



CHAPTER cviii.

An Act to confer further powers on the Corporation of Swansea in relation to their water undertaking to vary agreements for the supply of water by the Corporation to empower the Corporation to acquire lands to execute street improvements and to make better provision for the health local government and finance of the borough and for other purposes. . . .

A.D. 1927.

[29th July 1927.]

WHEREAS the borough of Swansea (in this Act called "the borough") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the borough :

And whereas the Corporation are the owners of the water undertaking supplying water within the borough and supply water in bulk to various neighbouring water authorities and it is expedient to confer upon the Corporation further powers in relation to such undertaking :

And whereas it is expedient that the Corporation should be empowered to construct street improvements

A.D. 1927. — in the borough and acquire lands for that purpose and that further powers should be conferred upon them with respect to the acquisition of lands :

And whereas it is expedient that further and better provision should be made with reference to streets buildings infectious disease and sanitary matters and otherwise for the local government health improvement and finance of the borough and that the powers of the Corporation in relation thereto should be enlarged and extended :

And whereas it is expedient to empower the Corporation to establish an insurance fund :

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows :—

	£
For the purchase of lands for the street improvements by this Act authorised	17,500
For the construction of the street improvements by this Act authorised -	27,521
For the acquisition of lands for the purposes of a park or recreation ground - - - - -	2,100

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 as by this Act provided :

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Corporation :

And whereas plans and sections showing the lines and levels of the works to be authorised by this Act and a book of reference to the plans containing the names of the owners or reputed owners and lessees or reputed 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 Glamorgan which plans sections and book of reference are in this Act respectively referred to as "the deposited plans sections and book of reference" :

And whereas the objects of this Act cannot be attained without the authority of Parliament : A.D. 1927.

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 :

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 (that is to say) :—

PART I.

PRELIMINARY.

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

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

Part I.—Preliminary.

Part II.—Water.

Part III.—Street improvements.

Part IV.—Lands.

Part V.—Streets buildings and drains.

Part VI.—Infectious disease and sanitary provisions.

Part VII.—Human food.

Part VIII.—Common lodging-houses.

Part IX.—Hackney carriages and police.

Part X.—Finance.

Part XI.—Miscellaneous.

Division of
Act into
Parts.

3. The following enactments (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 (namely) :— Incorporation of
Acts.

(1) The Lands Clauses Acts with the following exception and modification :—

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

A.D. 1927.

(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:

(2) The Waterworks Clauses Act 1847 except—

(a) The words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44 of the Waterworks Clauses Act 1847;

(b) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts:

(3) The Waterworks Clauses Act 1863.

Interpreta-
tion.

4. 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. And—

“The borough” means the borough of Swansea;

“The Corporation” means the mayor aldermen and burgesses of the borough;

“The council” means the council of the borough;

“The town clerk” “the treasurer” “the surveyor” “the medical officer” “the waterworks engineer” and “the sanitary inspector” mean respectively the town clerk the treasurer the surveyor the medical officer of health the waterworks engineer and the sanitary inspector of the borough and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of those offices;

“The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough until the date of the first new valuation as defined in the

Rating and Valuation Act 1925 and thereafter the general rate fund and general rate of the borough;

“The Lands Clauses Acts” means those Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919;

“The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;

“The Sanitary Acts” means the Sanitary Acts as defined by the Public Health Act 1875;

“The street improvements” means the street improvements by this Act authorised;

“The water limits” means the limits within which the Corporation are from time to time authorised to supply water;

“The water undertaking” means the water undertaking of the Corporation as from time to time authorised;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is from time to time applicable within the borough;

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

“Child” means a person under the age of sixteen years;

“Food” means every article (other than drugs or water) used for food or drink by man;

“The tribunal” means the tribunal to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of

A.D. 1927.

any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

“The Act of 1889” means the Swansea Corporation Act 1889;

“The Act of 1902” means the Swansea Corporation Act 1902;

“The Act of 1912” means the Swansea Corporation Act 1912;

“The Act of 1920” means the Swansea Corporation Act 1920; and

“Telegraphic line” has the same meaning as in the Telegraph Act 1878.

PART II.

WATER.

5.—(1) In this section—

“the district council” means the council of the rural district of Swansea;

“the agreement of 1905” and “the agreement of 1910” mean respectively the agreements dated the ninth day of May nineteen hundred and five and the sixteenth day of July

As to supply
of water to
Swansea
Rural Dis-
trict
Council.

A.D. 1927

nineteen hundred and ten and made between the Corporation of the one part and the district council of the other part;

“ bulk supply works ” means the works specified in the Third Schedule to this Act and such other works as may from time to time be agreed between the Corporation and the district council or as failing agreement may be determined by arbitration to be works the cost whereof is properly chargeable to capital account in respect of the supply of water in bulk by the Corporation;

“ bulk supply cost to the Corporation ” means the total expenses incurred by the Corporation under the headings set out in Part I. of the Fourth Schedule to this Act after deducting all moneys received by the Corporation under the headings set out in Part II. of that schedule.

(2) As from the first day of January nineteen hundred and twenty-eight the agreement of 1905 and the agreement of 1910 shall be annulled.

