

**CHAPTER cvi.**

An Act to extend the boundaries of the borough of Croydon to authorise the mayor aldermen and burgesses of the borough to execute street works and to extend the time for the construction of the street works authorised by the Croydon Corporation Act 1924 to confer further powers upon the Corporation with regard to their electricity undertaking and the health local government and improvement of the borough and for other purposes.

A.D. 1927.

[29th July 1927.]

**W**HEREAS the borough of Croydon in the county of Surrey (in this Act called "the existing borough") is a county borough under the government of the mayor aldermen and burgesses thereof (in this Act called "the Corporation") and the Corporation acting by the council of the existing borough are the sanitary authority for the existing borough with the powers and obligations of an urban sanitary authority :

And whereas the unrepealed provisions of the local Acts specified in Part I. of the schedule to this Act and of the Orders specified in Part II. of that schedule are in force in the existing borough :

And whereas the parish of Addington in the rural district of Godstone is situate in the administrative county of Surrey and immediately adjoins the existing borough :

A D. 1927.

And whereas it is expedient to alter and extend the boundaries of the existing borough so as to include within the borough the said parish of Addington :

And whereas the existing borough is co-extensive with the parish of Croydon which forms part of the Croydon Union and the parish of Addington forms part of the same union and it is expedient to alter and extend the boundaries of the parish of Croydon so as to include within that parish the parish of Addington :

And whereas by the Croydon Corporation Act 1924 the Corporation were authorised to acquire lands for and to execute the street works referred to in that Act and it is expedient to extend the time for the acquisition of such lands :

And whereas it is expedient to empower the Corporation to execute the further street works authorised by this Act :

And whereas it is expedient to confer further powers upon the Corporation with reference to the retention disposal and development of lands acquired by them for and in connection with the execution of the street works authorised by the said Act of 1924 and this Act but not required for such works :

And whereas the Corporation are the owners of an electricity undertaking by means of which they supply electricity within the existing borough and for certain purposes in the neighbourhood thereof and it is expedient to make further provision with regard to the electricity undertaking of the Corporation :

And whereas it is expedient to empower the Corporation to erect or acquire concert halls and other buildings and to confer further powers upon the Corporation with regard to open spaces :

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

And whereas it is expedient that the provisions contained in this Act with respect to the carrying on of trading in the streets of the borough should be made:

And whereas it is expedient to empower the Corporation to create and issue a new class of redeemable stock :

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows :—

The construction of the street works authorised by this Act	£ 3,000
New mains extensions of mains and other waterworks purposes	40,000

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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

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

## PART I.

### PRELIMINARY.

1. This Act may be cited as the Croydon Corporation Short title.  
Act 1927.

A.D. 1927.

Division  
of Act into  
Parts.

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

Part I.—Preliminary.

Part II.—Borough extension.

Part III.—Street works and lands.

Part IV.—Electricity.

Part V.—Streets buildings and drains.

Part VI.—Infectious disease and sanitary provisions.

Part VII.—Street trading.

Part VIII.—Financial and miscellaneous.

Incorporation  
of  
Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act with the following exception and modification (namely):—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

Interpreta-  
tion.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction.

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

“The borough” means the existing borough of Croydon as extended by this Act;

“The Corporation” means as the context requires the mayor aldermen and burgesses of the existing borough or of the borough acting by the council;

“The council” means the council of the borough;

“The mayor” “the town clerk” “the treasurer” and “the medical officer” mean respectively

the mayor the town clerk the treasurer and the medical officer of health of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices; A.D. 1927.

“The local Acts” means the local Acts specified in Part I. of the schedule to this Act the Orders specified in Part II. of that schedule and so much of the confirmation Acts specified in that part as relates to any of those Orders and each of the Acts and Orders specified in the said schedule is referred to in this Act as the Act or Order of the year in which it was passed or confirmed or made;

“The county” and “the county council” mean respectively the administrative county of Surrey and the county council of that county;

“The appointed day” means the first day of April nineteen hundred and twenty-eight;

“The Rating Act” means the Rating and Valuation Act 1925;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough or (until the date when the first new valuation list made under Part II. of the Rating Act comes into force in the borough) the borough fund and borough rate of the borough;

“The borough map” means the map marked “Map of the Borough of Croydon as extended by the Croydon Corporation Act 1927” and signed in triplicate by the Right Honourable the Earl of Wemyss and March the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office;

“The rural district” and “the rural council” mean respectively the rural district of Godstone and the rural district council of that district;

A.D. 1927.

- “The parish of Addington” and “the added area” respectively mean the existing parish of Addington the area whereof is coloured green on the borough map;
- “The parish council” means the parish council of the existing parish of Addington;
- “The parish” means the existing parish of Croydon as altered by this Act;
- “The Croydon Union” and “the Croydon guardians” mean respectively the Croydon Poor Law Union and the board of guardians of that union;
- “The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- “The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same;
- “The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same and “the Act of 1907” means the Public Health Acts Amendment Act 1907;
- “The Act of 1918” means the Representation of the People Act 1918 and the Acts amending and extending the same;
- “Existing” in relation to any area altered by this Act means existing immediately before the appointed day;
- “Local authority” means a local authority as defined in section 34 (Definitions) of the Local Loans Act 1875 and includes a standing joint committee of a county;
- “Officer” includes a servant;
- “The Minister” means the Minister of Health;
- “The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;
- “The electricity limits” means the limits for the time being of the Corporation for the supply of electricity;

“ Food ” has the meaning assigned to it by section 26 (Definition of “ food ”) of the Sale of Food and Drugs Act 1899; A.D. 1927.

“ Daily penalty ” means a penalty for each day on which an offence is continued by a person after conviction;

“ Revenues of the Corporation ” has the meaning assigned to it by section 3 (Interpretation) of the Act of 1920.

## PART II.

### BOROUGH EXTENSION.

#### *Commencement.*

5. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day: Commencement of this Part of Act.

Provided that for the purposes of all proceedings preliminary or relating to any election to be held for any area constituted or affected by this Act in the year nineteen hundred and twenty-eight this Part of this Act shall operate from the date of this Act.

#### *Alteration of boundaries.*

6.—(1) The boundary of the existing borough the area whereof is coloured pink on the borough map shall be altered so as to include in addition to that area so much of the rural district as comprises the added area. Extension of borough.

(2) The boundary of the borough shall be that shown by the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Croydon for the purposes of the Act of 1888 and for all other purposes.

7.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent by him within one month after the passing of this Act to the clerk of the county council to the clerk to the Borough map.

A.D. 1927. rural council to the clerk to the Croydon guardians to the Minister to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the borough map so far as it relates to the boundaries of the borough and the borough map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the credit of the general rate fund.

Alteration  
of parish.

8. The existing parish of Addington shall be added to the existing parish of Croydon.

*Provisions consequent on alteration.*

Municipal  
wards  
and coun-  
cillors.

9.—(1) Subject to the provisions of this section the number of councillors of the borough shall be increased from forty-two to forty-three.

(2) Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of the number and boundaries of wards and the number of councillors the following provisions shall have effect:—

(a) For the purposes of the election of councillors the borough shall be divided into fifteen wards;

(b) The fourteen existing wards of the borough and the number of councillors respectively apportioned to those wards shall remain unaltered;

(c) The added area shall be formed into a new ward to be named "the Addington Ward"



and subject to the provisions of subsection (5) of this section one councillor shall be assigned to that ward.

A.D. 1927.

(3) The first election of a councillor for the Addington Ward constituted by this Act shall be held on the twenty-sixth day of March nineteen hundred and twenty-eight and the mayor of the existing borough shall be the returning officer at such election. Provided that the mayor of the existing borough may appoint some other person to act as returning officer at the said election.

(4) The councillor elected in the year nineteen hundred and twenty-eight for the Addington Ward shall retire on the first day of November nineteen hundred and thirty.

(5) (a) When the number of persons rated in the Addington Ward or the aggregate rating of the ward increases so as to justify an increase of the number of the councillors of the ward it shall be lawful for the council to petition the King for an alteration of the number of the councillors of the ward and for the purposes of any such petition and the proceedings thereon the provisions of section 30 of the Municipal Corporations Act 1882 as amended by the Municipal Corporations Act 1893 and extended by the Borough Councillors (Alteration of Number) Act 1925 shall apply with the necessary modifications as in the case of a petition presented by the council of a borough not divided into wards praying only for an alteration of the number of councillors of the borough :

Provided that so much of subsection (10) of section 30 of the said Act of 1882 as requires that the number of councillors assigned to each ward shall be a number divisible by three shall not apply.

(b) The provisions of this subsection shall be in addition to and not in substitution for the provisions of the general law relating to the alteration of the number of wards or boundaries of wards or the number of councillors of a municipal borough but nothing in this subsection shall authorise the increase of the number of councillors of the Addington Ward to a number greater than three.

A.D. 1927.

County and  
Borough  
Councils  
(Qualifica-  
tion) Act  
1914.County  
electoral  
division.

**10.** For the purposes of the application to the borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added area shall be deemed to have always formed part of the borough.

**11.**—(1) The added area shall be separated from the existing Coulsdon East electoral division of the county.

(2) The person who immediately before the appointed day is the county councillor representing the existing Coulsdon East electoral division of the county shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the day on which he would have retired if this Act had not been passed.

Jurisdiction  
of borough  
justices &c.  
extended.

**12.**—(1) The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing borough and of the justices of the peace appointed for the existing borough and of the clerk to those justices shall extend to and apply throughout the borough :

Provided that—

- (a) every person committing an offence in any part of the added area prior to the appointed day shall be tried and dealt with as if this Act had not been passed;
- (b) every proceeding which prior to the appointed day has been begun by or before any justice in relation to any matter arising in or concerning any part of the added area may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added area shall cease to form part of any petty sessional division of the county.

Officers of  
Corporation  
continued.

**13.** The town clerk and all other officers of the Corporation of the existing borough who hold office at the appointed day shall continue to be the town clerk and officers of the Corporation of the borough and shall hold their offices by the same tenure as on the appointed day.

14.—(1) The auditors of the existing borough who are in office on the appointed day shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors.

A.D. 1927.

—  
Auditors.

(2) Any person appointed as paid auditor of the accounts of the Corporation under the provisions of section 115 (Power to appoint professional auditor of borough accounts) of the Act of 1900 shall continue as such paid auditor until removed by the Corporation under the provisions of the said section.

15. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing borough shall from and after that date attach to them in respect of the borough.

Corporation  
property  
&c.

16. Subject to the provisions of this Act and to any necessary adjustment so much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon a fund or rate levied within the existing borough shall be charged upon the corresponding fund or rate to be levied within the borough and shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Mortgage  
debts of  
Corpora-  
tion.

17.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any other Provisional or Special Order duly confirmed or approved and affecting the existing borough or the Corporation as the same respectively are in

Local Acts.

A.D. 1927. force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof.

