) The provisions of section 276 of the Act of 1936 relating to the sale of certain materials as applied by this Act shall for the purposes of this section have effect as if the expression “materials” included timber.

(3) The provisions of section 290 of the Act of 1936 shall apply in relation to notices given under this section as they apply in relation to the notices mentioned in subsection (1) of that section:

Provided that for the purposes of such application the said section 290 shall have effect as if for paragraph (a) of subsection (3) thereof there were substituted the following paragraph:—

“(a) that the notice or requirement is unreasonable;”.

Disused  
petrol tanks.

29.—(1) Where a tank or other fixed container which has been used for the storage of petroleum spirit and is no longer used for that purpose is kept on any premises in the city the occupier of the premises or if the premises are unoccupied the owner of the premises shall take all such steps as may be reasonably necessary to prevent danger from the container.

(2) Any authorised officer of the Corporation may on producing a copy of his authority require the occupier or as the case may be the owner of the premises to show him the container and permit him to ascertain whether steps have been taken to comply with the provisions of this section.

(3) If any person after due warning contravenes the provisions of subsection (1) of this section he shall be liable to a fine not exceeding ten pounds and the Corporation may take such steps as may be reasonably necessary to prevent danger from the container to which the warning relates and may recover from him the expenses incurred by them in so doing.

PART IV  
—cont.

(4) In this section the expression "petroleum spirit" has the same meaning as in the Petroleum (Consolidation) Act 1928.

30.—(1) No person shall within the city transport on any highway or dispose of or deposit any container (including a container attached to a vehicle or machine) which has been used for the storage of an inflammable or explosive substance and is no longer used for that purpose unless he takes all such steps as may be reasonably necessary to prevent danger from the container.

Disposal of  
dangerous  
containers

(2) If any person contravenes the provisions of subsection (1) of this section he shall be liable to a fine not exceeding ten pounds and the Corporation may take such steps as may be reasonably necessary to prevent danger from the container and may recover from that person the expenses incurred by them in so doing.

(3) This section shall not apply to any tank or fixed container to which section 29 (Disused petrol tanks) of this Act applies.

## PART V

### FINANCE AND SUPERANNUATION

31.—(1) The Corporation may borrow—

Power to  
borrow.

- (a) such sums as may be necessary for any of the purposes of this Act;
- (b) without the consent of any sanctioning authority for any of the purposes specified in the first column of the following table the sums specified in relation thereto in the second column of that table.

(2) The period for the repayment of a sum borrowed under paragraph (b) of the preceding subsection shall not exceed the period specified in relation thereto in the third column of the said table.

(3) 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 and as if the following table were in the Eighth Schedule to that Act.

(4) It shall not be lawful to exercise the powers of borrowing conferred by this section (other than the power of borrowing to pay the costs charges and expenses of this Act) except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act 1946.

PART V  
—cont.

(1)	(2)	(3)
Purposes for which money may be borrowed	Amount	Maximum period for repayment of loan
(a) The purchase of lands under the powers of this Act	The sum requisite	Sixty years.
(b) The construction of the bridge works	£1,000,000	Forty years.
(c) The costs charges and expenses of this Act	The sum requisite	Five years.

Investment of  
superannuation  
fund.

32.—(1) In its application to the Corporation subsection (3) of section 21 of the Local Government Superannuation Act 1937 shall have effect as if for the obligation to invest 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 in securities in which trustees are authorised to invest there were substituted an obligation to invest such moneys as follows (namely):—

- (a) in or upon any investments authorised by section 1 of the Trustee Act 1925 but without the limitations imposed by the proviso in subsection (1) of section 2 of the said Act or in or upon any other investments for the time being authorised by law for the investment of trust funds; or
- (b) in or upon any of the stocks funds or securities of any dominion commonwealth union dependency or colony forming part of the British Commonwealth of Nations or any province or state having a separate local legislature and forming part of any such dominion commonwealth union dependency or colony; or
- (c) in or upon any of the stocks bonds mortgages or securities of any municipality or county or district council or local or public authority or board in the United Kingdom or in any such dominion commonwealth union dependency colony province or state as aforesaid authorised under any general or special Act of the United Kingdom Parliament or of the legislature concerned to issue the same; or
- (d) in or upon any stocks shares bonds mortgages or securities the capital whereof or a minimum rate of dividend or interest whereon is guaranteed by the United

Kingdom Government or by the government of any such dominion commonwealth union dependency colony province or state as aforesaid; or

PART V  
—cont.

- (e) in or upon the bonds debentures debenture stock mortgages obligations or securities or the guaranteed or preference or ordinary stock or shares or ordinary preferred or deferred or other stock or shares of any company incorporated under any general or special Act of the United Kingdom Parliament or by royal charter being stock or shares which are at the time of making the investment quoted on the London Stock Exchange; or
- (f) 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; or
- (g) upon the security of freehold property freehold ground rents land charges or rentcharges by way of first mortgage up to the limit of two-thirds of the value thereof;

with power of varying such investments from time to time by sale and reinvestment or otherwise:

Provided that the investment of such moneys as aforesaid in any investment of the nature specified in paragraph (e) of this subsection shall be subject to the following qualifications:—

- (i) No investment shall be made in any such investment as aforesaid unless the company has paid a dividend of at least five per centum on the ordinary stock or shares of the company for each of the four years immediately preceding the date of investment or if the company has been incorporated or has been trading for less than four years before that date unless—
  - (A) the company has paid such dividend for each of the years since incorporation or commencement of trading as the case may be; or
  - (B) in the case of a company which has not been incorporated or trading for at least one year before the date of investment but which has been formed by the amalgamation of other companies each of such other companies has paid a dividend of at least five per centum on its ordinary stock or shares for each of the four years immediately preceding the date of the amalgamation:

PART V  
—cont.

(ii) No investment shall be made in any such investment as aforesaid at any time when the value of all the investments made under the said paragraph (e) which form part of the superannuation fund equals or exceeds one-half of the total value of the assets of that fund.

(2) For the purposes of the last foregoing subsection the value of any investment of moneys forming part of the superannuation fund shall be treated as being the value of the investment at the time at which it was made.