(3) As from the first day of January nineteen hundred and twenty-eight the Corporation shall subject to the provisions of this section supply in perpetuity to the district council and the district council shall take from the Corporation all such quantities of pure and wholesome water as the district council shall from time to time require to use within the rural district of Swansea Provided that nothing in this subsection shall prevent the district council from making use of any existing sources of supply of the district council.

(4) The price to be paid by the district council for water supplied by the Corporation to them under the provisions of this section shall be—

(a) for a period of ten years from the first day of January nineteen hundred and twenty-eight at the rate of sixpence halfpenny for each one thousand gallons :

Provided that for each of the last five of the said ten years the said rate of sixpence halfpenny (or as the case may be that rate as varied under this proviso) shall be increased or reduced in the proportion by which the bulk supply cost to the

A.D. 1927.

Corporation per thousand gallons calculated on the average of the three years ending on the thirty-first day of March last preceding such year is more or less than such cost to the Corporation calculated on the average of the first two of those years and the year last preceding such two years but so that the said rate shall not during such five years be more than sevenpence or less than fivepence per thousand gallons;

- (b) for each year from and after the first day of January nineteen hundred and thirty-eight at such rate (not being more than sevenpence) for each one thousand gallons as shall be equal to the bulk supply cost to the Corporation per thousand gallons calculated for each such year on the average of the three years ending on the thirty-first day of March last preceding each such year:

Provided that—

- (i) in the event of the Corporation constructing otherwise than under the authority of Parliament new bulk supply works at a contract price exceeding twenty-five thousand pounds such maximum rate of sevenpence per thousand gallons may be varied in such manner as the Corporation and the district council may agree or as failing such agreement may be determined by arbitration but so that such rate shall not be more than sevenpence halfpenny per thousand gallons;
- (ii) in the event of the Corporation applying to Parliament for authority to construct new bulk supply works nothing in this section shall be deemed to prevent either the Corporation or the district council applying for a revision by Parliament of the said maximum rate.

(5) Save as hereinafter provided the district council shall not sell or contract to sell for trade purposes any water at a lower price than shall for the time being be charged by the Corporation for water supplied for trade purposes to consumers within the water limits;

Provided that if at any time the price charged by the Corporation to such consumers shall be varied the Corporation shall give three months' previous notice in

writing of such variation to the district council and if the price charged by the district council shall be less than the price charged by the Corporation as so varied the district council shall at the commencement of the quarter next after the expiration of such notice correspondingly vary the charges to their consumers :

A.D. 1927.

Provided also that no such variation of price by the Corporation shall affect the price for the time being charged by the district council under any contracts subsisting at the date of such variation until after the expiration of such contracts respectively.

(6) The points at which water supplied to the district council under the provisions of this section shall be delivered to the district council shall be—

(a) the point two hundred feet distant from the inner wall of the Town Hill service reservoir of the Corporation at which water is now supplied by the Corporation to the district council; and

(b) a point at or near Penhriw Velindre in the said rural district to be agreed between the Corporation and the district council or failing agreement to be determined by arbitration but this point of delivery shall not be brought into operation until the connection referred to in the next subsection of this section has been made.

(7) The district council shall on or before the thirtieth day of December nineteen hundred and twenty-nine connect the water distribution system of the district council to the existing main of the Corporation leading from their Velindre works at the said point at or near Penhriw Velindre by means of a main having an internal diameter of twelve inches and the district council shall so far as reasonably possible take by means of such last-mentioned main from the said main of the Corporation all water supplied to them by the Corporation under the provisions of this section except water required by the district council for supply in those parts of the said rural district which can be more conveniently and efficiently supplied from the said Town Hill service reservoir. Provided that if any difference shall arise between the Corporation and the district council under the provisions of this subsection (other than as to the diameter of the said main) such difference shall be referred to arbitration.

A.D. 1927.

(8) The Corporation shall on or before the first day of October nineteen hundred and twenty-seven pay to the district council the sum of three thousand pounds towards the cost to be incurred by the district council in altering or adapting their water mains or other works or in constructing new mains or works for the purpose of taking or distributing water supplied to them by the Corporation under the provisions of this section.

(9) Any expense incurred by the district council in altering or adapting their water mains or other works or in constructing new mains or works for the purpose of taking or distributing the water supplied to them by the Corporation under the provisions of this section and which is rendered necessary in consequence of the annulment of the agreement of 1905 and the agreement of 1910 and the enactment of the provisions of this section shall unless the district council in any case otherwise determine be deemed to be general expenses of the district council.

(10) Subject to the provisions of this section any water supplied by the Corporation to the district council may be supplied from any waterworks of the Corporation.

(11) The supply of water by the Corporation to consumers in the water limits shall not have priority over the supply of water by the Corporation to the district council under the provisions of this section and in the event of there being at any time a deficiency in the amount of water available to meet the requirements of the district council and of such consumers an equal proportionate abatement shall be made in the quantity of water supplied to the district council and to such consumers.

(12) All water supplied to the district council under the provisions of this section shall be delivered at a pressure which shall at the points where the water shall be delivered into the mains of the district council be not less than the pressure which would be produced by gravitation from the Town Hill and Velindre reservoirs respectively when the water level in the said reservoirs is such as at all times to keep the said mains at the said points fully charged with water :

Provided that if any difference shall arise between the Corporation and the district council under the provisions of this subsection such difference shall be referred to arbitration.