(2) The provisions of any protective clause for the benefit of the county council or of the rural council (or the predecessors of either such council) contained in any local Act confirmation Act or Provisional or Special Order (by whomsoever obtained) shall in respect of all matters relating to or affecting any part of the added area enure to the benefit of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to such council (or their predecessors) as the case may be.

(3) Nothing in this Act shall alter the respective areas for the supply of water and electricity by the Corporation.

Adoptive  
Acts.

18.—(1) The provisions of the Baths and Wash-houses Acts 1846 to 1899 the Public Libraries Acts 1892 to 1919 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Small Dwellings Acquisition Acts 1899 to 1923 the Notification of Births Act 1907 and the Public Health Act 1925 which are in force in the existing borough shall be in force in and apply to the borough as if the same had been adopted for the borough.

(2) The provisions of any adoptive Act other than the Acts mentioned in subsection (1) of this section shall cease to be in force in any part of the added area.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which is in force at the appointed day throughout the existing borough shall extend and apply to the added area and any such order in force on the day aforesaid in the added area shall save as hereinbefore provided cease to be in force in that area.

(4) The provisions of subsections (2) and (3) of this section shall not prejudice or affect any proceedings which are pending on the appointed day.

**19.** Subject to any order which the Minister or the Secretary of State may make after the appointed day—

A.D. 1927.

—  
Powers  
under Act  
of 1907.

(1) The provisions of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force in the existing borough shall have effect as if any reference in that order to the borough as it existed at the date of such order extended and applied to the borough and as if the said parts or sections were accordingly declared to be in force in the borough:

(2) Any other order under the Act of 1907 which is in force at the appointed day throughout the existing borough shall extend and apply to the added area:

(3) The provisions of any order made before the appointed day and declaring to be in force in the added area any parts or sections of the Act of 1907 shall cease to apply to the added area and subject to the provisions of this section the parts or sections declared by any such order to be in force shall cease to be in force therein but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

**20.** Subject to the provisions of any order which the Minister may hereafter make the provisions of any order heretofore made by the Local Government Board or the Minister and conferring upon the council of the existing borough powers relating to any of the matters mentioned in section 33 of the Act of 1894 and in that order so far as such provisions are still in force or still have effect shall be deemed to have effect as if any reference in those provisions to the existing borough the council of the existing borough and the existing parish of Croydon extended and applied to the borough the council of the borough and the parish.

Powers  
under  
section 33  
of Act of  
1894.

**21.** Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such

Orders  
under Shop  
Hours Act  
1904 or  
Shops Acts  
1912 to  
1920.

A.D. 1927. — Acts remain in force and apply to the area to which it applied immediately before the appointed day.

Orders  
under  
Wild Birds  
Protection  
Acts.

**22.** Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the appointed day in the existing borough shall subject to the provisions of those Acts extend to the added area and any order under those Acts which is then in force in the county shall cease to apply to the added area.

Byelaws  
and regula-  
tions.

**23.—(1)** All byelaws and every scale of charges made either by the Corporation or by the county council the standing joint committee of the county or the rural council (as the case may be) and in force within the existing borough or within the added area immediately before the appointed day shall—

(a) If made before the first day of January nineteen hundred and one continue to apply to the existing borough or to the added area as the case may be for a period of three years after the appointed day (unless previously repealed or altered by byelaws or a scale of charges made by the Corporation) but shall on the expiration of the period aforesaid cease to be in force within any part of the borough;

(b) If made on or after the first day of January nineteen hundred and one shall continue to apply to the existing borough or to the added area as the case may be until they are repealed or altered by byelaws or a scale of charges made by the Corporation:

Provided that notwithstanding anything in this subsection any byelaws made by the Corporation for good rule and government and in force in the existing borough immediately before the appointed day shall extend and apply to the borough.

(2) In their application to the added area any byelaws or scale of charges made by the county council the standing joint committee of the county or the rural council shall have effect as if they had been made by the Corporation and as if the added area were referred to therein instead of the area to which they now apply.

(3) Any proceedings which if this Act had not been passed might have been taken by the county council by

the standing joint committee of the county or by the rural council for any offence committed before the appointed day within the added area against any byelaws which by virtue of this section continue to apply in the added area may be taken by the Corporation as if the Corporation had been substituted therein for the county council the said committee or the rural council (as the case may be).

A.D. 1927.

(4) In this section "byelaws" includes any regulation and "scale of charges" includes any list of tolls or table of fees or payments.

**24.—**(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing borough immediately before the appointed day shall apply to the borough until revoked or altered by the Corporation in substitution for any such byelaws which may be in force in the added area.

Education  
byelaws  
and  
managers.

(2) Every manager of any elementary school in the added area who was appointed by the county council or by the parish council shall vacate office at the appointed day.

**25.—**(1) The Corporation shall have within the borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906.

Corpora-  
tion to  
have powers  
of burial  
board.

(2) Provided that no approval sanction or authorisation of the vestry of the parish shall be required in respect of any act of the Corporation as the burial board as aforesaid.

**26.** The borough shall be a constituent district of the Croydon and Districts Joint Small Pox Hospital District under the Croydon and Districts Joint Hospital Orders 1898 to 1915.

Joint  
Small Pox  
Hospital  
Districts.

**27.—**(1) The Minister may on the application of the local authority of the added area (such application to be made in writing before the expiration of a period of two months from the passing of this Act) order that the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in the added area shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within that part of the borough which comprises the

Minister  
may order  
differential  
rating.

A.D. 1927. existing parish of Croydon by such sum or sums and for such period as may seem equitable to the Minister after considering any representations that may be made to him by the Corporation.

(2) For the purposes of this section the expression "local authority" includes the parish council in addition to the rural council.

Powers  
property &c.  
of rural  
council.

**28.**—(1) The rural council shall cease to exercise any powers or discharge any duties within the added area.

(2) Subject to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attach to the rural council in relation exclusively to the added area shall by virtue of this Act be transferred to and vest in the Corporation as urban authority.

(3) Any property or liabilities vested in or attaching to the rural council in relation to the added area conjointly with any other area shall be a matter for adjustment under section 62 (Adjustment of property and liabilities) of the Act of 1888.

Godstone  
Rural  
District  
Council.

**29.**—(1) The number of councillors of the rural district shall be reduced by one.

(2) The person acting as rural district councillor and guardian for the existing parish of Addington shall retire from office on the appointed day.

As to exist-  
ing poor  
law orders.

**30.** All poor law orders in force immediately before the appointed day in and applicable to the existing parish of Croydon shall extend and apply to the parish.

Division of  
parish into  
wards.

**31.**—(1) The parish shall for the purposes of the election of guardians be divided into fifteen wards which shall be respectively co-terminous with and shall bear the same number and name as the wards into which the borough is divided for the purposes of the election of councillors by this Act.

(2) The wards of the parish (other than the Addington Ward) shall respectively be represented by the same number of guardians as the wards of the existing parish which bear the same names and the guardians representing the wards of the existing parish shall unless disqualified



respectively represent the wards of the parish which bear the same names until they retire from office in the ordinary course.

A.D. 1927.  
—

(3) (a) The added area shall for the purposes of the election of guardians be constituted a ward which shall be co-terminous with the Addington Ward and shall be called the Addington Ward and one guardian shall be assigned to such ward.

(b) An election of the guardian for the Addington Ward shall be held on the twenty-eighth day of March nineteen hundred and twenty-eight and the guardian then elected shall come into office on the appointed day.

(c) The rules contained in the Guardians (Outside London) Election Order 1898 as amended by the Local Elections (Alteration of Rules) Order 1925 applicable to a first election of guardians for a ward of an urban parish newly constituted shall apply to the election.

(d) For the purposes of the election of a guardian held in pursuance of this section the returning officer shall be the clerk to the Croydon guardians or such other person as may be appointed by those guardians in accordance with paragraph 2 of rule 1 of the said Order of 1898.

(e) For the purposes of the provisions of the Act of 1894 relating to the qualification of guardians the parish shall be deemed to have been extended on the first day of March nineteen hundred and twenty-seven and as from that day to have formed part of the Croydon Union.

**32.** Subject to the provisions of this Act—

Parish  
council.

- (1) The parish council shall cease to exist:
- (2) The parish council shall liquidate so far as practicable before the appointed day all current debts and liabilities incurred by them:
- (3) If default is made by the parish council in complying with the requirements of subsection (2) of this section—

(a) The Corporation may in accordance with section 2 (5) of the Rating Act make and levy over the area of such portion of the borough as is co-terminous with the parish of Addington as an additional item of the

A.D. 1927.

general rate such amount in the pound as will be sufficient to defray the liability of that area in respect of the current debts and liabilities of the parish council;

(b) Any such additional item of the general rate may be made retrospectively to raise money for the payment of charges and expenses incurred by the parish council at any time within one year before the appointed day:

- (4) Any powers and duties transferred by or under the Act of 1894 to the parish council (except powers or duties as the authority under any of the adoptive Acts as defined in the Act of 1894) shall be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the parish of Addington had been included in a parish in the existing borough on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred in relation exclusively to the parish of Addington for the purpose or by virtue of the said powers and duties shall by virtue of this Act be transferred to and vest in the persons and authorities aforesaid:
- (5) Any property or liabilities of the parish council held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall by virtue of this Act be transferred to and vest in the Corporation:
- (6) The powers duties property and liabilities of the parish council under any of the adoptive Acts as defined in the Act of 1894 or of any authority under any such adoptive Act shall by virtue of this Act be transferred to and vest in the Corporation:
- (7) Any property or liabilities held or incurred by the parish council in relation to the added area or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 (Adjustment of property and liabilities) of the Act of 1888.

*Supplementary provisions.*

A.D. 1927.

**33.**—(1) In any case where the extension of the existing borough by this Act affects the distribution between the county and the borough of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

Adjustment  
of financial  
relations  
between  
county and  
county  
borough.

(2) Any adjustment authorised by subsection (1) of this section may be made by agreement between the councils of the borough and the county and if such adjustment has not been made before the thirty-first day of December nineteen hundred and twenty-eight then on the application of either of the councils interested the Minister may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of section 62 (Adjustment of property and liabilities) of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided that—

(a) in lieu of subsection (6) of section 61 (Appointment of commissioners) of the Act of 1888 subsections (1) and (5) of section 87 (Application of provisions of 38 & 39 Vict. c. 55 as to

A.D. 1927.

local inquiries and provisional orders) of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries; and

- (b) subsection (6) of section 32 (Adjustment of financial relations between counties and county boroughs) of the Act of 1888 shall apply to any agreement or award made under this section.

As to adjustments between Corporation and other authorities.

**34.** In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Act regard shall be had to the interest or share (if any) of the added area in any property which is retained by or transferred to such council or other authority if—

- (a) such council or other authority will thereby be relieved from providing accommodation; or
- (b) prior to the appointed day such property was subject to beneficial user by the inhabitants of the added area; or
- (c) such property or some part thereof is realisable; and due credit shall be given in such adjustment to the Corporation in respect of such interest or share (if any).

Adjustment for purposes of Licensing (Consolidation) Act 1910.