Investment of  
other funds of  
Corporation.

33. Any enactment (other than the Local Government Superannuation Act 1937) conferring power upon or requiring the Corporation to invest any moneys standing to the credit of but not for the time being required to meet payments out of any fund maintained by the Corporation under that enactment in statutory securities (as defined for the purposes of that enactment) or in securities in which trustees are authorised to invest shall have effect as if for that power or requirement (as the case may be) there were substituted a power or requirement to invest such moneys (other than any moneys forming part of the consolidated loans fund) in any of the investments specified in paragraphs (a) to (g) of subsection (1) of section 32 (Investment of superannuation fund) of this Act and the provisions of the proviso to the said subsection (1) and of subsection (2) of the said section 32 shall accordingly apply for the purposes of this section as if for references to the superannuation fund maintained by the Corporation there were substituted references to that other fund.

## Art fund.

34.—(1) The Corporation may establish a fund to be called “the art fund” to provide for the purchase of any pictures sculptures or other objects of artistic scientific or historical interest which in their opinion it is desirable at any time to acquire for exhibition in and as additions to the collection of the Corporation and that fund shall be formed by annually appropriating thereto out of the general rate fund such an amount as the Corporation may from time to time determine not exceeding in any financial year the equivalent of one-fifth of the product of a penny rate as estimated for the purpose of subsection (2) of section 9 of the Rating and Valuation Act 1925:

Provided that when the art fund amounts to the sum of twenty-five thousand pounds the Corporation shall discontinue the annual appropriations but whenever the art fund is reduced below that sum the Corporation may recommence and continue the annual appropriations until the art fund is restored to that sum.

(2) (a) Pending the application of the art fund to the purposes authorised in the foregoing subsection the moneys in the said fund shall (unless applied in any other manner authorised by any enactment) be invested in any securities in which trustees are for the time being authorised by law to invest trust funds.

(b) Any income arising from the investment of the moneys in the art fund in the manner provided by this subsection shall be carried to and form part of the general rate fund and (subject to the limitation imposed by the proviso to subsection (1) of this section) an amount equivalent to such income shall be credited to the art fund.

35. Section 183 (Increase of annual expenditure under Clifton and Durdham Downs (Bristol) Act 1861) of the Act of 1926 shall have effect as if for the words "one thousand pounds" there were substituted the words "five thousand pounds".

Amendment of section 183 of Act of 1926.

36. Subsection (2) of section 50 (Special provision as to superannuation of certain members of docks police force) of the Act of 1950 shall have effect as if after the words "sixty years" there were inserted the words "and on the retirement from service of any police officer under the age of sixty years who on ceasing to hold his employment is incapable of discharging efficiently the duties of that employment by reason of permanent ill-health or infirmity of mind or body" and as if for the word "five" there were substituted the word "ten".

Amendment of section 50 of Act of 1950.

37.—(1) The Corporation may establish a fund to be called "the flood relief fund" to provide for the alleviation of distress caused by the flooding of lands and buildings in the city or for the prevention of such flooding by—

Flood relief fund.

- (a) replacing repairing or cleaning clothing or household effects destroyed or damaged by such flooding;
- (b) providing fuel to persons affected by such flooding or carrying out necessary drying operations; and
- (c) constructing such works or installing such appliances as they consider necessary for the prevention of such flooding;

and that fund shall be formed by annually appropriating thereto out of the general rate fund such an amount as the Corporation may from time to time determine not exceeding in any financial year the equivalent of one-tenth of the product of a penny rate as estimated for the purpose of subsection (2) of section 9 of the Rating and Valuation Act 1925:

Provided that the amount standing to the credit of the flood relief fund shall not at any time exceed ten thousand pounds.

PART V  
--cont.

(2) (a) Pending the application of the flood relief fund to the purposes authorised by the foregoing provisions of this section the moneys in the said fund shall (unless applied in any other manner authorised by any enactment) be invested in any securities in which trustees are for the time being authorised by law to invest trust funds.

(b) Any income arising from the investment of the moneys in the flood relief fund in the manner provided by this subsection shall be carried to and form part of the general rate fund and (subject to the limitation imposed by the proviso to subsection (1) of this section) an amount equivalent to such income shall be credited to the flood relief fund.

## PART VI

## MISCELLANEOUS

Change of  
name of  
Bristol  
Asylum or  
School of  
Industry for  
the Blind.

38.—(1) In this section the expression “the institution” means the body corporate incorporated under the Act 2 William 4 Chapter XXXIX under the name of “The President Vice-presidents Treasurer and Members of The Bristol Asylum or School of Industry for the Blind” otherwise known as the Royal School of Industry for the Blind Bristol.

(2) From and after the passing of this Act the name of the institution shall be changed from “The President Vice-presidents Treasurer and Members of The Bristol Asylum or School of Industry for the Blind” to “The Bristol Royal School and Workshops for the Blind”.

(3) The change of name shall not affect any rights or obligations of the institution or render defective any legal proceedings by or against the institution and any legal proceedings that might have been continued or commenced against the institution by its former name may be continued or commenced against the institution by its new name.

(4) Any devise or bequest which would take effect in favour of The President Vice-presidents Treasurer and Members of The Bristol Asylum or School of Industry for the Blind under the will of any person whether dying before or after the passing of this Act and which may not have then taken effect shall be deemed to have been made to The Bristol Royal School and Workshops for the Blind and shall take effect in favour of The Bristol Royal School and Workshops for the Blind as fully and effectually as it would have taken effect in favour of The President Vice-presidents Treasurer and Members of The Bristol Asylum or School of Industry for the Blind if this Act had not been passed.

39.—(1) Any person who for the purpose of obtaining for himself or for any other person any of the benefits or advantages hereinafter mentioned—

PART VI  
—cont.

False  
statements to  
obtain rent  
rebate etc.