(13) All water supplied to the district council by the Corporation under the provisions of this section shall be measured by meters or other apparatus of a type to be agreed by the Corporation and the district council or determined by arbitration and which meters or other apparatus shall be read monthly and shall be provided by and at the expense of the Corporation in some suitable chamber or chambers and the district council shall at all reasonable times be at liberty to inspect such chamber or chambers meter or meters and apparatus and to test the accuracy thereof.

(14) For the purpose of calculating any amount payable by the district council to the Corporation for the supply of water afforded under the provisions of this section the quantity of water recorded by such meters as aforesaid as having been taken by the district council in any period shall be deemed (except in the event of any manifest error or except as otherwise hereinafter provided) to be the quantity taken by them in that period.

(15) If at any time such meter or meters shall cease to register correctly or shall be removed for the purpose of repair or renewal or for any other reason then (until the said meter shall be repaired so as to register correctly and replaced or renewed) the Corporation shall be entitled to charge and the district council shall be liable to pay for a quantity of water equal to the average quantity of water for which the district council shall have paid or ought to have paid in respect of the corresponding period of the preceding year unless and to the extent to which such charge and payment may be shown to be inequitable.

(16) The Corporation shall not be liable for any damage which may be caused to the district council or to any person or persons by any temporary failure deficiency or defect in the supply of water intended to be given under this section if such failure deficiency or defect shall be occasioned by frost or unavoidable cause or accident.

(17) (a) The Corporation shall supply to the district council copies of the monthly readings of the meters or other apparatus referred to in subsection (13) of this section and within seven days after each thirty-first day of March thirtieth day of June thirtieth day of September and thirty-first day of December occurring after the date on which a supply of water is first afforded by them to the district council under the provisions of this section.

A.D. 1927. or so soon thereafter as is reasonably practicable make up and render to the district council an account in duplicate showing the amount due to the Corporation from the district council for the supply of water during the immediately preceding quarter.

(b) The district council unless they dispute the accuracy of any such account shall discharge the amount thereof within one month from the receipt of such account. If the accuracy of any such account is disputed by the district council they shall within the month following the delivery thereof pay to the Corporation a sum equal to the average of the quarterly accounts for the four quarters preceding the first day of the period to which such disputed account relates and failing agreement between the Corporation and the district council the amount to be paid in respect of such disputed account shall be referred to arbitration.

(18) The accounts of the water undertaking shall be kept so as to show under appropriate headings in respect of each year each and every receipt payment and expense of the Corporation in respect of each of the various matters and things set out in the Fourth Schedule to this Act and for this purpose the Corporation shall keep proper books accounts vouchers time sheets and records in respect of repairs stores wages of workmen team labour transport services and rates and other items of expenditure and receipt relating to the water undertaking.

(19) The Corporation shall as soon as possible after the end of each financial year send to the district council an abstract of the accounts of the water undertaking for that year together with a statement of the quantity of water supplied by the Corporation during that year or any part thereof and the said accounts together with all vouchers applicable thereto shall upon request be open to the inspection of the district council who shall be entitled to take copies thereof and extracts therefrom.

(20) Any question as to whether any particular expense is properly included in bulk supply cost to the Corporation and any question which is under the provisions of this section referred to or to be determined by arbitration shall be referred to and determined by an arbitrator to be agreed upon between the Corporation and the district council or failing agreement to be appointed on the application of the Corporation or

the district council after notice in writing to the other of them by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

A.D. 1927.

(21) The provisions of this section may from time to time be altered by agreement in writing between the Corporation and the district council.

6.—(1) From and after the first day of January nineteen hundred and twenty-eight the Corporation shall supply in perpetuity to the Pontardawe Rural District Council (in this section referred to as “the council”) and the council shall take from the Corporation all such quantities of pure and wholesome water as the council shall from time to time require to use within their district upon such terms and conditions save as hereinafter in this section provided as may from time to time be agreed upon between the Corporation and the council or as failing agreement shall be determined by arbitration :

As to supply
of water to
Pontardawe
Rural
District
Council.

Provided that nothing in this section shall prevent the council from continuing to use any existing source of water supply within their district nor from using any new source within their district for the supply of any part of their district which cannot be supplied without undue expense with water obtained from the Corporation Any question which may arise under this proviso shall be determined by arbitration.

(2) The supply of water by the Corporation to consumers in the water limits shall not have priority over the supply of water by the Corporation to the council under the provisions of this section and in the event of there being at any time a deficiency in the amount of water available to meet the requirements of the council and of such consumers an equal proportionate abatement shall be made in the quantity of water supplied to the council and to such consumers.

(3) All water supplied to the council by the Corporation under the provisions of this section shall be supplied at a pressure not less than can be afforded by gravitation from the Cray reservoir of the Corporation.

(4) From and after the said date notwithstanding anything to the contrary in any agreement made between

A.D. 1927.

the Corporation and the council the price to be paid by the council for each one thousand gallons of water supplied by the Corporation to the council shall be the price per one thousand gallons of water from time to time payable by the Swansea Rural District Council in accordance with the provisions of the section of this Act of which the marginal note is "As to supply of water to Swansea Rural District Council" and the provisions of subsections (5) (16) (17) (18) and (19) of that section shall with any necessary modifications apply for the purposes of this section.