**35.—(1)** An equitable adjustment shall be made between the county and the borough respecting the interest of the added area in any compensation fund constituted under section 21 (Compensation fund) of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 (Adjustment of property and liabilities) of the Act

of 1888 and the provisions of that Act shall apply accordingly. A.D. 1927.

**36.**—(1) The Minister may by order at any time after the passing of this Act make such provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added area. Insurance committees.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirtieth day of June nineteen hundred and twenty-eight as may be specified in the order and may for that purpose postpone the operation of this Act so far as relates to the rights and duties of the respective insurance committees for the county and borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section shall have effect as if enacted in the National Health Insurance Act 1924 and may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county as altered by this Act and the borough.

**37.** For the purposes and subject to the provisions of the Education Act 1921— As to public elementary schools &c.

(1) The furniture fittings books and apparatus belonging to the county council of any public elementary school in the added area shall by virtue of this Act be transferred to and vested in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority:

A.D. 1927.

- (2) All contracts debts and liabilities which at the appointed day are existing or are owing by or attach to the county council in respect exclusively of any public elementary school in the added area or of the furniture fittings books or apparatus or with respect to the officers and teachers of any public elementary school in the added area and to school attendance officers school nurses and other persons employed whole time in connection with education services exclusively in the added area shall by virtue of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority:
- (3) Section 68 (Adjustment of property and liabilities) of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section:
- (4) Subject to any adjustment which may hereafter be made the liability for the repayment of so much of any loan raised exclusively in respect of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Act as will be owing at the appointed day and the liability for the payment of interest on that part of the said loan shall by virtue of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as will be owing at the appointed day shall be charged on the general rate fund and the general rate of the borough and shall be repaid by the Corporation within the period for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable.

Apportionment of balances and sums received under precept.

**38.**—(1) As soon as practicable after the appointed day the county council and the rural council shall as regards any cash balance in their hands at the appointed day estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of that area accruing up to the appointed day shall transfer such amount to the Corporation.

(2) Any sum received after the appointed day by the county council or the rural council under a precept issued before that day in respect of the added area shall be dealt with in the manner prescribed by subsection (1) of this section.

A.D. 1927.

(3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Act.

**39.** Section 62 (Adjustment of property and liabilities) of the Act of 1888 shall apply to any adjustment which may become necessary in consequence of this Act and for the purposes of such application that section shall have effect—

Adaptation  
of provi-  
sions as to  
adjustment.

(a) As if in subsections (5) (6) and (7) thereof the expression "council" included any authority affected by this Act or by anything done in pursuance of this Act; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction.

**40.** Any balances standing at the appointed day in the books of the Croydon guardians to the credit or debit of the existing parish of Addington shall be carried to the credit or debit of the parish.

Balances in  
accounts of  
guardians.

**41.** Subject to any adjustment under this Act any balance immediately before the appointed day in the hands of the rating authority of the existing parish of Addington shall be duly accounted for and paid over to the Corporation as rating authority under the Rating Act and any balance at the appointed day due to the rating authority of that parish shall be paid by the Corporation as such rating authority.

Balances  
and debts  
of rating  
authority.

A.D. 1927.

—  
Duplicate  
entries in  
electors'  
lists.

**42.**—(1) The registration officer of the parliamentary county of Surrey shall on publication of the electors' lists for each registration unit comprising any part of the added area which is within that parliamentary county supply the registration officer of the parliamentary borough of Croydon with a sufficient number of copies of those lists.

(2) It shall be the duty of the registration officer of the parliamentary borough to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Act of 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the borough for the purpose of borough council elections or in any ward of the parish for the purpose of guardians elections.

(3) Where the registration officer of the parliamentary borough considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added area which is within the parliamentary county of Surrey he shall forthwith notify the registration officer of that parliamentary county and that officer shall make such correction accordingly.

(4) This section shall apply to the preparation of the register in the year nineteen hundred and twenty-seven and of later registers.

Provisions  
as to  
register  
of electors.

**43.**—(1) For the purposes of the register of local government electors of the borough prepared in the years nineteen hundred and twenty-seven and nineteen hundred and twenty-eight and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the borough as from the twenty-eighth day of February nineteen hundred and twenty-seven.

(2) In the preparation of the register in the year nineteen hundred and twenty-seven so far as it relates to any areas affected by this Part of this Act it shall be competent to the registration officer to frame the register in separate parts for each area which will constitute a



registration unit from and after the appointed day instead of in separate parts for each area constituting a registration unit before the appointed day. A.D. 1927.  
—

(3) If the register of local government electors for any electoral area affected by this Act is not so framed as to show the persons entitled to vote at an election to be held for a parish or ward or other voting area—

- (a) The town clerk in the case of an election for any voting area within the borough; and
- (b) The registration officer of the parliamentary county in the case of an election for any voting area outside the borough;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.

(4) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

44.—(1) Every person who at any time before the appointed day has acquired or who immediately before the appointed day is in the course of acquiring a settlement in the existing parishes of Croydon and Addington by reason of residence birth or other qualification in the existing parishes of Croydon or Addington shall be deemed to have acquired or to be in the course of acquiring thereby a settlement in the parish as if the said parishes had always been included in the parish. Settle-  
ment and  
removal of  
poor.

(2) Every person who at any time before the appointed day has acquired or who immediately before the appointed day is in the course of acquiring a status of irremovability from the Croydon Union by reason of residence in the existing parishes of Croydon or Addington shall be deemed to have acquired or to be in the course of acquiring a status of irremovability from the said union by reason of residence in the parish.

45.—(1) The local registrars for the county and for the rural district under the Land Charges Act 1925 and the rules made thereunder shall within one month As to Land  
Charges  
Act 1925.

A.D. 1927. — after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any premises situate within the part of the county and rural district which comprises the added area and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the borough shall within one month after the receipt of the office copies mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate parts of the local land charges register of the borough.

(3) Until the entries are made as aforesaid or until the expiration of two months from the appointed day whichever be the earlier the following provisions shall have effect in respect of all land in the added area :—

(a) The local registrar for the borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the rural district and in the register for the county;

(b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the rural district the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application;

(c) The local registrars for the county and for the rural district shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;

(d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;

- (e) Where a local land charge duly registered in the local land charges register of the county council or of the rural council is in pursuance of this Act transferred from the register of the county council or of the rural council to the register of the borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the local land charges register of the borough.

A.D. 1927.

—

**46.**—(1) Any scheme made under the Rating Act for the constitution of an assessment area which includes the added area shall be varied by excluding the added area from such assessment area and the person who immediately before that day is the representative on the assessment committee of the area of the county which includes the added area shall cease to represent the added area and the representation of the Croydon guardians on the South Eastern Assessment Committee in respect of the added area shall cease.

Application  
of Rating  
Act.

(2) As from the date of the passing of this Act the added area shall for all purposes connected with the making and approval of the first new valuation list under Part II. of the Rating Act form part of the rating area and of the assessment area of the borough and except for such purposes shall until the appointed day remain part of the rating area of the rural council and of the assessment area of the county referred to in subsection (1) of this section.

(3) Until the new valuation list comes into force the valuation lists of the existing borough and of the existing parish of Addington shall together form the valuation list of the borough.

**47.**—(1) The basis of the county rate of the county shall be altered by omitting therefrom the net annual value of property in the existing parish of Addington.

County rate  
basis.

(2) In this section "net annual value" means the net annual value according to the basis of the county rate which is being altered in pursuance of this section.

(3) For the purpose of the preparation of any order for county contributions to be issued by the county

A.D. 1927. — council after the appointed day this section shall operate from the date of this Act.

Parish  
books and  
documents.

**48.**—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to either of the existing parishes of Croydon or Addington and all documents directed by law to be kept with the public books writings and papers of those parishes respectively except any book or document relating to ecclesiastical matters shall be deposited in such custody as the Corporation may direct.

(2) Any ratepayer of either of the existing parishes aforesaid shall at all times have the same right of inspection and of making extracts from the books minutes deeds papers or writings referred to in this section which he would have had if this Act had not been passed.

As to jury  
service.

**49.** For the purpose of summoning jurors and jury service any parish affected by this Act shall be deemed to continue unaltered until a new jurors' book comes into force.

Compensa-  
tion to  
existing  
officers.

**50.** Every officer in office at the passing of this Act who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by determination of his appointment or by diminution or loss of fees or salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Determina-  
tion of com-  
pensation.

**51.**—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Act regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 (Compensation to existing officers) of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

(2) Any compensation payable under this Act to any officer shall be paid out of the general rate fund and general rate of the borough and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications:—

(a) Any reference in that section to the county council shall be construed as a reference to the Corporation;

A.D. 1927. — either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence Provided that in the case of an officer who after the armistice voluntarily extended his term of service in the forces no period of absence during such extension shall be so reckoned.

(7) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Act.

(8) For the purposes of this section and the next preceding section the following offices shall be deemed to be offices under a local authority namely clerk to an assessment committee constituted under the Rating Act superintendent registrar registrar of births and deaths and registrar of marriages.

(9) The foregoing provisions of this section shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority Provided that—

(a) In the case of a teacher employed in a public elementary school maintained but not provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day;

(b) In the application of subsection (7) of section 120 of the Act of 1888 in the case of a teacher to whom a compensation allowance has been granted in pursuance of this section service

- (b) References in that section to "the passing of this Act" shall be construed as references to the date on which the direct pecuniary loss commences; A.D. 1927
- (c) The expression in subsection (1) of that section "the Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888;
- (d) The references in subsections (4) and (6) of that section to the Treasury shall be deemed to be references to the Minister; and
- (e) The words "any local authority as defined by "the Local Government and other Officers' Superannuation Act 1922" shall be substituted for the words "the same or any other county council" in subsection (7) of that section.

(3) The compensation payable under this Act to an officer who immediately before the appointed day held two or more offices under any local authority or local authorities and who devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

(4) In computing the time of service in any capacity of any officer for the purpose of determining the compensation to which he is entitled under this Act the Corporation shall take into account all the service of any such officer (after he has attained the age of eighteen years) in any capacity under any local authority whether such officer has been appointed annually or otherwise.

(5) All fees or remuneration received by an officer in connection with the preparation of the jurors' book or the register of electors shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

(6) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces or the forces of the allied or associated powers

in a public elementary school maintained but not provided by a local authority shall be deemed to be service in an office under that authority.

A.D. 1927.

**52.** No officer shall be entitled to receive compensation under this Act for any direct pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Compensation and superannuation.

**53.** Subject to any adjustment all rates not collected at the appointed day and levied by overseers or any rating authority upon any hereditament situate in any parish affected by this Act shall be collected and recovered by the rating authority under the Rating Act in respect of the rating area in which the hereditaments will be situate by virtue of this Act or by other officers of such rating area last mentioned competent in that behalf.

Arrears of rates made by rating authorities.

**54.**—(1) The accounts of the parish council shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not been passed.

Audit of accounts of parish council.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer.

(3) This section shall apply to the accounts of any committee or officer of the parish council as it applies to the accounts of the parish council.