(a) knowingly makes to the Corporation or to any of their employees a false statement or false representation relating to his or that other person's need for the benefit or advantage or ability to pay a rent or make any other payment; or

(b) produces or furnishes or knowingly allows to be produced or furnished to the Corporation or to any of their employees any document or information relating to the matters aforesaid which he knows to be false in a material particular;

shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(2) The benefits or advantages hereinbefore referred to are—

(a) the occupation of any house belonging to the Corporation;

(b) a rebate of the rent of any such house;

(c) a reduction in the amount of any payment due to the Corporation by virtue of the following enactments or of regulations made thereunder or the remission of any such payment:—

(i) the Children and Young Persons Act 1933;

(ii) the Education Acts 1944 to 1953;

(iii) the Children Act 1948;

(d) any award grant contribution or payment made by the Corporation under the Education Acts 1944 to 1953 or under or by virtue of any regulations made under those Acts; or

(e) any payment by the Corporation under section 63 of the Act of 1957.

(3) If any person is convicted of an offence under this section the court may—

(a) terminate the tenancy of the house of which occupation had been obtained and order possession thereof to be given to the Corporation;

(b) order the person convicted to pay to the Corporation the amount of the rebate or reduction obtained by him;



PART VI  
—cont.

(c) order the person convicted to make such payments as the court may think just to the Corporation in respect of—

(i) the reduction in the amount of any payment referred to in paragraph (c) of the last foregoing subsection or the remission thereof; or

(ii) any award grant contribution or payment referred to in paragraph (d) or (e) of that subsection.

(4) For the purposes of this section the expression “house” includes any part of a house which is occupied or intended to be occupied as a separate dwelling.

Disposal of  
lost and  
uncollected  
property.

40.—(1) Where any lost or uncollected property is contained in a package bag or other receptacle the Corporation may cause the receptacle to be opened and the contents examined if they deem it necessary to do so for the purpose either of identifying and tracing the owner of the property or of ascertaining the nature of the contents of the receptacle.

(2) If any lost or uncollected property within three months of coming into the custody of the Corporation be not proved to the reasonable satisfaction of the Corporation to belong to any claimant it shall thereupon vest in the Corporation.

(3) Where any lost property becomes vested in the Corporation in pursuance of this section the Corporation may if they think fit deliver to the person whether an employee of the Corporation or not who placed the lost property in the custody of the Corporation the whole or any part of such property or of the estimated value thereof in cash.

(4) This section shall in the case of uncollected property placed in the custody of the Corporation on express terms inconsistent with the rights of the Corporation under this section have effect subject to those terms.

(5) In this section—

the expression “lost property” means any property coming into the custody of the Corporation after being left in any premises occupied by the Corporation to which the public have access; and

the expression “uncollected property” means any property deposited in any cloakroom or parcels store provided by the Corporation for the use of the public in which there is exhibited a notice containing a statement to the effect of subsections (1) and (2) of this section.

41.—(1) Section 284 of the Act of 1936 (which relates to the authentication of documents) shall apply to any notice or other document which the Corporation are required or authorised to give make or serve by or under this Act or by or under any enactment in force immediately before the commencement of this Act.

PART VI  
—cont.  
Authentication  
of documents.

(2) The said section 284 shall not apply in any case for which provision is made by or under any other enactment.

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

Loose-leaf  
minute books.

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

Notice of  
variation of  
rent etc.

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.

44.—(1) If any vehicle is left—

(a) on any land belonging to or under the control of the Corporation;

(b) on any grass verge or open space provided or laid out by the Corporation in pursuance of the Act of 1957 or any Act repealed by that Act; or

Removal of  
vehicles.

PART VI  
—cont.

- (c) on any unenclosed and unoccupied land in the city not belonging to or under the control of the Corporation and the owner of the land—
- (i) requests the Corporation to remove the vehicle; or
  - (ii) consents to the removal of the vehicle by the Corporation; or
  - (iii) is unknown and cannot after diligent inquiry be found;

the Corporation may after giving not less than seven days' notice to the owner of the vehicle unless it is not practicable after reasonable inquiry to ascertain the name and address of the owner remove the vehicle for safe custody and may recover from such owner the expenses reasonably incurred in such removal and safe custody:

Provided that this section shall not apply to a vehicle left on a road (as defined in section 121 of the Road Traffic Act 1930) or in a parking place provided by the Corporation unless the vehicle has been left in the parking place for a period beyond that prescribed by any byelaws relating to the parking place.

(2) If any vehicle to which subsection (1) of this section applies be not within six months from the date of its removal by the Corporation proved to the satisfaction of the Corporation to belong to any claimant it shall thereupon vest in the Corporation.

(3) In this section "unenclosed land" includes land wholly or partly surrounded by a wall or fence which is in such a condition that it does not prevent a vehicle from being moved whether or not by its own motive power from a street on to the land.

Provisions as to motor vehicles let for hire.

**45.**—(1) The provisions of the Town Police Clauses Act 1847 and of section 171 of the Public Health Act 1875 shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by the byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages shall apply to every motor vehicle standing or plying for hire notwithstanding that it stands or plies for hire on private premises only and whether or not it is on view to the public:

Provided that this section shall not apply to—

- (a) any such vehicle which is kept by any person in connection with any business carried on by him as funeral directors or owners of funeral vehicles available for hire and used wholly or mainly in connection with that business or is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire; or

(b) a public service vehicle; or

(c) any vehicle belonging to or used by the commission for the purpose of carrying passengers and their luggage to or from any of their railway stations or railway premises;

or to the drivers or conductors of such vehicles:

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

(2) Section 112 (Power to grant occasional licences) of the Act of 1926 shall to the extent determined by the byelaws extend and apply to every vehicle to which byelaws made under the Town Police Clauses Act 1847 apply.

(3) In this section “public service vehicle” has the meaning assigned to that expression by section 39 of the Road Traffic Act 1956.

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

Extension of  
power to  
maintain  
burial  
grounds.

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

(b) to level any grave therein;

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

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

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

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

(b) display a notice thereof in a conspicuous position in the burial ground; and

(c) serve a notice thereof upon the owner of the grave or upon a relative of a deceased person whose remains are interred therein if after reasonable inquiry the name and address of the owner or of a relative of such a person can be ascertained.