(5) Any question which is under the provisions of this section referred to or to be determined by arbitration shall be referred to and determined by an arbitrator to be agreed upon between the Corporation and the council or failing agreement to be appointed on the application of the Corporation or the council after notice in writing to the other of them by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

(6) The provisions of this section may from time to time be altered by agreement in writing between the Corporation and the council.

As to supply
of water to
Gower
Rural
District
Council.

7.—(1) From and after the first day of January nineteen hundred and twenty-eight notwithstanding anything to the contrary in the agreements and statutory provisions referred to in subsection (4) of this section the price to be paid by the rural district council of Gower (in this section referred to as "the council") for each one thousand gallons of water supplied by the Corporation to the council under any such agreements or statutory provisions shall be the price per one thousand gallons of water from time to time payable by the Swansea Rural District Council in accordance with the provisions of the section of this Act of which the marginal note is "As to supply of water to Swansea Rural District Council."

(2) Notwithstanding anything to the contrary in the said agreements and statutory provisions the supplies of water required thereby shall be given in perpetuity and save as hereinafter in this section provided shall be without limit as to quantity and may be used by the

council for distribution in the parish of Pennard as if that parish had been referred to in the said agreements and statutory provisions in addition to the areas therein mentioned. A.D. 1927.

(3) The provisions of subsections (11) (17) (18) and (19) of the section of this Act of which the marginal note is "As to supply of water to Swansea Rural District Council" shall extend and apply to the supply afforded by the Corporation to the council under the agreements and statutory provisions referred to in subsection (4) of this section to the exclusion of any inconsistent provisions therein contained.

(4) The agreements and statutory provisions referred to in this section are—

(a) An agreement made the second day of April nineteen hundred and seven between the rural district council of Swansea of the one part and the council of the other part the obligations of the former having been transferred to the Corporation by the Swansea (Extension) Order 1918;

(b) An agreement made the sixth day of September nineteen hundred and ten between the rural district council of Swansea of the one part and the council of the other part the obligations of the former having been transferred to the Corporation by the Swansea (Extension) Order 1918;

(c) An agreement made the sixth day of September nineteen hundred and twenty-two between the Corporation of the one part and the council of the other part;

(d) Article XXVI (2) and (3) of the Swansea (Extension) Order 1918.

8. The Corporation may on all or any of the lands from time to time held by them in connection with the water undertaking execute for the purposes of or in connection with the said undertaking any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847. Provided that the Corporation shall not under the powers of this section create or permit the creation

As to powers under section 12 of Waterworks Clauses Act 1847.

A.D. 1927. or continuance of any nuisance on any such lands nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or erected in connection with the water undertaking.

Powers in
relation to
water mains.

9. The Corporation shall have the same powers and be subject to the same restrictions for carrying water mains within or without the water limits as they have or are subject to for carrying sewers within or without their district respectively by the law for the time being in force:

Provided that the Corporation shall not exercise such powers under any lands or property belonging to a railway company without the consent of such company which consent shall not be unreasonably withheld and the provisions of section 9 (For protection of the Midland Railway Company) and section 10 (For the protection of the Great Western Railway Company) of the Swansea Corporation Water Act 1892 shall extend and apply for the protection of the London Midland and Scottish Railway Company and the Great Western Railway Company respectively in relation to any works executed by the Corporation under the powers of this section as if those works were works executed by the Corporation under the provisions of the said Act and as if the provisions of the said sections 9 and 10 were re-enacted in this Act.

Corporation
to connect
communica-
tion pipes
with mains.

10. Notwithstanding anything contained in any Act relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Agreements
as to repair
of communi-
cation pipes.

11. The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that

purpose to open or break up any street within the water limits execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

A.D. 1927.
—

12. The Corporation by their agents or workmen after forty-eight hours' notice in writing under the hand of the waterworks engineer or some other officer of the Corporation to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Corporation is laid or fixed and through or in which the supply of water is from any cause other than the default of the Corporation discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Power to
remove
meters and
fittings.

13. Section 35 of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one-eighth part" were substituted therein for the words "one-tenth part."

Varying sec-
tion 35 of
Waterworks
Clauses Act
1847.

14.—(1) The Corporation shall not be bound to supply with water otherwise than by measure—

Supply to
houses
partly used
for trade
&c.

(a) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required; or

(b) any workhouse hospital or asylum (whether public or private) nursing home school club hotel restaurant public-house inn or common lodging-house; or

(c) any boarding house capable of accommodating at least twelve persons; or

(d) any public institution which is habitually occupied by at least twenty persons.

(2) The minimum quarterly charge for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount

A.D. 1927. which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same rateable value.

As to certain supplies of water where hose pipe used.

15. Where water supplied for domestic purposes is used for horses or washing carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept for private use the Corporation may if a hose pipe or other similar apparatus is used charge any additional sum not exceeding twenty shillings per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this section shall be recoverable in all respects with and as the water rate.

Payment of water rates.