**55.** Any reference in this Act to the provisions of the Education Act 1921 shall as respects any provision of that Act which may not be in operation at the appointed day be construed as a reference to the corresponding provision of the Education Acts 1870 to 1919 until such corresponding provision is repealed by the Education Act 1921.

Reference to Education Act 1921.

**56.** No alteration effected by this Act shall cause to abate prejudicially affect or prevent any action cause of action or proceeding which at the appointed day is pending or existing by or against the rural council or the parish council or the Croydon guardians or any contract deed bond agreement or other instrument

Savings for actions contracts &amp;c.

A.D. 1927. (subsisting at the appointed day) entered into or made by any such council or board or their predecessors:

Provided that—

- (i) Any action cause of action or proceeding which at the appointed day is pending or existing by or against any such council or board in relation exclusively to the added area may be continued prosecuted and enforced by or against the Corporation or the Croydon guardians (as the case may be); and
- (ii) All contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by any such council or board or their predecessors in relation exclusively to the added area may be continued and enforced as fully and effectually as if instead of such council or board (or their predecessors) the Corporation or the Croydon guardians (as the case may be) had been a party thereto.

Saving for qualification of aldermen councillors &c.

**57.** An alderman councillor or guardian who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification by reason of the alterations of area made by this Act.

Saving for contribution orders and precepts.

**58.** Notwithstanding the alterations in the areas of parishes or districts effected by this Act all contribution orders issued and precepts made before the appointed day shall be as valid in law as if this Act had not been passed.

Saving provisions.

**59.** Nothing contained in this Act shall—

- (a) be construed as restricting the powers of the Minister under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister the county council or the Corporation under the Act of 1888 or the Act of 1894;
- (b) affect the limits of the parliamentary borough of Croydon or of the parliamentary county of Surrey or of any division thereof or the powers of the county council under section 31



(Division of constituency into polling districts and appointment of polling places) of the Act of 1918 or any order or scheme made by the county council for the division of the parliamentary county of Surrey into polling districts and the appointment of polling places for parliamentary elections;

A.D. 1927.

(c) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment;

(d) affect land tax.

60. For the purposes of income tax the provisions of the section of this Act whereof the marginal note is "Alteration of parish" shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purpose of income tax under Schedules A and B for the preceding year is taken as the annual value of that property for the same purpose for that year.

Saving as to income tax.

### PART III.

#### STREET WORKS AND LANDS.

61.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street works hereinafter mentioned together with all necessary or proper works and conveniences connected therewith or incident thereto and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the construction of such street works or for the purpose of providing space for the erection of buildings adjoining or near thereto or for other the purposes of this Part of this Act.

Power to construct street works.

(2) The street works hereinbefore referred to and authorised by this Act will be situate in the borough and are—

Street Work No. 1 A widening and improvement of North End on the easterly side thereof;

Street Work No. 2 A widening and improvement of North End on the westerly side thereof.

A.D. 1927.

Period for compulsory purchase of lands.

**62.** The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the thirty-first day of October nineteen hundred and twenty-seven.

Application of provisions of previous Acts to street works.

**63.** The following provisions of the Act of 1900 and the Act of 1923 shall (in addition to any other provisions extended and applied to and for the purposes of this Act by any provision contained in Part VIII thereof) with all necessary modifications extend and apply to and for the purposes of this Part of this Act as if the same were re-enacted in this Act (namely):—

The Act of 1900.

Section 49 (Limits of lateral and vertical deviation).

The Act of 1923.

Section 6 (Subsidiary works);

Section 7 (Power to alter steps pipes areas &c.).

Power to enter upon property for survey and valuation.

**64.** The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may at all reasonable times upon giving in the first instance twenty-four hours' and subsequently twelve hours' previous notice in writing enter upon and into the lands and buildings by this Act authorised to be taken and used or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Benefits to be set off against compensation.

**65.** In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the construction of any new street or of the widening or improvement of any existing street or arising through such adjoining lands becoming lands fronting on any such new or existing street shall be fairly estimated and shall be set off against the said compensation or purchase money.

**66.** The period limited by section 25 (Period for compulsory purchase of lands) of the Act of 1924 for the compulsory purchase of lands required for the purposes of that Act is hereby extended until the thirty-first day of October nineteen hundred and thirty-two but on that date the powers for such compulsory purchase shall cease except so far as such powers shall then have been exercised.

A.D. 1927.

—  
Extension  
of time for  
compulsory  
purchase of  
lands.

**67.**—(1) The Corporation may lay out and develop any lands within the limits of deviation for the street works authorised by the Act of 1924 and this Act acquired by them under the powers of the Act of 1924 or this Act and not required for the purposes for which they were acquired and also the lands belonging to the Corporation and known as No. 13 South End and Nos. 1 2 3 4 and 5 Meadow Stile and may erect and maintain houses shops offices warehouses and other buildings and construct pave flag channel and kerb streets roads and ways on any such lands and may sell lease exchange or otherwise dispose of any such shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

Power to  
develop  
lands &c.

(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey or lease the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of the Act

A.D. 1927. of 1924 or this Act or which may be in the neighbourhood of the street works authorised by the Act of 1924 or this Act or any of them with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

(5) Nothing in this section shall authorise the Corporation to create or permit any nuisance on any such lands as are referred to therein.

(6) The Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any of the lands to which this section applies except at the best price or on the best terms which can be obtained for the same but a purchaser or lessee shall not be concerned to inquire whether the direction of the Minister is necessary or has been obtained.

Power to  
Corporation  
to advance  
money for  
erection of  
buildings.

**68.**—(1) The Corporation may advance money to the purchaser or lessee of any lands acquired by them under the provisions of the Act of 1924 or under this Part of this Act or the lands belonging to the Corporation and known as No. 13 South End and Nos. 1 2 3 4 and 5 Meadow Stile for the purpose of enabling or assisting him to erect buildings on such land provided that any advance shall not exceed two-thirds of the amount which in the opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

(2) Every such advance shall be repaid with interest at a rate not being less than five per centum per annum within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee.

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

(4) Any such purchaser or lessee to whom an advance has been made may at any of the usual quarter

A.D. 1927

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

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

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

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

**69.**—(1) Notwithstanding anything in any other Act or Acts or otherwise to the contrary the Corporation may retain hold and use for such time and for such

Retention  
and disposal  
of lands.

A.D. 1927. purpose as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any general or local Act for the time being in force in the borough (other than the Housing Acts 1890 to 1923) and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange :

Provided that the Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained :

Provided also that nothing in this section shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation in any case in which such consent would have been required if this Act had not been passed.

(2) Nothing in this section contained shall release the Corporation or any person purchasing or acquiring any lands from them under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed

and enforced in like manner and to the same extent as if this Act had not been passed. A.D. 1927.

(3) Section 71 (Power to retain sell &c. lands) of the Act of 1900 is hereby repealed.

#### PART IV.

#### ELECTRICITY.

70. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Act and the undertaking authorised by the Order of 1891 and the undertakers in respect thereof shall be subject to those provisions as if those provisions were substituted by this Act for the corresponding provisions of the Order of 1891 and so much of that Order as is inconsistent with those provisions is hereby repealed without prejudice to anything done or suffered thereunder.

Application  
of Electric  
Lighting  
(Clauses)  
Act 1899.

71. The Corporation may upon the application of the owner or occupier of any premises within the electricity limits abutting on or being erected in any street laid out or made and whether dedicated to the public use or not supply such premises with electrical energy and may lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1926 and of the schedule to the Electric Lighting (Clauses) Act 1899 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof and to any works constructed or executed by the Corporation under the provisions of this section :

Power to  
lay electric  
mains in  
private  
streets.

Provided that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of a railway company nor shall the Corporation in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

A.D. 1927.

Power to  
construct  
electrical  
sub-stations  
under  
streets.

72.—(1) Subject to the provisions of the Electricity (Supply) Acts 1882 to 1926 and the schedule to the Electric Lighting (Clauses) Act 1899 the Corporation may in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking of the Corporation and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient. Provided that where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:

Provided also that the Corporation shall not construct any such sub-station transforming station or work (a) in or upon any bridge carrying a street over a railway or under any bridge carrying a railway over a street or within fifteen feet of any portion of any abutment or wing wall of any such bridge without the consent of the railway company concerned but such consent shall not be unreasonably withheld or (b) so as to interfere with or render less convenient the access to or exit from any station or depôt of a railway company.

(2) (a) Not less than twenty-eight days before commencing any of the works by this section authorised in that part of the existing borough which is coloured pink upon the signed map or in the added area the Corporation shall deliver to the Metropolitan Water Board (in this section referred to as "the board") plans sections and descriptions of such works and the board may within twenty-eight days after the receipt of such plans sections and descriptions give notice to



the Corporation of any objections they may have to the construction of the works or to the proposed position thereof or of any conditions which should apply in regard to the construction of such works whether by reference to the effect of such works upon any existing mains or pipes of the board or upon any mains or pipes which it may be necessary for the board to lay within a reasonable period after the delivery of such plans sections and descriptions.

A.D. 1927.

(b) Unless an agreement shall be arrived at between the Corporation and the board with reference to the matters to which any such notice by the board relates a difference shall be deemed to have arisen between them which shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply.

(c) The Corporation shall not execute any works under the powers of this section in the area referred to in paragraph (a) of this subsection otherwise than as may be agreed with the board or in case of difference as shall be settled by arbitration in pursuance of the provisions hereinbefore contained.

(d) In this section the expression "the signed map" means the map four copies of which have been signed by the Right Honourable the Earl of Wemyss and March the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons one with the Corporation and one with the board.

**73.** Notwithstanding anything contained in this Act the following provisions for the protection of the South Metropolitan Electric Tramways and Lighting Company Limited (in this section referred to as "the company") shall unless otherwise agreed in writing between the Corporation and the company have effect in relation to the exercise by the Corporation of the powers of the section of this Act of which the marginal

For protec-  
tion of  
South Me-  
tropolitan  
Electric  
Tram-  
ways and  
Lighting  
Company  
Limited.

A.D. 1927. note is "Power to construct electrical sub-stations under streets" (that is to say):—

(1) Not less than fourteen days before commencing to execute any work under the provisions of this Act which are hereinbefore referred to in under or over the surface of any part of any street or road in which any tramway for the time being belonging or leased to or worked or run over by the company or the apparatus provided in connection with or for the purpose of working any such tramway or any cables mains wires or other apparatus belonging to the company and used in connection with the electricity undertaking of the company are situate the Corporation shall submit to the company plans sections and particulars of the intended work and shall comply with all such requirements as the company may at any time within fourteen days after the receipt of any such plans sections and particulars reasonably make for the protection of the said tramway and apparatus and electricity works and for preventing any interruption in the working thereof and the Corporation shall repay to the company any reasonable and proper expenses incurred by the company by reason of the execution of such work:

(2) If any question shall arise between the company and the Corporation under the foregoing provision of this section such question shall be referred to and determined by an arbitrator to be appointed on the application of either party after notice in writing to the other of them by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination.