PART VI  
—cont.

(3) Each of the notices shall—

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

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

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

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

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

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

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

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

Subsections (2) to (4) of this section shall not have effect in relation to any work for which the Corporation obtain such a

faculty or licence and subsection (5) thereof shall not have effect in relation to any tombstone memorial or railings for whose removal such a faculty or licence was obtained.

PART VI  
—cont.

(9) In this section—

- “ burial ground ” includes a cemetery;
- “ grave ” includes a grave space;
- “ tombstone ” includes a kerb.

47.—(1) Notwithstanding anything contained in any other enactment the Corporation may set apart for the exclusive use of persons over the age of sixty years and persons to whom section 29 of the National Assistance Act 1948 applies such part of any park or pleasure ground or open space provided by them or under their management and control as may be fixed by the Corporation and may be described on a notice board affixed or set up in some conspicuous position in the park pleasure ground or open space and they may exclude the remainder of the public therefrom:

Power to reserve parts of parks for aged etc. persons.

Provided that nothing in this section shall empower the Corporation to set apart (in addition to any parts of parks pleasure grounds or open spaces set apart under the powers of any other enactment) at one and the same time—

- (a) more than one acre or one-tenth of the area of any park pleasure ground or open space whichever is the greater; or
- (b) more than one-hundredth of the area of all the parks pleasure grounds or open spaces provided by them or under their management and control.

(2) The Corporation may for the purposes of this section—

- (a) provide buildings; and
- (b) make such reasonable charges as they think fit.

(3) Save as aforesaid no power conferred upon the Corporation by this section shall be exercised in such a manner—

- (a) as to be at variance with any trust subject to which any land or building is held managed or controlled by the Corporation without an order of the High Court or of the Charity Commissioners or of the Minister of Education or (where the trust instrument reserves to the donor or any other person the power to vary the trust) without the consent of the donor or that other person; or

PART VI  
—cont.

(b) as to contravene any covenant or condition subject to which a gift or lease of any land or building has been accepted by or granted to the Corporation without the consent of the donor grantor lessor or other person entitled in law to the benefit of the covenant or condition.

(4) This section shall not apply to any lands under the management of the Downs Committee established under section X (Appointment of a committee) of the Clifton and Durdham Downs (Bristol) Act 1861 or any common land.

Welfare of aged and handicapped persons.

48.—(1) The Corporation may make arrangements for—

(a) providing aged persons and persons to whom section 29 of the National Assistance Act 1948 applies with meals and for providing aged persons with other domiciliary services in their own homes;

(b) providing aged persons with recreational facilities in their own homes or elsewhere.

(2) In this section the expression “domiciliary service” shall include the installation of such safety equipment as may be necessary or desirable.

(3) The Corporation may recover from persons availing themselves of any service provided under this section such charges (if any) as having regard to the cost of the service the Corporation may determine whether generally or in the circumstances of any particular case.

(4) This section shall apply to such aged persons and such persons to whom the said section 29 applies as are resident in the city.

Amendment of section 75 of Act of 1950.

49. Notwithstanding anything in paragraph (a) of the proviso to subsection (1) of section 75 (Application of provisions of the Act of 1936) of the Act of 1950 section 287 of the Act of 1936 shall apply to the provisions of section 53 (Byelaws as to public meetings and gatherings) of the Act of 1950.

PART VII  
GENERAL

Local inquiries.

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

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

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

PART VII  
—cont.

51.—(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. Appeals.

(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 proceedings 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.

52. The written consent of the Attorney-General shall be requisite for the taking of proceedings in respect of an offence created by or under this Act (except section 45 (Provisions as to motor vehicles let for hire) thereof) by any person other than a party aggrieved or the Corporation. Restriction on right to prosecute.

53.—(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 a reference to this Act. Application of general provisions of Act of 1936.

(2) The sections of the Act of 1936 mentioned in Part II of the said schedule shall have effect as if references therein to that Act included a reference to Part IV (Public order and public safety) of this Act.

(3) The sections of the Act of 1936 mentioned in Part III of the said schedule shall have effect as if references therein to that Act included a reference to Part IV (Public order and public safety) of this Act and to section 48 (Welfare of aged and handicapped persons) of this Act.

(4) The section of the Act of 1936 mentioned in Part IV of the said schedule shall have effect as if references therein to that Act included a reference to Part IV (Public order and public safety) of this Act and to section 44 (Removal of vehicles) of this Act.



PART VII  
—cont.For  
protection of  
Postmaster-  
General.

54.—(1) Where in pursuance of the powers conferred by section 19 (Power to make subsidiary works) or subsection (1) of section 27 (Power to stop up certain highways etc.) of this Act a highway or part of a highway is stopped up or diverted the following provisions of this subsection shall unless otherwise agreed in writing between the Corporation and the Postmaster-General have effect in relation to so much of any telegraphic line belonging to or used by the Postmaster-General as is under in upon over along or across the land which by reason of the stopping up or diversion ceases to be a highway (in this subsection referred to as “the affected line”) (that is to say):—

- (a) the power of the Postmaster-General to remove the affected line shall be exercisable notwithstanding the stopping up or diversion of the highway or part of the highway so however that the said power shall not be exercisable as respects the whole or any part of the affected line after the expiration of a period of three months from the date of the sending of the notice referred to in the next following subsection unless before the expiration of that period the Postmaster-General has given notice to the Corporation of his intention to remove the affected line or that part thereof as the case may be;
- (b) the Postmaster-General may by notice in that behalf to the Corporation abandon the affected line or any part thereof and shall be deemed as respects the affected line or any part thereof to have abandoned it at the expiration of the said period of three months unless before the expiration of that period he has removed it or given notice of his intention to remove it;
- (c) the Postmaster-General shall be entitled to recover from the Corporation the expense of providing in substitution for the affected line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the affected line a telegraphic line in such other place as he may require;
- (d) where under paragraph (b) of this subsection the Postmaster-General has abandoned the whole or any part of the affected line it shall vest in the Corporation and the provisions of the Telegraph Acts 1863 to 1954 shall not apply in relation to it as respects anything done or omitted after the abandonment thereof.