16. Notwithstanding anything contained in section 70 (Rates to be paid quarterly) of the Waterworks Clauses Act 1847 the Corporation may by resolution declare that their water rents rates and charges shall be payable at such date or dates as the Corporation may from time to time appoint Provided that no person shall be compellable to pay water rents rates or charges so demanded for any longer period in advance than three months.

As to rateable value of two or more houses in one occupation.

17. Where two or more houses or buildings or parts of one or more houses or buildings connected by any internal means of communication or by any bridge subway yard or passage not being a public highway are in the occupation of one and the same company body firm or person they shall be deemed for the purposes of determining the amount of the water rate chargeable by the Corporation in respect of any supply of water for domestic purposes furnished by the Corporation to such houses or buildings or parts thereof (being in such single occupation as aforesaid) to be one tenement having a rateable value equal to the aggregate rateable values of the separate houses or buildings or parts of houses or buildings so occupied.

Penalty for opening valves &c.

18. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Corporation who shall without the

authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Corporation and provided or available for the purposes of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly. A.D. 1927.

PART III.

STREET IMPROVEMENTS.

19. Subject to the provisions of this Act the Corporation may within the borough make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements in this section described together with all necessary and proper works and conveniences connected therewith or incident thereto (that is to say) :— Power to construct street improvements.

Work No. 1 An improvement and widening of Cradock Street on the east side thereof commencing at the junction thereof with Pell Street and terminating at a point 17 yards or thereabouts measured in a northerly direction along Cradock Street from the said junction ;

Work No. 2 An improvement and widening of Cradock Street on the east side thereof between points 33 yards and 44 yards or thereabouts respectively measured along the said street in a northerly direction from the junction thereof with Pell Street ;

Work No. 3 An improvement and widening of Cradock Street on the west side thereof between a point 18 yards or thereabouts measured in a northerly direction along the said street from the junction thereof with Northampton Lane and terminating at the junction of Cradock Street with Mansel Street ;

Work No. 4 An improvement and widening of Mansel Street on the south side thereof between Cradock Street and Christina Street ;

Work No. 5 An improvement and widening of Mansel Street on the south side thereof between Christina Street and Page Street ;

A.D. 1927.

Work No. 6 An improvement and widening of Walters Road on the south side thereof between the junction thereof with Page Street and a point 29 yards or thereabouts measured in a westerly direction along Walters Road from the said junction;

Work No. 7 An improvement and widening of Mansel Street on the north side thereof between Cradock Street and Verandah Street;

Work No. 8 An improvement and widening of Mansel Street on the north side thereof between Verandah Street and a point 93 yards or thereabouts measured in a westerly direction along Mansel Street from the point of junction thereof with Verandah Street;

Work No. 9 A widening of Cradock Street on the west side thereof between the junction thereof with Mansel Street and a point 10 yards or thereabouts measured in a northerly direction from the said junction;

Work No. 10 A widening of Page Street on the west side thereof between the junction thereof with Walters Road and a point 9 yards or thereabouts measured in a south-easterly direction along Page Street from the said point of junction.

Limits of
deviation.

20. In constructing the street improvements the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate from the levels thereof as shown on the deposited sections to any extent not exceeding three feet.

Subsidiary
works.

21.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the works by this Act authorised and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to such work and may raise lower or alter any vault arch cellar or area under or adjoining any roadway or footway and any approaches steps boundary walls railings windows pavement lights and gratings

and may make diversions widenings or alterations of the lines or levels of any existing streets for the purposes of connecting the same with such work or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

A.D. 1927.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

22. And whereas in order to avoid in the execution and maintenance of the street improvements any injury to the houses and buildings within one hundred feet of such works it may be necessary to underpin or otherwise strengthen the same therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say) :—

Under-
pinning of
houses near
works.

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :
- (2) Each such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk at his office :
- (3) If any owner lessee or occupier of any such house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter-notice

A.D. 1927.

in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference :

- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section :
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against any further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of the requirements of and in the mode prescribed by the arbitrator the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :

- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act: A.D. 1927.
- (8) Every case of compensation to be ascertained under this section shall subject to the provisions of this Act be ascertained according to the provisions of the Lands Clauses Acts:
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

23.—(1) The Corporation during the execution of the powers of this Part of this Act may break up and also temporarily stop up divert and interfere with any street for the purpose of executing such powers and may for any reasonable time prevent all persons other than those bonâ fide going to or returning from any house or premises in the street from passing along and using the same. Temporary stoppage of streets.

(2) The Corporation shall provide reasonable access for foot passengers and vehicular traffic bonâ fide going to or returning from any such house or premises.

PART IV.

LANDS.

24. Subject to the provisions of this Act the Corporation may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purposes of the works by this Act authorised or for the purpose of providing space for the erection of buildings adjoining or near to such works. Power to take lands for street improvements.

25.—(1) Subject to the provisions of this Act the Corporation may enter upon take and use for the purposes of a park recreation ground or open space the lands or any part or parts thereof described in the First Schedule to this Act so far as such lands are delineated on the deposited plans and described in the deposited book of reference. Power to acquire lands for park.

A.D. 1927.

(2) From and after the date of the purchase by the Corporation of the said lands the Corporation may exercise in relation thereto all or any of the powers conferred upon an urban authority by the Public Health Acts with respect to any lands acquired by them for the purpose of public walks and pleasure grounds in pursuance of section 164 of the Public Health Act 1875.