Attachment  
of brackets  
&c. to  
buildings.

74.—(1) The Corporation may with the consent of the owner of any building or bridge attach thereto (but in the case of a bridge only to the underside thereof) such brackets pipes wires and apparatus as

may be required for lighting any street in the electricity limits or for the purposes of the electricity undertaking. A.D. 1927.

(2) Provided that—

(a) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building or bridge and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;

(b) Any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after the owner ceases to be in possession of the building or bridge but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under proviso (a);

(c) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge.

(3) For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

(4) Notwithstanding anything contained in this section no brackets pipes wires or attachments shall be attached to any bridge or building belonging to or forming part of the railway undertaking of a railway company without the previous consent in writing of

A.D. 1927. — that company or if in the opinion of an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers such consent is unreasonably withheld the consent of such engineer.

As to limits of supply of electricity by Corporation.

**75.** Where under the provisions of any Act or Order relating to the Corporation or their electricity undertaking the electricity limits are bounded by or abut upon any road such limits shall be deemed to extend to the centre of the road.

Provisions as to supply of electricity by agreement.

**76.**—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement. Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

(2) A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 (Penalty for failure to supply) of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement

existing at the passing of this Act of any right to which he would be entitled but for the said provisions. A.D. 1927.

**77.**—(1) No consumer to whom electricity is supplied by the Corporation shall without the consent in writing of the Corporation use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illuminating or for any process operation or purpose involving or requiring the use of light (all of which purposes are in this section referred to as “lighting purposes”) the whole or any part of any electricity supplied to him by the Corporation for any other purpose.

Use for lighting purposes of electricity supplied for power.

(2) Any consumer who without such consent shall use or suffer to be used for lighting purposes electricity supplied to him by the Corporation through a meter fixed for the purpose of ascertaining the value of the supply to him of electricity agreed to be supplied to him for any purpose other than lighting purposes shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and shall in addition be liable to pay to the Corporation at such higher rate as they may be for the time being charging for the supply of electricity for the purpose for which the electricity is used by the consumer for all or any portion of the electricity which has been supplied to him for any other purpose within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

(3) Any court having jurisdiction to impose such penalty may and on the application of the Corporation shall decide as to the portion (if any) of such electricity in respect of which the higher charge as aforesaid shall be payable to the Corporation.

(4) The provisions of section 18 (Power to refuse to supply electrical energy in certain cases) of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.

**78.**—(1) The Corporation and any local authority company or person authorised by Act of Parliament or Order confirmed by Parliament or by a Special Order under the Electricity (Supply) Act 1919 to produce or supply electricity may enter into and carry into effect contracts for the supply by the Corporation beyond the electricity limits to any such local authority company or

Contracts for supply of electricity in bulk.

A.D. 1927. — person or by any such local authority company or person to the Corporation of electricity in bulk upon and subject to such terms and conditions as may be agreed upon but nothing in this section shall authorise any party to any such contract to lay any mains or electric lines or to interfere with any street outside the limits of such party for the supply of electricity.

(2) Any contract entered into under the provisions of this section shall be submitted to the Electricity Commissioners for their approval.

As to  
method of  
charge in  
certain  
cases for  
fittings.

**79.**—(1) In any case in which the Corporation have fixed or set up or shall hereafter fix or set up in any dwelling-house or part of a dwelling-house any lamps meters electric lines fittings motors apparatus and things for lighting or motive power or for any other purposes for which energy can or may be used (all of which are in this section referred to as and included in the expression "fittings") the Corporation may make and recover from the owner or occupier for the time being of such dwelling-house or part of a dwelling-house such charges as they may determine by way of consideration for the provision and laying fixing or setting up and maintenance of such fittings and of the whole or part of so much of the service cable as is laid upon the property of the owner or in the possession of the occupier of such dwelling-house or part of a dwelling-house and for the purposes of the Electricity (Supply) Acts 1882 to 1926 the said fittings and portion of service cable shall subject as hereinafter provided be the property of the Corporation:

Provided that the basis on which such charges are to be determined shall be such as shall be approved by the Electricity Commissioners:

Provided also that the owner or occupier for the time being of any such dwelling-house or part of a dwelling-house as aforesaid shall be entitled at any time to require—

(a) that the charge made by the Corporation as aforesaid shall be commuted by the payment of a sum in gross equal to the balance for the time being outstanding in the books of the Corporation in respect of the capital expenditure incurred by them in the provision laying fixing or setting up of the fittings in such dwelling-house or part

of a dwelling-house and upon such payment the said fittings shall become the property of such owner or occupier; or A.D. 1927.

- (b) that in lieu of making such charges as aforesaid after the date of such requirement the Corporation shall as from that date enter into an agreement with him under which the fittings provided and laid fixed or set up by the Corporation in such dwelling-house or part of a dwelling-house will become vested in him at the expiration of such period not exceeding five years as such owner or occupier may require in consideration of the payment by him to the Corporation during that period of annual or other periodical instalments of such amount as may be agreed between him and the Corporation;

and that as from the date of any such payment as is referred to in the foregoing paragraph (a) or the expiration of any such period as is referred to in the foregoing paragraph (b) the Corporation shall cease to be liable for the maintenance of such fittings as aforesaid :

Provided further that the owner or occupier for the time being of such dwelling-house or part of a dwelling-house (not being the owner or occupier on whose application the fittings were laid fixed or set up) shall be entitled at any time to require the Corporation to remove and the Corporation shall on being so required remove the said fittings.

(2) The Corporation may require that the whole or any part of any such charges shall be payable and paid quarterly in advance.

(3) The Corporation shall have the like remedies in the event of non-payment of any sum payable pursuant to this section and the like rights of recovery of any such sum as they have under the provisions of the Order of 1891 as amended by this Act and the Electricity (Supply) Acts 1882 to 1926 with respect to charges for electricity.

(4) Nothing in this section shall alter or affect any agreement for the time being subsisting between the Corporation and the owner or occupier of any such dwelling-house or part of a dwelling-house as aforesaid.

A.D. 1927.

(5) Notice of the provisions of this section shall be given to the owner of any dwelling-house or part of a dwelling-house when the Corporation fix or set up therein any fittings and also to the occupier of such dwelling-house or part of a dwelling-house when such occupier makes application to the Corporation for a supply of electricity thereto.

Charges for special readings of electricity meters.

**80.** The Corporation may levy and recover such charges as they think fit for taking the reading of any electricity meter fixed in a house which is either in whole or in part let furnished at the request of and for the convenience of consumers at times other than those of the periodical readings. Provided that such charges shall not exceed the sum of one shilling for each reading.

Byelaws as to apparatus and fittings.

**81.**—(1) The Corporation may make byelaws for the purpose of preventing fire or any injury to persons in any building or premises supplied or proposed to be supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in which such byelaws are not complied with.

(2) The provisions of section 6 (Regulations to be inserted in licences &c.) of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

Period of error in defective meters.

**82.**—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or the Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.



**83.**—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall be sufficient if it be in writing signed by or on behalf of the consumer and left at or sent by post to the offices of the electricity undertaking of the Corporation.

A.D. 1927.

—  
Notice to  
discontinue  
supply of  
electricity.

(2) Notice of the effect of this section shall be endorsed upon every demand note for charges for electricity.

**84.** In any case in which the Corporation lawfully cut off a supply of electricity by reason of any act omission or default of a consumer or any other person they may recover from the person to whom the supply was theretofore furnished or from any other person on account of whose act omission or default such supply was cut off the expenses incurred by them in such cutting off in like manner as charges for electricity are recoverable by the Corporation.

Power to  
recover  
cost of  
cutting off  
supplies.

**85.**—(1) The powers conferred by section 24 of the Electric Lighting Act 1882 of entering premises for the purposes mentioned in that section shall extend to enable the Corporation to enter any premises to which electricity is or has been supplied by them (whether for the time being occupied or not) and in or upon which they have reason to believe that there is or has been any contravention of any of the Acts or Orders relating to the electricity undertaking or of any byelaw or regulation made thereunder and to inspect such premises and any electric lines wires fuses casings switches fittings lamps lampholders or other apparatus therein and in any case in which any such contravention is found to exist or to have existed to cut off and disconnect the supply of electricity to the premises.

Further  
powers as to  
entry upon  
premises.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 as extended by this section are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

A.D. 1927.

(3) Any person who shall refuse or neglect to admit any officer appointed by the Corporation to any premises which he is entitled to enter in pursuance of the said section 24 as extended by this section or shall hinder any such officer from entering any such premises or from exercising the powers contained in either of the said sections shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Receipts  
and  
expenses.

**86.**—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of sections 7 and 8 of that Act shall extend and apply accordingly to such expenses.

(2) Any moneys received by the Corporation under this Part of this Act shall be deemed to be moneys received in respect of the electricity undertaking and shall be applicable accordingly.

## PART V.

### STREETS BUILDINGS AND DRAINS.

As to ter-  
minations of  
new streets.

**87.**—(1) The Corporation may on the deposit of a plan and sections of a new street in pursuance of any byelaw in force in the borough by order prohibit the erection or retention on land belonging to the owner of the land upon which such new street is proposed to be constructed or laid out of any wall or fence at either end of such new street in order to secure means of communication between such new street or any other street or intended street or for the purpose of securing an adequate opening at either end of the new street.

(2) If any person acts in contravention of any order made by the Corporation under the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings :

Provided that the Corporation shall make compensation to any person who may be injuriously affected by the exercise of the powers of this section,

**88.**—(1) It shall not be lawful for any person except with the consent of the Corporation to erect or build or begin to erect or build any new building abutting upon any new street or part of a new street unless the Corporation shall have previously approved of the level and available width of such new street or part of a new street nor until the carriageway and footway of such new street or part of a new street shall have been formed with a foundation of suitable material and of sufficient depth to be capable of carrying the traffic which will make use of the same. Provided that the execution of any works under the provisions of this section shall not relieve any person of any liability under section 150 of the Public Health Act 1875 or under the Private Street Works Act 1892.

A.D. 1927.

—  
No buildings  
to be  
erected  
until street  
formed.

(2) Any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds.

**89.** The Corporation (if in the circumstances of the case they think it expedient so to do) may make it a condition of approving the plans for any new street that so soon as any building shall be erected or commenced to be erected in such new street the owners of the freehold of such new street shall provide a paved crossing of granite or other suitable material of a sufficient width across the end of such street nearest to such building and across every street intersecting either side of such new street between such building and such end of the new street. Any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings :

Paved  
crossings to  
be provided  
in new  
streets.

Provided that nothing in this section shall empower the Corporation to require the execution of any works in a street repairable by the inhabitants at large.

**90.**—(1) (a) No fence hoarding or other similar structure (in this section referred to as "structure") of a greater height than six feet six inches shall be erected or brought forward on any land in any street—

As to  
hoardings  
and similar  
structures.