(2) As soon as practicable after the whole or part of a highway has been stopped up or diverted in pursuance of the powers referred to in subsection (1) of this section the Corporation shall send by post to the Postmaster-General a notice informing him of such stopping up or diversion.

(3) Nothing in section 20 (No mains or pipes to be laid in bridges) of this Act shall alter prejudice or affect any of the rights and powers of the Postmaster-General in relation to the bridge (Work No. 2) authorised by this Act under the provisions of the Telegraph Acts 1863 to 1954.

(4) In the exercise of the powers conferred by paragraph (e) of section 19 (Power to make subsidiary works) of this Act the Corporation—

(a) shall not interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878; and

(b) shall so construct place maintain and use any electric mains pipes lines wires works or apparatus as to prevent interference with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

(5) In this section the expression “telegraphic line” has the same meaning as in the Telegraph Act 1878.

**55.** For the protection of the commission the following provisions shall unless otherwise agreed in writing between the Corporation and the commission apply and have effect:—

For  
protection  
of the  
commission.

(1) In this section—

“railway property” means any lands belonging to or occupied by the commission shown on the deposited plans and the railways and railway works of the commission;

“the engineer” means an engineer to be appointed by the commission;

“plans” includes sections drawings and specifications;

“works” means the bridge referred to in paragraph (3) of this section and any works or conveniences connected therewith and includes the construction maintenance and renewal of such works:

(2) The Corporation shall not under the powers of this Act acquire so much of the lands numbered on the deposited plans 8 in the city as is shown coloured red on the plan prepared in duplicate and signed by John Bowman Tomlinson on behalf of the Corporation and by Reginald George Henbest on behalf of the commission of which one copy has been deposited with the Corporation and one copy with the commission:

PART VII  
—cont.

(3) The Corporation shall only acquire such easements and rights over the lands numbered on the deposited plans 7 in the city as they may require for the purpose of the construction of a bridge to carry the new highway over the railway of the commission and such bridge shall be constructed with a single span of not less than forty-six feet and with a clear headway throughout of not less than sixteen feet two inches above rail level:

(4) The Corporation shall before commencing the works (other than works of maintenance and repair which do not affect railway property) furnish to the commission plans thereof for the reasonable approval of the engineer and shall not commence the works until such plans have been approved in writing by the engineer or if he shall not approve the plans until the same shall have been settled by arbitration:

Provided that if within twenty-eight days after such plans have been furnished to the commission the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval he shall be deemed to have approved them:

(5) Upon signifying his approval or disapproval of the said plans the engineer may specify any temporary or permanent protective works which in his opinion should be carried out before the commencement of the works to ensure the stability of any railway property or to protect it from injury and such temporary or permanent protective works as may be reasonably necessary for those purposes may be constructed by the commission and the Corporation shall not commence the construction of the works until such temporary or permanent protective works have been completed:

Provided that any temporary or permanent protective works to be constructed by the commission in pursuance of this paragraph shall be constructed with all reasonable dispatch:

(6) The Corporation shall give to the engineer twenty-eight days' notice in writing of their intention to commence the works except in cases of emergency when they shall give such notice thereof as may be reasonably practicable:

(7) The works shall when commenced be carried out with all reasonable dispatch in accordance with the plans approved or deemed to be approved or settled as aforesaid and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such manner as to cause as little damage to railway property

as may be and so as not to interfere with delay or interrupt the traffic on the railway and if any damage to railway property or any such interference delay or interruption shall be caused or take place by reason of the works the Corporation shall notwithstanding any such approval as aforesaid forthwith make good such damage and pay to the commission all reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage interference delay or interruption other than damage interference delay or interruption caused by the neglect or default of the commission their servants or agents:

- (8) The Corporation shall at all times afford reasonable facilities to the engineer for access to the works and shall supply him with all such information as he may reasonably require with regard to the works or the method of construction thereof:
- (9) If any alterations or additions either permanent or temporary to railway property shall be reasonably necessary in consequence of the works such alterations and additions may be effected by the commission after notice has been given to the Corporation and the Corporation shall repay to the commission the reasonable cost thereof including a capitalised sum representing the increased or additional cost of maintaining working and when necessary renewing any such alterations or additions:
- (10) The Corporation shall repay to the commission all costs charges and expenses reasonably incurred by the commission by reason of the works—
- (a) in respect of the construction by the commission of any temporary or permanent protective works under the provisions of paragraph (5) of this section;
- (b) in respect of the employment of any inspectors signalmen watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting watching lighting and signalling railway property and for preventing as far as may be all interference obstruction danger or accident arising from the works;
- (c) in respect of any special traffic working resulting from any speed restrictions which may in the opinion of the engineer require to be imposed and which may be due to the construction of the works or from the substitution or diversion of services; and

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—cont.

(d) in additional lighting of railway property in the vicinity of the works:

- (11) If at any time after the completion of the works the commission shall give notice to the Corporation informing them that the state of repair of the works appears to be such as to affect prejudicially railway property the Corporation shall within twenty-eight days of the receipt of any such notice commence to take and thereafter complete taking such steps (if any) as may be reasonably necessary to put the works in such state of repair as not to affect prejudicially railway property and if and whenever the Corporation fail to do so the commission may make and do in and upon the lands of the commission or of the Corporation all such works and things as shall be requisite to put the works in such state of repair as aforesaid and the costs and expenses reasonably incurred by the commission in so doing shall be repaid to them by the Corporation:
- (12) The Corporation shall be responsible for and make good to the commission all costs charges damage and expenses not otherwise provided for in this section which may be occasioned to the commission by reason of the works or the failure thereof or by reason of any act or omission of the Corporation or of any persons in their employ or of their contractors or others whilst engaged upon the works and the Corporation shall effectively indemnify and hold harmless the commission from and against all claims or demands arising out of or in connection with the works or any such failure act or omission as aforesaid and the fact that any work or thing may have been done in accordance with any plan approved by the engineer or in accordance with any requirement of the engineer or under his supervision shall not excuse the Corporation from any liability under the provisions of this section unless such costs damage or expenses shall be occasioned or such claims and demands shall arise by reason of the neglect or default of the commission their servants or agents:

Provided that the commission shall give to the Corporation reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the consent of the Corporation:

- (13) Any additional expense which the commission may reasonably incur after giving one month's notice thereof to the Corporation in widening altering reconstructing or maintaining the railway of the commission in pursuance

of any powers existing at the passing of this Act by reason of the existence of the works shall be repaid by the Corporation to the commission:

PART VII  
—cont.