Land laid
into streets
to form
part
thereof.

26. All lands acquired by the Corporation under this Act and laid into or appropriated as part of any street shall form part of that street and the portion added to any street under the powers of this Act shall be maintained and repaired in all respects as the rest of that street is for the time being by law maintained and repaired.

Owners may
be required
to sell parts
only of
certain
premises.

27.—(1) Whereas in the construction of the works authorised by this Act or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto therefore the following provisions shall have effect:—

(a) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties";

(b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation.

being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;

- (c) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed;
- (d) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion so determined to be severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;
- (e) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;
- (f) If the tribunal determine that the portion of the scheduled properties specified in the notice

A.D. 1927.

to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice;

- (g) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any premises.

28. The provisions contained in the sections of the Act of 1902 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply to and in relation to the like matters as if they were with any necessary modifications re-enacted in this Act (namely):—

Section 45 (Correction of errors &c. in deposited plans and book of reference); and

Section 50 (Persons under disability may grant easements &c.).

Incorporation of certain provisions of Act of 1902.

29. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the Corporation shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

A.D. 1927.

—
Extinction
of private
rights of
way.

30. In settling any question of disputed purchase money or compensation for lands acquired by the Corporation under this Act the tribunal settling the same shall not award any sum of money for or in respect of any improvement or alteration made or any building erected after the fifteenth day of November nineteen hundred and twenty-six if in the opinion of the tribunal the improvement alteration or building in respect of which the claim is made was made or erected with a view to obtaining or increasing compensation nor in the case of any estate or interest in the lands created after the said date which in the opinion of the tribunal was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition by the Corporation of such lands.

Compensa-
tion in case
of recently
altered
buildings.

31.—(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 purposes 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 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 :

Retention
and disposal
of lands.

A.D. 1927.

Provided that the Corporation shall not without the consent of the Minister of Health 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.

(2) Nothing in this section shall be taken to dispense with the necessity for obtaining 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 be required if this Act had not been passed.

(3) 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.

Period for compulsory purchase of lands.

32. 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 December one thousand nine hundred and twenty-seven.

Power to Corporation to enter upon property for survey and valuation.

33. 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.

A.D. 1927.

PART V.

STREETS BUILDINGS AND DRAINS.

34.—(1) Whenever application shall be made to the Corporation to approve the laying out of or notice shall be given to the Corporation of intention to lay out a new street the Corporation may require the owner of the estate or lands the development of which will be commenced or continued by the laying out of such new street to furnish the Corporation with sketch plans and particulars showing the general scheme (if any) for the development or laying out of such estate or lands so far as such development or laying out will in the opinion of the Corporation be affected by the construction of the new street and in such case the date of the making of application or of the giving of notice as aforesaid shall for the purposes of any enactments or provisions in force for the time being with respect to the laying out of new streets be deemed to be the date on which plans and particulars required as aforesaid shall be so furnished.

Develop-
ment
scheme
in connec-
tion with
new streets.

(2) In this section the expression "lay out a new street" includes the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street.

(3) If after the submission of the plans and particulars referred to in subsection (1) of this section the Corporation shall approve the laying out of any such new street either unconditionally or subject to any modification of such plans and particulars neither the owner of the estate or lands nor his successors in title shall carry out the development of such estate or lands in such a manner as to conflict substantially with such plans and particulars as approved and if any such owner shall offend against the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(4) The said owner may at any time submit to the Corporation for their approval any alteration in the said plans and particulars and the Corporation may if they think fit approve such alteration.

A.D. 1927.

(5) (a) Any person deeming himself aggrieved by any requirement of or by the Corporation under this section or by any modification required in the said plans and particulars by the Corporation or by any refusal on the part of the Corporation to approve any such alteration as aforesaid therein may within fourteen days from the date of such requirement or of the intimation to him by the Corporation of such refusal appeal to a court of summary jurisdiction and such court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just.

(b) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court of summary jurisdiction may direct.

(6) Nothing in this section shall be deemed to authorise any contravention of any byelaw or statutory provision in force in the borough.

Adjustment
of bound-
aries.

35.—(1) For the purpose of securing the proper laying out or development of any estate or lands in respect of or in connection with which plans for any new streets to be constructed are submitted to the Corporation for approval the Corporation may require that provision shall be made for adjusting and altering the boundaries of any such estate or lands or any lands adjacent or near thereto and for effecting such exchanges of land and the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands as may be necessary or convenient for such purposes and the provision to be so made and the terms and conditions upon which such provision is to be made shall failing agreement between the Corporation and the respective persons interested in such estates or lands be determined on the application of the Corporation or any such person by an arbitrator to be appointed by the Minister of Health and the Corporation may for securing the execution of any such purposes agree to pay and may and shall pay to any such person or persons such sums as may be agreed upon or in default of agreement may be determined by arbitration as aforesaid. Provided that the payment of money by any such person shall not be made a term or condition of any award made under this section otherwise than with his consent.

A.D. 1927.