(i) beyond any building line prescribed by the Corporation under the provisions of any Act; or

A.D. 1927.  
—

- (ii) if there be no such line beyond any line which is enforceable by the Corporation for buildings under subsection (2) of section 100 of the Housing Act 1925; or
- (iii) if there be neither of such lines beyond the line to which any house or building erected or brought forward on the land would have to conform under the provisions of the Public Health (Buildings in Streets) Act 1888.

(b) Any person who shall offend against the provisions of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may take down or remove any structure erected in contravention of those provisions and recover the expense incurred by them in so doing from the offender.

(2) (a) The Corporation may by notice in writing after the expiration of five years from the commencement of this Act require the owner or occupier of any land upon which any structure exists at the commencement of this Act which would (if erected after the commencement of this Act) have contravened the provisions of subsection (1) of this section to remove or alter such structure within such time (not being less than fourteen days) as may be specified in the notice in such a manner as to comply with those provisions and the Corporation shall on demand repay to the owner or occupier of such land the reasonable expenses incurred by him in so doing.

(b) Any person who shall neglect or refuse to comply with a notice from the Corporation given in pursuance of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may at their own expense take down or remove any structure erected or maintained in contravention of those provisions.

(3) The provisions of this section shall not apply to any wooden structure fence or hoarding of a moveable or temporary character erected by a builder for his use during the construction alteration or repair of any building unless the same is not taken down or removed immediately after such construction alteration or repair is complete.

**91.**—(1) If the Corporation shall by resolution determine that any banner streamer notice board sign or lettering suspended across or hung over any street for the purposes of advertisement or announcement is a nuisance or objectionable by reason of its size construction or situation or an injury to the amenities of the borough they may by notice in writing require the owner of or person responsible for the suspension or hanging of such banner streamer notice board sign or lettering to remove the same within such period not being less than seven days as may be specified in the notice.

A.D. 1927.

—  
Banners  
signs &c.  
over  
streets.

(2) Any person neglecting or refusing to comply with the requirement of any such notice and any person who shall have removed any such banner streamer notice board sign or lettering as is referred to in any such notice (whether the removal be effected before or after the receipt of the notice) and shall after such removal suspend or hang the same or any similar banner streamer notice board sign or lettering without the consent of the Corporation or without complying with any conditions attaching to any such consent shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings.

(3) For a period of two years from the passing of this Act the foregoing provisions of this section shall not apply to any such banner streamer notice board sign or lettering as is referred to in subsection (1) hereof which was in use on the fifteenth day of November nineteen hundred and twenty-six.

(4) Any person aggrieved by any requirement of any notice of the Corporation under the provisions of this section or by any refusal of consent or condition attached to any consent of the Corporation thereunder may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section.

(5) If any person shall neglect to comply with any requirement of any notice of the Corporation under the

A.D. 1927. provisions of subsection (1) of this section the Corporation may themselves remove the banner streamer notice board sign or lettering the subject of the notice and may recover the cost of so doing from the owner of the banner streamer notice board sign or lettering.

Further provisions as to means of escape from certain buildings in case of fire.

**92.** In its application to any shop or restaurant which contains on any floor (other than the ground floor) a room or compartment to which the public have access exceeding an area of seven hundred and fifty square feet section 94 (Means of escape from buildings in case of fire) of the Act of 1924 shall be read and have effect as if—

(a) the words “in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant” were omitted from subsection (1) thereof; and

(b) the words “or employed in each such upper storey or resorting thereto” were inserted after the words “dwelling or sleeping therein” in subsection (2) thereof.

Amendment of section 34 of Act of 1905.

**93.**—(1) Any person who fails to comply with a notice given by the Corporation under the provisions of section 34 (Provision in lieu of section 19 of Public Health Acts Amendment Act 1890) of the Act of 1905 shall be liable to a penalty not exceeding forty shillings Provided that if such person in writing addressed to the Corporation admits liability to comply with the notice before the hearing of the complaint of the Corporation the court shall not make any order imposing a penalty under this section but may in their discretion make an order as to costs.

(2) Notice of the effect of this section shall be endorsed upon or given with any notice given by the Corporation under the provisions of the said section 34 of the Act of 1905.

## PART VI.

### INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Power to prohibit persons in advanced

**94.**—(1) If the medical officer shall certify that any person is suffering from tuberculosis of the respiratory tract and is in an infectious state and that he is employed

in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household and that his continuance in such employment would in the judgment of the said medical officer be detrimental to the public health the Corporation may request such person to stop his employment and on such request being made the Corporation may if they think fit make compensation to him in respect of any loss which he may sustain by reason of such stoppage.

A.D. 1927.

stage of  
tuberculosis  
from selling  
&c. food.

(2) If any such person shall fail to comply with such request the Corporation may apply to a court of summary jurisdiction for an order requiring him to stop his employment and the court shall have power to make such an order if after consideration of all the circumstances it thinks fit to do so and may direct that such compensation as it deems equitable shall be paid by the Corporation to the person.

(3) If any such person fails to comply with any such order he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

(4) This section shall not apply to milk to which the Public Health (Prevention of Tuberculosis) Regulations 1925 apply.

**95.**—(1) Any premises used or proposed to be used for the preparation or manufacture of potted pressed pickled or preserved meat fish or other food intended for the purposes of sale shall be registered by the owner or occupier thereof with the Corporation from time to time and no premises shall be used for the purposes aforesaid unless the same are registered as aforesaid.

Registration  
of premises  
used for  
food  
storage &c.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop of which notice is required by subsection (1) of section 127 (Notice of occupation of factory or workshop) of the Factory and Workshop Act 1901 to be given or shall in any way affect the operation of that Act.

A.D. 1927.

(4) This section shall not apply to any premises used as a hotel restaurant or club.

Cleansing or  
destruction  
of filthy &c.  
articles.

**96.**—(1) Where it appears to the Corporation on a report from the medical officer that any articles in any house or part thereof in the borough are in such a filthy dangerous or unwholesome condition that health is affected or endangered thereby or that the cleansing disinfection or destruction of any such articles is requisite to prevent risk of or to check infectious disease the Corporation may at their own expense cause such articles to be cleansed disinfected or destroyed and (if they think fit) removed for any such purpose.

(2) If the owner of any such articles suffers unnecessary damage by reason of the exercise of the powers of this section the Corporation shall compensate him for the same and the Corporation shall also reasonably compensate him for any articles destroyed. Any compensation payable under this subsection shall be recoverable summarily as a civil debt.

(3) Section 122 (Provision of means for disinfection) of the Public Health Act 1875 shall extend and apply to the provision by the Corporation of means for cleansing disinfecting destroying and removing articles under the provisions of this section.

(4) Section 75 (Articles of bed and body clothing to be purified) of the Act of 1900 is hereby repealed.

Public  
notice to  
be given of  
provisions of  
this Part of  
Act.

**97.** Public notice of the effect of the foregoing provisions of this Part of this Act shall be given as soon as is reasonably practicable after the passing of this Act by advertisement in two newspapers published or circulating in the borough.

## PART VII.

### STREET TRADING.

Licensing  
of street  
traders.

**98.** From and after the first day of January nineteen hundred and twenty-eight it shall not be lawful for any person to sell or expose or offer for sale any article or thing from or upon any barrow cart stall or other receptacle occupying a stationary position at a place in the carriageway or footway of any street in the borough



without a licence from the Corporation authorising him so to do. Provided that this section shall not apply to any person selling or exposing or offering for sale any article or thing from or upon any barrow cart stall or other receptacle which he ordinarily moves from place to place in pursuit of and while conducting his trade.

A.D. 1927.

**99.**—(1) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application in writing to the Corporation and shall in such application state his full name and address and the nature of the articles and things which he intends to sell or expose or offer for sale under the authority of the licence if granted the place if any at which the articles or things will be stored by him before any sale or exposure or offer for sale and the street or streets or area in which he intends so to sell or expose or offer for sale. In the case of any person intending to sell or expose or offer for sale as aforesaid any article or thing on or within one month after the first day of January nineteen hundred and twenty-eight such application shall be made not later than the first day of December nineteen hundred and twenty-seven.

Applications  
for licences  
&c.

(2) The Corporation shall as soon as reasonably practicable after the receipt of an application under the provisions of this section grant or renew a licence to the applicant under and for the purposes of this Part of this Act. Provided that the Corporation may refuse to grant or renew a licence or may at any time revoke or vary a licence granted to any person if—

- (a) on account of misconduct or for any other sufficient reason he is in their opinion unsuitable to hold such licence; or
- (b) the space available in the street or streets or area to which the application relates or which is or are prescribed by the licence is at the date of such application or becomes at any time after the grant of such licence insufficient for the selling or exposing or offering for sale by the applicant or licensee of any articles or things under the authority of a licence under this Part of this Act or of the particular articles or things referred to in the application or licence without causing undue interference with

A.D. 1927.

or inconvenience to the traffic in such street or streets or area; or

- (c) the street or streets to which the application relates is or are not a street or streets ordinarily prescribed by the Corporation in licences granted by them pursuant to this Part of this Act;

but shall not refuse to grant or renew a licence or revoke a licence on the ground only that the applicant for or holder of the licence does not reside in the borough:

Provided also that the operation of this subsection shall be subject to the provisions of this section of this Act of which the marginal note is "For preventing interference with traffic."

(3) Any such licence shall be in a form prescribed by the Secretary of State and may prescribe--

- (a) the street or streets or area in which and the position or place in any such street or area at which the licensee may sell or expose or offer for sale articles or things as aforesaid;
- (b) the class or classes of articles or things which may be sold or exposed or offered for sale under such licence Provided that no article of food shall be classed with any other commodity;
- (c) the day or days and the time or times on and at or during which the licensee may sell or expose or offer for sale articles or things as aforesaid; and
- (d) the number of barrows carts stalls or other receptacles which may be used for those purposes under the authority of the licence;

and on any occasion of the renewal of a licence the Corporation may vary such prescriptions.

(4) The Corporation shall not refuse to renew or shall not revoke or vary any such licence unless they shall have given to the person applying for such renewal or holding the licence proposed to be revoked or varied not less than seven days' previous notice in writing that objections have been or will be taken to such renewal or that a revocation or variation is proposed and unless on written application made within three days after the receipt of such notice they have afforded to such

person an opportunity of being heard against such refusal  
revocation or variation. A.D. 1927.

100.—(1) Where it appears to the Secretary of State after consultation with the Corporation that the presence of persons licensed under this Part of this Act causes or is calculated to cause undue interference with or inconvenience to traffic in any street or part of a street in the borough he may by order prohibit the selling or exposing or offering for sale by persons licensed or thereafter to be licensed under this Part of this Act of any article or thing in any such street or part of a street except in such numbers and under such conditions if any as may be prescribed in the order. For preventing interference with traffic.

(2) Where the Secretary of State proposes to make an order under this section he shall cause notice of the proposal to be published in at least one newspaper circulating within the borough and shall also cause a copy of such notice to be posted for not less than fourteen consecutive days in some conspicuous position in the street or part of a street to which the proposal relates and every such notice shall (a) specify the street or part of the street to which the proposal relates and (b) notify the date (which shall not be less than twenty-eight days) within which any objection to the proposal shall be sent in writing to the Secretary of State.