- (14) If it shall be necessary for the protection and safety of railway property for the commission to purchase any minerals for the support of such property or to pay compensation for any minerals to be left unworked for the support thereof and the works also derive support from such minerals the Corporation shall repay to the commission a reasonable proportion of the amount paid by the commission for or in respect of such minerals and the costs and expenses incurred by the commission in relation to any such purchase or payment of compensation:
- (15) Before providing any illumination on the works the Corporation shall consult with the commission and shall comply with any reasonable requirements of the commission in regard thereto:
- (16) Any difference arising between the Corporation and the commission under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

56. For the further protection of the commission the following provisions shall unless otherwise agreed in writing between the Corporation and the commission apply and have effect:—

For further protection of the commission.

(1) In this section—

“works” means any work carried out by the Corporation pursuant to the powers conferred upon them by paragraph (a) of subsection (1) and by subsection (2) of section 27 (Power to stop up certain highways etc.) of this Act which may in any way affect or interfere with railway property;

“railway property” means any lands belonging to or occupied by the commission shown on the deposited plans and the railways and railway works of the commission;

“the engineer” means an engineer to be appointed by the commission:

- (2) Not less than six weeks before commencing the works the Corporation shall give to the engineer a notice specifying the general nature of the works proposed and such works shall not be commenced until the engineer shall have approved thereof:

PART VII  
—cont.

Provided that if within twenty-eight days after such notice has been served on the engineer he shall not have intimated his disapproval of the works proposed he shall be deemed to have approved the same:

- (3) Upon signifying his approval or disapproval of the works proposed the engineer may specify any temporary or permanent protective works which in his opinion should be carried out before the commencement of the works to ensure the stability of railway property or to protect it from injury and such temporary or permanent protective works as may be reasonably necessary for those purposes may be constructed by the commission and the Corporation shall not commence the construction of the works until such temporary or permanent works have been completed:

Provided that any temporary or permanent protective works which may be constructed by the commission in pursuance of this paragraph shall be constructed with all reasonable dispatch:

- (4) The works when commenced shall be carried out with all reasonable dispatch so far as reasonably possible and at times convenient to the commission and under the supervision (if given) and to the reasonable satisfaction of the engineer and in such a way as to cause as little damage to railway property or affect the stability thereof and as little interference with or delay or interruption to the traffic on the railways of the commission as may be and if any damage to railway property or any such interference delay or interruption shall be caused or take place the Corporation shall forthwith make good such damage and pay to the commission the reasonable costs and expenses to which they may be put and reasonable compensation for any loss which they may sustain by reason of any such damage interference delay or interruption other than damage interference delay or interruption caused by the neglect or default of the commission their servants or agents:
- (5) The Corporation shall repay to the commission all additional costs charges and expenses reasonably incurred by the commission in connection with the works—
- (a) in respect of the construction by the commission of any temporary or permanent protective works under the provisions of paragraph (3) of this section;
- (b) in respect of the employment of any inspectors signalmen watchmen and other persons whom it may

be reasonably necessary to appoint for inspecting signalling watching and lighting railway property and for preventing as far as may be reasonably practicable any interference obstruction danger or accident arising from the works;

(c) in respect of any special traffic working which may in the opinion of the commission require to be imposed as a result of the carrying out of the works;

(d) in lighting railway property in the vicinity of the works:

(6) The Corporation shall be responsible for and make good to the commission all costs charges damage and expenses not otherwise provided for in the foregoing provisions of this section which may be occasioned to the commission by reason of—

(a) the carrying out of the works;

(b) any act or omission of the Corporation or of any person in their employ or of their contractors or others whilst engaged upon the works;

and the Corporation shall effectively indemnify and hold harmless the commission from and against all claims or demands arising out of or in connection with the works or any act or omission as aforesaid and the fact that any work or thing may have been done in accordance with any requirement of the engineer or under his supervision shall not excuse the Corporation from any liability under the provisions of this section:

Provided that the commission shall give to the Corporation reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without prior consultation with the Corporation:

(7) Any difference arising between the Corporation and the commission under this section (other than a difference as to the meaning or construction of this section) shall be settled by arbitration.

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

For  
protection  
of certain  
statutory  
undertakers.

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

“adequate alternative apparatus” means alternative apparatus adequate to enable the undertakers to fulfil their statutory functions in a manner not less efficient than previously;



PART VII  
—cont.

“ apparatus ” means—

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

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

(not being in any case apparatus in respect of which the relations between the Corporation and the undertakers are regulated by the provisions of Part II of the Public Utilities Street Works Act 1950) and includes any works constructed for the lodging therein of apparatus;

“ authorised work ” means any work carried out or thing done under the powers of section 15 (Power to construct works) or section 19 (Power to make subsidiary works) of this Act;

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

“ position ” includes depth;

“ the undertakers ” means the electricity board the generating board and the gas board or any of them:

- (2) Notwithstanding anything in this Act or shown on the deposited plans the Corporation shall not under the powers of this Act acquire any apparatus otherwise than by agreement:
- (3) The Corporation for the purpose of the construction of any authorised work may require the undertakers to remove any apparatus. If the Corporation require the undertakers to remove such apparatus and shall give to the undertakers written notice of such requirement together with a plan and section of the proposed work and of the proposed position of the alternative apparatus to be constructed so as to provide adequate alternative apparatus in lieu of the apparatus to be removed or if in consequence of the construction or carrying out of an authorised work the undertakers shall reasonably require to remove any apparatus the Corporation shall afford to the undertakers the necessary facilities and rights for the construction of such alternative apparatus in other lands of the Corporation and thereafter for the maintenance repair renewal and inspection of such apparatus:

Provided that if the alternative apparatus or any part thereof is to be constructed elsewhere than in

other lands of the Corporation and the Corporation are unable to afford such facilities and rights as aforesaid in the lands in which the alternative apparatus or such part thereof is to be constructed the undertakers shall on receipt of a written notice to that effect from the Corporation forthwith use their best endeavours to obtain the necessary facilities and rights in such last-mentioned lands:

- (4) (a) Any alternative apparatus to be constructed in lands of the Corporation in pursuance of paragraph (3) of this section shall be constructed in such manner and in such line or situation as may be agreed between the undertakers and the Corporation or in default of agreement settled by arbitration;
- (b) The undertakers shall after the alternative apparatus to be constructed shall have been agreed or settled by arbitration as aforesaid and after the grant to the undertakers of any such facilities and rights as are referred to in paragraph (3) of this section proceed with all reasonable dispatch to construct and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Corporation to be removed under the provisions of this section:
- (5) Notwithstanding anything in the immediately preceding paragraph if the Corporation give notice in writing to the undertakers that they desire themselves to execute any part of so much of the work necessary in connection with the construction of the alternative apparatus or the removal of the apparatus required to be removed as will be situate in any lands of the Corporation such work in lieu of being executed by the undertakers shall be executed by the Corporation with all reasonable dispatch under the superintendence (if given) and to the reasonable satisfaction of the undertakers:

Provided that nothing in this paragraph shall authorise the Corporation to execute the actual placing erection installation bedding packing removal connection or disconnection of any apparatus or any filling around the apparatus extending (where the apparatus is laid in a trench) to not less than twelve inches above the apparatus:

- (6) Where in accordance with the provisions of this section the Corporation afford to the undertakers facilities and rights for the construction maintenance repair renewal and inspection in lands of the Corporation of alternative apparatus in substitution for apparatus to be removed as aforesaid those facilities and rights shall be granted

PART VII  
—cont.

upon such terms and conditions as may be agreed between the Corporation and the undertakers or in default of agreement determined by arbitration:

Provided that in determining such terms and conditions as aforesaid in respect of alternative apparatus to be constructed across or through an authorised work the arbitrator shall—

(a) give effect to all reasonable requirements of the Corporation for ensuring the safety and efficient operation of the authorised work and for securing any subsequent alterations or adaptations of the alternative apparatus which may be required to prevent interference with any such work; and

(b) so far as it may be reasonable and practicable to do so in the circumstances of the particular case give effect to the terms and conditions applicable to the apparatus (if any) constructed through the lands of the Corporation for which the alternative apparatus is to be substituted:

Provided also that if the facilities and rights to be afforded by the Corporation in respect of any alternative apparatus and the terms and conditions subject to which the same are to be granted are in the opinion of the arbitrator less favourable on the whole to the undertakers than the facilities and rights enjoyed by them in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject the arbitrator shall make such provision for the payment of compensation by the Corporation to the undertakers in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case:

- (7) (a) Not less than twenty-eight days before commencing to execute an authorised work which is near to or is likely to affect any apparatus the removal of which has not been required by the Corporation under paragraph (3) of this section the Corporation shall submit to the undertakers a plan section and description of the work to be executed;
- (b) Such work shall be executed substantially in accordance with the plan section and description submitted as aforesaid and in accordance with such reasonable requirements as may be made by the undertakers for the alteration or otherwise for the protection of the apparatus or for securing access thereto and the undertakers shall be entitled by their officer to watch and inspect the execution of such work:

Provided that if the undertakers within fourteen days after the submission to them of any such plan section and description shall in consequence of the work proposed by the Corporation reasonably require the removal of any apparatus and give written notice to the Corporation of such requirement the foregoing provisions of this section shall apply and have effect as if the removal of such apparatus had been required by the Corporation under paragraph (3) thereof:

Provided also that nothing in this sub-paragraph shall preclude the Corporation from submitting at any time or from time to time but in no case less than twenty-eight days before commencing the execution of any such work a new plan section and description in lieu of the plan section and description previously submitted and thereupon the provisions of this paragraph shall apply to and in respect of such new plan section and description;

(c) The Corporation shall not be required to comply with sub-paragraph (a) of this paragraph in a case of emergency but in such a case they shall give to the undertakers notice as soon as reasonably practicable and a plan section and description of the work as soon as reasonably practicable thereafter and shall comply with sub-paragraph (b) of this paragraph so far as reasonably practicable in the circumstances:

(8) The Corporation shall repay to the undertakers the reasonable expenses incurred by the undertakers in or in connection with—

(a) the removal and relaying or replacing of any apparatus and the provision and construction of any new apparatus under the provisions of paragraph (3) of this section; and

(b) the subsequent alteration or adaptation of apparatus required under the provisions of paragraph (6) of this section;

and the reasonable costs of and incidental to—

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

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

Provided that subsections (3) and (4) of section 23 of the Public Utilities Street Works Act 1950 (which imposes limitations on undertakers' rights to payment) shall so far as applicable extend and apply to any

PART VII  
—cont.

payment to be made by the Corporation under this paragraph as if the works hereinbefore in this paragraph mentioned were such undertakers' works as are referred to in the said subsection (3) and as if in that subsection for the words " specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act or agreed so to be by the promoting authority " there were substituted the words " agreed or settled by arbitration under section 57 (For protection of certain statutory undertakers) of the Bristol Corporation Act 1960 ":

- (9) Notwithstanding the stopping up of any road or footpath or part of a road or footpath under the powers of section 27 (Power to stop up certain highways etc.) of this Act the undertakers their engineers or workmen and others in their employ shall at all reasonable times have such right of access to all or any apparatus situate in any such road or footpath or part thereof as they had immediately before such stopping up and shall be at liberty to execute or do all such works and things in upon or under such road or footpath or part thereof as may be necessary for inspecting repairing maintaining renewing or removing such apparatus:

Provided that this paragraph shall not apply in any case in which any road or footpath or part of a road or footpath is permanently stopped up and the apparatus therein is replaced by adequate alternative apparatus by or at the cost of the Corporation:

- (10) Where by reason or in consequence of the stopping up of any street under the powers of this Act any apparatus belonging to the undertakers is rendered derelict useless or unnecessary the Corporation shall pay to the undertakers the then value of such apparatus (which shall thereupon become the property of the Corporation) and the reasonable cost of and incidental to the cutting off of such apparatus from any other apparatus and of and incidental to the execution or doing of any works or things rendered necessary or expedient by reason of or in consequence of such apparatus being so rendered derelict useless or unnecessary:

Provided that—

(i) the Corporation shall not under the provisions of this paragraph be required to pay to the undertakers the value of any apparatus rendered derelict useless or unnecessary if to the reasonable satisfaction of the undertakers other apparatus shall at the expense of the Corporation have been provided and laid

and made ready for use in substitution for the apparatus so rendered derelict useless or unnecessary;

(ii) an amount which apart from this sub-paragraph of this proviso would be payable to the undertakers in respect of works of theirs under this paragraph shall if the works include the placing of apparatus by way of renewal of apparatus placed more than seven and a half years earlier so as to confer on the undertakers any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course be reduced by the amount which represents that benefit:

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

58. In arbitrations under a provision of this Act mentioned in the first column of the following table the reference shall be to a single arbitrator to be appointed by agreement between the parties or in default of agreement by the person mentioned in the second column of that table on the application of any party after giving notice in writing to the other party or parties:—

1 Provision of Act	2 Person appointing arbitrator
Paragraph (16) of section 55 (For protection of the commission)	The President of the Institution of Civil Engineers.
Paragraph (7) of section 56 (For further protection of the commission)	The President of the Institution of Civil Engineers.
Paragraph (11) of section 57 (For protection of certain statutory undertakers)	The President of the Institution of Civil Engineers.

59. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description

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—cont.

belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose.

Saving for  
town and  
country  
planning.

60. 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.

Costs of Act.

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

**SCHEDULE**  
**SECTIONS OF ACT OF 1936 APPLIED**  
**PART I**  
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Section	Marginal note
271	Interpretation of "provide".
283	Notices to be in writing; forms of notices &c.
285	Service of notices &c.
286	Proof of resolutions &c.
288	Penalty for obstructing execution of Act.
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297	Continuing offences and penalties.
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Section	Marginal note
275	Power of local authority to execute certain work on behalf of owners or occupiers.
276	Power of local authority to sell certain materials.
277	Power of councils to require information as to ownership of premises.
289	Power to require occupier to permit works to be executed by owner.
291	Certain expenses recoverable from owners to be a charge on the premises: Power to order payment by instalments.
292	Power to make a charge in respect of establishment expenses.
294	Limitation of liability of certain owners.
295	Power of local authority to grant charging orders.
329	Saving for certain provisions of the Land Charges Act 1925.

**PART III**  
**SECTIONS APPLIED TO PART IV AND SECTION 48 OF THIS ACT**

Section	Marginal note
293	Recovery of expenses &c.
299	Inclusion of several sums in one complaint &c.

**PART IV**  
**SECTION APPLIED TO PART IV AND SECTION 44 OF THIS ACT**

Section	Marginal note
287	Power to enter premises.



*Table of Statutes referred to in this Act*

Short title	Session and chapter
Lands Clauses Consolidation Act 1845 ..	8 & 9 Vict. c. 18.
Towns Police Clauses Act 1847 .. ..	10 & 11 Vict. c. 89.
Clifton and Durdham Downs (Bristol) Act 1861	24 & 25 Vict. c. xiv.
Public Health Act 1875 .. .. .	38 & 39 Vict. c. 55.
Telegraph Act 1878 .. .. .	41 & 42 Vict. c. 76.
Electric Lighting Act 1882 .. .. .	45 & 46 Vict. c. 56.
Bristol Dock Act 1897 .. .. .	60 & 61 Vict. c. ciii.
Public Works Loans Act 1897 .. .. .	60 & 61 Vict. c. 51.
Acquisition of Land (Assessment of Compensation) Act 1919	9 & 10 Geo. 5 c. 57.
Trustee Act 1925 .. .. .	15 & 16 Geo. 5 c. 19.
Rating and Valuation Act 1925 .. ..	15 & 16 Geo. 5 c. 90.
Bristol Corporation Act 1926 .. .. .	16 & 17 Geo. 5 c. xcix.
Petroleum (Consolidation) Act 1928 ..	18 & 19 Geo. 5 c. 32.
Road Traffic Act 1930 .. .. .	20 & 21 Geo. 5 c. 43.
Children and Young Persons Act 1933 ..	23 Geo. 5 c. 12.
Local Government Act 1933 .. .. .	23 & 24 Geo. 5 c. 51.
Public Health Act 1936 .. .. .	26 Geo. 5 & 1 Edw. 8. c. 49.
Local Government Superannuation Act 1937	1 Edw. 8 & 1 Geo. 6 c. 68.
Ministers of the Crown (Transfer of Functions) Act 1946	9 & 10 Geo. 6 c. 31.
Borrowing (Control and Guarantees) Act 1946	9 & 10 Geo. 6 c. 58.
Town and Country Planning Act 1947 ..	10 & 11 Geo. 6 c. 51.
National Assistance Act 1948 .. .. .	11 & 12 Geo. 6 c. 29.
Children Act 1948 .. .. .	11 & 12 Geo. 6 c. 43.
Lands Tribunal Act 1949 .. .. .	12 13 & 14 Geo. 6 c. 42.
Bristol Corporation Act 1950 .. .. .	14 & 15 Geo. 6 c. lx.
Public Utilities Street Works Act 1950 ..	14 & 15 Geo. 6 c. 39.
Magistrates' Courts Act 1952 .. .. .	15 & 16 Geo. 6 & 1 Eliz. 2 c. 55.
Road Traffic Act 1956 .. .. .	4 & 5 Eliz. 2 c. 67.
Housing Act 1957 .. .. .	5 & 6 Eliz. 2 c. 56.

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