(2) Any award made under the provisions of this section shall operate to effect any adjustment or alteration of boundaries or exchange of lands or the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands which may be provided for by such award or be necessary for giving effect thereto and shall be duly stamped accordingly and the costs charges and expenses of any such arbitration shall unless and except in so far as the award shall otherwise provide be borne and paid by the Corporation.

(3) Any lands or moneys received by any person in or in respect of an adjustment or alteration of boundaries or exchange of lands under the provisions of this section shall be held by such person subject to the same trusts (if any) and any lands so received shall also be held subject to the same covenants restrictions and conditions (if any) so far as the same are applicable as the lands exchanged therefor Where any such covenants restrictions or conditions shall in any case be agreed to be inapplicable or be determined by the arbitrator to be inapplicable the same shall be indicated in any agreement or award made under the provisions of this section.

(4) For the purpose of the adjustment or alteration of the boundaries of any such estate or lands as aforesaid the Corporation may themselves purchase any land and may sell or lease the land so purchased in whole or in part at such time or times at such price or prices and on such conditions as they may think fit or may appropriate the same for any public purpose approved by the Minister of Health and until such sale or appropriation may occupy manage or let the same or any part thereof in such manner as the Corporation may think reasonable.

36.—(1) The Corporation may enter into and carry into effect agreements with any owner of lands adjoining any street for the adjustment of the boundary of any such street and for such purpose may give up to such owner land including land forming part of the street in exchange for other land For the purposes of this section the Corporation shall be deemed to be the owners of the land forming the site of the street and shall be entitled to convey the same in accordance with an agreement entered into in pursuance of this section.

Adjust-
ment of
boundaries
of streets.

(2) Provided that no such agreement shall be entered into until the expiration of one month from the date on

A.D. 1927.

which notice of the proposals has been given by advertisement in some local newspaper circulating in the borough and if during such period of one month any four inhabitant householders of the borough by themselves or their agent give notice to the Corporation of their intention to appeal under the provisions of this section the Corporation shall not proceed with their proposals (unless the notice of appeal is withdrawn) pending a decision on or a withdrawal of the appeal. The advertisement in the newspaper shall include notice of this proviso.

(3) Any four inhabitant householders of the borough may appeal to a court of summary jurisdiction against any proposal of the Corporation as to an adjustment of the boundaries of a street under this section within the period mentioned in subsection (2) of this section.

(4) On any such appeal the court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just.

(5) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(6) Notwithstanding any agreement entered into under this section the Postmaster-General shall continue to have the same powers and rights in respect of any telegraphic line belonging to or used by him which remains in under upon over along or across the site of any such street as if the same had continued to be part of the street and if by reason or in consequence of any such agreement it becomes necessary to alter any such telegraphic line the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration as though the Corporation or the owner of the adjoining land (as the case may be) were "undertakers" within the meaning of the said Act.

As to
pave-
ment lights.

37.—(1) From and after the passing of this Act it shall not be lawful for the owner or occupier of any property to construct in any pavement forming part of any street in the borough any work for the admission of light through such pavement to any room or premises situate under or adjoining the same (in this section referred to as "pavement lights") without the consent in writing of the Corporation.

(2) In giving their consent to the construction of any pavement lights the Corporation may attach thereto such terms and conditions as they may think fit.

A.D. 1927.

(3) Any agreements entered into by the Corporation with any person prior to the passing of this Act which would have been valid under the provisions of this section if made after the passing thereof are hereby confirmed.

38.—(1) If the Corporation shall by resolution determine that any banner streamer sign or lettering suspended across 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 sign or lettering to remove the same within such period not being less than seven days as may be specified in the notice.

Banners
and signs
across
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 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 sign or lettering without the permission in writing of the Corporation or without complying with any conditions attaching to any such permission 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 sign or lettering as is referred to in subsection (1) hereof which was in use on the nineteenth day of November nineteen hundred and twenty-six.

(4) Any person aggrieved by any requirement of the Corporation under this section or by the withholding of any permission thereunder or by the conditions attached to any such permission may appeal to a court of summary jurisdiction within seven days after the receipt of the requirement or of notice of the withholding of such permission or of the conditions attached

A.D. 1927. thereto provided he give twenty-four hours' 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.

(5) Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section.

Power to vary width of carriageways and footways.

39. The Corporation may if they think fit in any case vary the relative widths of the carriageway and footway or footways in any street in the borough repairable by the inhabitants at large Provided that twenty-one days before commencing any work under this section which will materially reduce the width of any carriageway or footway the Corporation shall send notice of the proposed work to the Minister of Transport.

Variation of section 35 of Public Health Act 1925.

40. The provisions of section 35 (Power to vary width of carriageway and footway on making up private street) of the Public Health Act 1925 shall extend and apply to the Corporation as if the exercise by the Corporation of the powers of Part XI of the Act of 1889 in relation to any street were the exercise by them as an urban authority of the powers of section 150 (Power to compel paving &c. of private streets) of the Public Health Act 1875 or of the Private Street Works Act 1892 in relation to such street.

Planting of trees &c. in private streets.