(3) Before carrying into effect any proposal of which notice is required by this section to be given the Secretary of State shall consider any objection to the proposal which is sent to him in writing within the time fixed in that behalf and shall if necessary cause a public local inquiry to be held. Provided that where more than twenty persons affected by the proposal have duly presented objections thereto and have not withdrawn the same the Secretary of State shall before making the order cause a public local inquiry to be held with reference to the proposal.

(4) A person appointed by the Secretary of State to hold a public local inquiry under the provisions of this section shall for the purposes of the inquiry have in relation to witnesses and their examination the production of papers and accounts and the inspection of places and matters required to be inspected similar powers to those which poor law inspectors have under

A.D. 1927. — the Acts relating to the relief of the poor for the purposes of those Acts.

(5) Where any such order as aforesaid is made and is in force no licence shall be granted or renewed under this Part of this Act contrary to the order and any such licence to the extent to which it contravenes the order shall be inoperative. Provided that any such order shall not affect the operation of any licence in force at the date on which the order comes into force.

(6) Any refusal of the Corporation to grant or renew a licence in pursuance of the provisions of the preceding subsection shall not be a ground for an appeal under subsection (2) of the section of this Act of which the marginal note is "Appeals against refusal or revocation of licences."

(7) The reasonable costs incurred by the Secretary of State in relation to any such public local inquiry (including the remuneration of any person employed by him for the purpose of the inquiry) shall be paid by the Corporation and the Secretary of State may certify the amount of the costs incurred and any sums so certified shall be a debt due to the Crown from the Corporation.

Fees on  
licences.

**101.** Any person making application for the grant or renewal of a licence under this Part of this Act shall when making the same pay to the Corporation in respect of such application a fee of five shillings.

Duration of  
licences.

**102.** Every licence granted or renewed under this Part of this Act shall unless revoked be valid for a period of one year or in the case of any licence granted or renewed otherwise than at any annual meeting fixed by the Corporation for the purpose of considering applications under this Part of this Act for a period expiring on the thirty-first day of December next after the date of such grant or renewal:

Provided that every such licence granted before the thirty-first day of December nineteen hundred and twenty-seven shall unless revoked be valid until the thirty-first day of December nineteen hundred and twenty-eight or the date of any annual meeting held by the Corporation in the year nineteen hundred and twenty-eight for the purpose of considering applications under

this Part of this Act (whichever of those dates shall be the earlier). A.D. 1927.

**103.**—(1) If the Corporation refuse to grant or renew a licence or revoke or vary a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal revocation or variation. Appeals  
against  
refusal or  
revocation  
of licences.

(2) Any person aggrieved by such refusal revocation or variation or by any prescription made by the Corporation under subsection (3) of the section of this Act of which the marginal note is "Applications for licences &c." may appeal to a petty sessional court provided that such appeal is made within fourteen days from the date on which such refusal revocation variation or prescription is notified to him and that notice in writing of such appeal is sent to the Corporation not less than seven days before the hearing thereof and the court may make such order as it thinks fit and may award costs.

**104.**—(1) The Corporation shall in conformity with draft byelaws to be framed by the Secretary of State and so soon as may be practicable after the framing thereof make byelaws relating to the following matters (that is to say):— Byelaws as  
to trading  
under  
licences.

- (a) the days on which and the times during which articles or things may be sold or exposed or offered for sale under the authority of a licence granted or renewed under this Part of this Act;
- (b) the deposit and removal of refuse including the charges which may be made for removal or other services rendered by the Corporation;
- (c) the allocation maximum dimensions and arrangement of barrows carts stalls and other receptacles;
- (d) the storage and the sanitary supervision (while at the place of intended sale or exposure or offering for sale) of articles intended to be sold or exposed or offered for sale under the authority of the licence;

- A.D. 1927.
- (e) any other conditions under which articles or things may be sold or exposed or offered for sale under such authority;
- (f) penalties for the breach of any such byelaws :

Provided that the Corporation may in making such byelaws make such modifications (if any) in the said draft byelaws as the Secretary of State may allow to meet the special circumstances existing in the borough :

Provided also that before framing any such draft byelaw as aforesaid relating to the storage and sanitary supervision of articles of food or confirming any byelaw containing any modification of a draft byelaw relating to such matters the Secretary of State shall consult the Minister.

(2) Before any byelaws made by the Corporation under this section are confirmed by the Secretary of State the Corporation shall take such steps as may be prescribed in rules to be made by the Secretary of State for affording to any recognised organisation representative of street traders and to any street trader affected by such byelaws and not being a member of any such organisation an opportunity to make representations with regard thereto.

Power to Corporation to make charges for certain services.

**105.** The Corporation may make and recover from persons licensed by them under the provisions of this Part of this Act charges for the removal of refuse or other services rendered by them not exceeding the amounts prescribed by byelaws made under this Part of this Act.

Power to licensees to employ other persons.

**106.** Any person holding a licence under this Part of this Act may employ any other person to assist him in the conduct of his business without any further licence under this Part of this Act being required.

Penalties for offences in respect of trading required to be licensed.

**107.—(1)** Every person who or whose assistant after the first day of January nineteen hundred and twenty-eight without a licence under this Part of this Act authorising him so to do or contrary to any prescription of such licence sells or exposes or offers for sale any article or thing from or upon any barrow cart stall or other receptacle occupying a stationary position at a place in the carriageway or footway of any street in the borough or obtains a licence or the renewal of a

licence by wilful misrepresentation shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings: A.D. 1927.

(2) Provided that a person who has appealed to a petty sessional court (except against a refusal to grant a new licence) in accordance with the provisions of the section of this Act of which the marginal note is "Appeals against refusal or revocation of licences" or to a court of quarter sessions in accordance with the provisions of section 47 (As to appeal) of the Act of 1905 shall not be liable to any proceedings under this section for the offence of selling or exposing or offering for sale in the street or streets or area specified in his application any article or thing as aforesaid without a licence until such appeal has been heard and determined or has been abandoned.

**108.** Nothing in this Part of this Act shall restrict the right of any person holding a pedlar's certificate or a hawker's licence to carry on the business of a pedlar or of a hawker (as the case may be) in accordance with such certificate or licence. Saving for holders of pedlars' certificates and hawkers' licences.

**109.** Nothing in this Part of this Act shall exempt any person from or shall alter or affect the operation of any of the provisions of the London Traffic Act 1924 or of any enactment relating to obstruction of traffic in highways. Saving for London Traffic Act 1924 and other enactments.

**110.** In the case of any market or fair held in pursuance of any statute Royal Licence Royal Charter or Letters Patent or as of right from time immemorial nothing in this Part of this Act shall affect the sale or exposure for sale by any person who has paid a toll to or shall be acting under the written authority of a person holding or entitled to hold such market or fair or to receive tolls in respect of sales made or stalls or stands occupied in such market or fair of goods in any such market or fair or the rights lawfully exerciseable by any person in respect of any market or fair held in any place within seven miles of the boundary of the borough. Saving for legal markets.

## PART VIII.

### FINANCIAL AND MISCELLANEOUS.

**111.**—(1) The Corporation may from time to time independently of any other borrowing power borrow at Power to borrow.

A.D. 1927. — interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon they may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the respective periods (each of which is referred to as "the prescribed period" in certain of the enactments extended and applied to and for the purposes of this Act by the section thereof of which the marginal note is "Application of provisions of existing Acts") mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) The purpose of making any payment to the county council or to any other authority under Part II of this Act or under any enactment the provisions of which are applied thereby (including the payment or purchase in the name of the Corporation of any annuity payable by them under any provision contained in or applicable to the provisions of the said part which annuity the Corporation are hereby empowered to purchase).	The sum requisite.	Forty-five years from the date or dates of borrowing.
(b) The purpose of making any payment under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."	The sum requisite.	Twenty years from the date or dates of borrowing.
(c) The purchase of lands for the construction of the street works authorised by this Act.	The sum requisite.	Sixty years from the date or dates of borrowing.
(d) The construction of the street works authorised by this Act.	£ 3,000	Thirty years from the date or dates of borrowing.
(e) New mains extensions of mains and other waterworks purposes.	40,000	Forty years from the date or dates of borrowing.
(f) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.



(2) (a) The Corporation may also with the consent of the Electricity Commissioners borrow such further money as may be necessary for any of the purposes of Part IV (Electricity) of this Act and with the consent of the Minister such further moneys as may be necessary for any of the other purposes of this Act.

A.D. 1927.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Commissioners or Minister with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(c) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

112.—(1) Notwithstanding anything contained in the Act of 1884 or the Act of 1900 the Corporation may from time to time exercise any statutory borrowing powers by the creation and issue under the powers of the Act of 1884 (as amended by the Act of 1900) of a new class of redeemable stock at such price and bearing such dividend (not exceeding five pounds per centum per annum) as the Corporation may by the resolution for such issue determine. Provided that all stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing the same rate of dividend and shall become redeemable as hereinafter provided after the expiration of the same period from the first creation of such stock and the designation of such stock shall be such as to indicate the rate of dividend and the year of issue.

Power to  
issue new  
class of  
stock.

(2) After the expiration of such a period from the creation of the said stock as the Corporation shall by the resolution creating the same declare the stock shall be redeemable at par at the option of the Corporation and the whole of the stock shall be redeemed or purchased and extinguished within such period (not exceeding sixty years from the first creation of the stock) as the Corporation shall by such resolution declare.

(3) All stock created by virtue of this section shall be charged in the same manner as and rank *pari passu*

A.D. 1927. — with stock issued under the provisions of the Act of 1884 the Act of 1900 and the Act of 1920 and shall otherwise be subject to the provisions of the Acts of 1884 and 1900 except so far as those provisions are expressly altered by this Act.

(4) A separate loans fund (to be called the Croydon Corporation Consolidation Loans Fund (No. 5) hereinafter referred to as "Loans Fund No. 5") shall be established and formed in respect of any stock which may be created and issued by the Corporation under this section and all the provisions of the Act of 1884 as altered by the Act of 1900 and this Act in regard to Loans Fund No. 3 shall *mutatis mutandis* apply to Loans Fund No. 5. Provided that the Corporation shall not be empowered to apply any part of Loans Fund No. 1 Loans Fund No. 2 Loans Fund No. 3 or Loans Fund No. 4 in purchasing or redeeming any stock created in pursuance of this section or any part of Loans Fund No. 5 in purchasing or redeeming any stock not created under this section.

Application  
of provi-  
sions of  
existing  
Acts.

**113.** The following provisions of the Act of 1895 the Act of 1900 the Act of 1905 the Act of 1920 the Act of 1923 and the Act of 1924 shall with all necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act (namely) :—

The Act of 1895.

- Section 31 (Provisions of Public Health Act as to mortgages to apply);
- Section 33 (Mode of payment off of money borrowed);
- Section 35 (Protection of lender from inquiry);
- Section 36 (Application of money borrowed).

The Act of 1900.

- Section 68 (Persons under disability may grant easements &c.);
- Section 117 (General provisions as to byelaws);
- Section 122 (Judges &c. not disqualified).

The Act of 1905.

- Section 32 (Proceeds of sale of surplus lands);
- Section 43 (Audit of accounts);

A.D. 1927.

- Section 47 (As to appeal);  
 Section 50 (Crown rights).  
 The Act of 1920.
- Section 29 (Section 234 of Public Health Act 1875 not to apply);  
 Section 30 (Mode of raising money);  
 Section 31 (Sinking fund);  
 Section 35 (Expenses of execution of Act);  
 Section 42 (Application of section 265 of Public Health Act 1875);  
 Section 44 (Informations by whom to be laid);  
 Section 45 (Recovery of penalties &c.);  
 Section 47 (Inquiries by Minister of Health);  
 Section 48 (Powers of Act cumulative).  
 The Act of 1923.
- Section 8 (Temporary stoppage of streets);  
 Section 9 (As to notice to Commissioner of Police);  
 Section 10 (Correction of errors in deposited plan and book of reference);  
 Section 12 (Compensation in case of recently acquired interest).  
 The Act of 1924.
- Section 159 (Delegation of certain powers to committees);  
 Section 160 (Power to enter premises);  
 Section 161 (Penalty on occupier refusing execution of Act);  
 Section 164 (Damages and charges to be settled by justices);  
 Section 168 (Saving for indictments &c.):

Provided that :—

- (1) In the application of section 33 of the Act of 1895 that section shall be read and have effect as if the words “ within one year or when the “ money is repaid by half-yearly instalments “ within six months from the date of borrow- “ ing ” were substituted for the words “ prior

A.D. 1927.  
—

“ to the thirty-first day of March next  
“ following the time of borrowing ” ;

- (2) In the application of section 117 of the Act of 1900 to byelaws made under the section of this Act of which the marginal note is “ Byelaws as to trading under licences ” the enactments referred to therein shall have effect with the substitution of the Secretary of State for the Minister as the confirming authority ;
- (3) In the application of section 47 of the Act of 1920 that section shall be read and have effect as if the words “ five guineas ” were substituted therein for the words “ three guineas ” ;
- (4) Section 8 of the Act of 1923 shall only apply in relation to the provisions of Part III. of this Act ;
- (5) In the application of section 12 of the Act of 1923 to lands delineated on the deposited plans and described in the deposited book of reference that section shall be read and have effect as if the twentieth day of November nineteen hundred and twenty-six were therein referred to instead of the sixteenth day of November nineteen hundred and twenty-two ;
- (6) In the application of sections 159 160 and 161 of the Act of 1924 Parts V. VI. and VII. of this Act shall be deemed to be referred to in lieu of the Parts of the Act of 1924 therein mentioned.

Extinction  
of private  
rights of  
way.

114.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall be extinguished as from the date of the acquisition of such lands by the Corporation if the Corporation shall by resolution so determine and give notice in writing of such their resolution to the owner of any right of way referred to therein.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any rights extinguished under the provisions of this section

and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement. A.D. 1927.

**115.** The Corporation may—

- (1) Provide or acquire or may (subject to the approval of the Minister) on any lands of which for the time being they may be the owners or lessees or on lands to be acquired by them for the purpose erect and construct or allow to be erected and constructed and hold furnish equip maintain insure and carry on concert halls public halls pavilions bandstands assembly rooms and other public buildings with all necessary and suitable offices committee rooms entertainment rooms reading rooms shelters ante-rooms refreshment rooms kitchens cloak-rooms lavatories conveniences and appurtenances and may for any such purposes maintain alter adapt extend or otherwise deal with existing buildings for the time being belonging or leased to the Corporation and may provide erect and maintain shops and offices as part of any such building or buildings;

Power to provide and let public buildings &c.

- (2) For the purpose of erecting constructing providing and maintaining any such buildings as aforesaid purchase or take upon lease or otherwise acquire lands by agreement but nothing in this section shall authorise the Corporation to create or permit the creation or continuance of any nuisance on any such lands;

- (3) Agree (as part of the terms on which the Corporation may acquire or take on lease any existing buildings used at the time of such acquisition for any of the purposes aforesaid) to give to any existing members of or any subscribers to the funds of any company or society to which such buildings belong any special privileges upon such terms and conditions as may be agreed but no such special privileges shall be given to any person except for his life or a less period nor

A.D. 1927.

shall any such privileges be assignable or transferable to any other person;

- (4) Grant or let with or without charge the use of the whole or any part of any buildings acquired or constructed by them under the powers of this section for the purpose of any public or other meetings or any musical or other entertainments or for other purposes approved by the Corporation on such terms and conditions as they may think fit.

Powers in relation to open spaces.

**116.** Any open space (not being a burial ground) purchased by the Corporation under the provisions of the Open Spaces Act 1906 shall be deemed to be a public park or pleasure ground within the meaning and for the purposes of section 76 (Powers as to parks and pleasure grounds) of the Act of 1907 and a park within the meaning and for the purposes of Part V. (Public Baths and Recreation Grounds) of the Act of 1924.

Saving for covenants or undertakings as to open spaces &c.

**117.** Nothing in this Act shall empower the Corporation to contravene any covenant or undertaking given by the Corporation relating to an open space or burial ground or lands acquired or purchased or taken on lease by or placed under the care management and control of the Corporation under the provisions of the Open Spaces Act 1906.

Dwelling-houses for persons in Corporation's employment.

**118.**—(1) The Corporation may purchase or take on lease dwelling-houses and other buildings for persons employed by them for the purposes of their several undertakings and offices and other buildings for those purposes and may erect fit up maintain and let any such buildings upon any lands for the time being belonging to the Corporation for the purposes of the said undertakings or purchased for the purpose of erecting such buildings and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for those purposes.

(2) Nothing contained in this section shall empower the Corporation to create or permit a nuisance.

(3) Section 10 (Dwelling-houses for persons employed by Corporation) of the Act of 1920 is hereby repealed.

Service of summons

**119.** Notwithstanding anything contained in the Second Schedule of the Municipal Corporations Act 1882

the summons to members of the council may be delivered at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage. A.D. 1927.  
—  
on members  
of council.

**120.**—(1) In view of the provisions of the Public Health Act 1925 the following enactments are hereby repealed:— Repeal.

The Act of 1884.

Section 62 (Restrictions on placing wires &c. other than telegraph wires &c. over under or across or along streets and roads).

The Act of 1895.

Section 12 (Corporation may define future line of streets).

The Act of 1900.

Section 60 (Trees or shrubs overhanging streets);  
Section 81 (Regulation of manufacture and sale of ice creams &c.).

The Act of 1924.

Section 47 (Power to require intending passengers to wait in lines or queues);  
Section 63 (Use of swimming baths in winter);  
Section 66 (Byelaws as to family and mixed bathing);  
Section 67 (Power to let recreation grounds &c. to cricket clubs &c.);  
Section 86 (As to erection of buildings at street corners);  
Section 109 (Prohibiting entry of petroleum spirit &c. into sewers);  
Section 122 (Medical inspection of inmates of common lodging-houses &c. when infectious disease prevails);  
Section 123 (Power to close infectious common lodging-houses);  
Section 124 (For preventing contact with body of person dying of infectious disease);

A.D. 1927.  

---

Section 129 (Rag and bone dealers not to sell food);

Section 130 (No place used for storage &amp;c. of human food to be used as a sleeping place);

Section 131 (Sanitary regulations for premises used for sale &amp;c. of food for human consumption);

Section 135 (Removal of person suffering from pulmonary tuberculosis to hospital).

(2) In view of the provisions of the Rating Act—

(a) The following enactments are hereby repealed as from the passing of this Act :—

The Act of 1900.

Section 111 (As to poor rate collectors);

Section 113 (As to office of vestry clerk).

The Act of 1923.

Section 24 (Amendment of consolidated rate).

The Act of 1924.

Section 152 (Borough rate may include working balance).

(b) The following enactments shall be repealed as from the date when the first new valuation list made under Part II. of the Rating Act comes into force in the borough :—

The Act of 1900.

Section 112 (One demand note for all Corporation rates).

The Act of 1923.

Section 16 (All expenses of Corporation to be paid out of borough rate);

Section 17 (Contribution to borough rate to be paid out of poor rate);

Section 18 (Poor rate to be called "the consolidated rate");

Section 19 (Differential rating in certain cases);



Section 20 (Form of rate &c. to be prescribed by Minister of Health); A.D. 1927.

Section 21 (As to recovery of consolidated rate);

Section 22 (As to section 133 of Lands Clauses Consolidation Act 1845);

Section 23 (Overseers may require returns);

The Act of 1924.

Section 166 (Service of rate demands by post):

(3) Provided that for the purposes of paragraph (3b) in column 2 of Part II. of the Second Schedule to the Rating Act the percentage of the net annual value which corresponds with the percentage of the relief from rating given by the Act of 1923 shall be deemed to be thirty-six and one half per centum and notwithstanding the repeal of the enactments above specified the Act of 1923 shall be deemed a local Act within the meaning of the Rating Act.

**121.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and general rate or out of moneys to be borrowed under this Act for that purpose. Costs of Act.

---

The SCHEDULE referred to in the foregoing Act.

---

PART I.

LOCAL ACTS.

Session and Chapter.	Short Title.
47 & 48 Vict. c. cxli	- The Croydon Corporation Act 1884.
53 & 54 Vict. c. lii	- The Croydon Improvement Act 1890.
56 & 57 Vict. c. lxxxiv	- The Croydon Corporation Act 1893.
58 & 59 Vict. c. cliv	- The Croydon Corporation Act 1895.

A.D. 1927.	Session and Chapter.	Short Title.
	63 & 64 Vict. c. cxxxix	The Croydon Corporation Act 1900.
	5 Edw. 7. c. lvi - -	The Croydon Corporation Act 1905.
	10 & 11 Geo. 5. c. lv -	The Croydon Corporation Act 1920.
	11 & 12 Geo. 5. c. xxxix	The Croydon Corporation Water Act 1921.
	13 & 14 Geo. 5. c. xcii	The Croydon Corporation Act 1923.
	14 & 15 Geo. 5. c. xcvi	The Croydon Corporation Act 1924.

## PART II.

## CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby Confirmed.
53 & 54 Vict. c. lxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1890.	Order relating to Croydon dated 10th May 1890.
54 Vict. c. li.	The Electric Lighting Orders Confirmation (No. 3) Act 1891.	The Croydon Corporation Electric Lighting Order 1891.
57 & 58 Vict. c. excii.	The Tramways Orders Confirmation (No. 2) Act 1894.	The Croydon Corporation Tramways Order 1894.
2 Edw. 7. c. exciii.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1902.	The Croydon Order 1902.
3 & 4 Geo. 5. c. cxxxix.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1913.	The Croydon Order 1913.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
 Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;  
 York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
 15, Donegall Square West, Belfast;  
 or through any Bookseller.