41.—(1) The Corporation may when carrying out any private street works under Part XI of the Act of 1889 with the consent in writing of the greater part in rateable value of the owners of the houses or land in such street cause trees or shrubs to be planted and grass margins to be laid out in such street and erect guards or fences and otherwise do anything expedient for the protection of such trees shrubs and grass margins and any expense incurred by the Corporation under this section shall be deemed part of the expenses of carrying out the private street works in such street Provided that no such tree shrub grass margin guard or fence shall be placed or laid out in such a situation as to hinder the reasonable use of the highway by any person entitled to the use thereof or so as to be a nuisance or injurious to the owner or occupier of any land or premises adjacent to the said street :

Provided also that for the purposes of section 7 of the Telegraph Act 1878 any work done in exercise

of the powers conferred by this section shall be deemed to be work done in the execution of an undertaking authorised by an Act of Parliament and the Corporation shall be deemed to be the undertakers.

A.D. 1927.

(2) For the purposes of this section the term "owner" has the same meaning as in the Public Health Acts.

42.—(1) Not less than three months before commencing any work involving the closing to vehicular traffic of any street or part of a street in the borough either absolutely or to the extent of one-third or more of the width of the carriageway thereof or involving the re-surfacing of a carriageway or footpath the Corporation shall give notice in writing of their intention to execute such work to all undertakers having statutory powers to break up that street and when such work has been executed by the Corporation it shall not be lawful for any such undertakers within a period of three years after the completion of such work to break up the street or part of a street so closed without the consent of the Corporation which consent shall not be unreasonably withheld and the Corporation may if they think fit and without prejudice to their other rights and powers attach to any consent given under this section such conditions as may be reasonable with respect to the times at which and the period within which the work of the undertakers shall be executed and completed :

Restrictions
on rights of
breaking up
streets in
the borough.

Provided that as respects any work executed by any undertakers which but for the provisions of this section would have been lawfully executed nothing in this section shall deprive such undertakers of any right or immunity as between themselves and any person other than the Corporation to which but for the said provisions such undertakers would have been entitled in respect of such work.

(2) Any dispute or difference which may arise between the Corporation and any undertakers under the provisions of this section shall be referred to and settled by a single arbitrator to be agreed on between the parties or in default of such agreement appointed on the application of either party by the President

A.D. 1927. — of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and settlement.

(3) Nothing in this section shall prevent any such undertakers as aforesaid from carrying out works in any streets in cases of emergency or prevent any such undertakers from carrying out any works necessary to enable them to perform their statutory duties as such undertakers or their obligations under any contract subsisting at the date of the giving of the notice by the Corporation in default of the performance whereof they would be liable to any penalty or damages or from making altering repairing or disconnecting communication pipes or service connections or laying service lines between premises and distributing mains or altering repairing or disconnecting any service line In this section the expression "service line" has the meaning assigned thereto by the schedule to the Electric Lighting (Clauses) Act 1899.

Elevations
of new
buildings
fronting
street.

43.—(1) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 is hereby extended so as to enable the Corporation to make byelaws providing in such manner as they may think necessary that any person intending to erect a new building in any street within the borough shall furnish the Corporation with drawings of the elevations of the building and particulars of the materials to be used in those parts of the building which are comprised in the elevations (which drawings and particulars are in this section included in the expression "elevations").

(2) For the purpose of assisting the Corporation in the exercise of the power of approving or disapproving elevations hereinafter conferred a standing advisory committee of three members (in this section called "the advisory committee") shall be constituted for the borough of whom one member shall be a Fellow or an Associate of the Royal Institute of British Architects to be nominated by the President of the said institute one member shall be a Fellow of the Surveyors' Institution to be nominated by the President of the said institution and one member shall be a justice of the peace to be nominated by the council :

Provided that a member of the council shall be disqualified from being a member of the advisory committee.

A.D. 1927.
—

(3) Subject as aforesaid the members of the advisory committee shall be appointed by the council and any vacancy occurring on the advisory committee shall be filled by the council on the nomination of the person or body by whom the member causing the vacancy was nominated. The Corporation may pay the members of the advisory committee such reasonable fees and expenses as the Corporation think fit.

(4) Where the elevations of any buildings proposed to be erected in any street are required to be submitted to the Corporation by a byelaw made under the said section 157 as extended by this section the Corporation shall within one month after the submission to them of the elevations—

(a) approve the elevations; or

(b) if they shall consider that having regard to the general character of the existing buildings in the street or of the building proposed to be erected therein the building to which the elevations relate would seriously disfigure the street whether by reason of the height of the building or its design or the materials proposed to be used in its construction refer the question of the approval of the elevations to the advisory committee for their decision thereon and the reference shall be accompanied by a statement of the grounds on which the proposed building is considered to be objectionable.

(5) The Corporation shall forthwith send notice in writing to the person by whom the elevations were deposited of their approval thereof or if the building is considered to be objectionable on any of the grounds mentioned in this section of the reference of the elevations to the advisory committee and the notice shall be accompanied by a statement of the objections to the building.

(6) (a) The person by whom the elevations were deposited shall within fourteen days of his receiving notice of the reference to the advisory committee be

A.D. 1927. — entitled to send to the advisory committee a statement of his answers to the objections of the Corporation and if he does so he shall at the same time send a copy thereof to the town clerk.

(b) (i) The advisory committee shall within one month after the receipt of the reference decide whether having regard to the considerations mentioned in subsection (4) (b) of this section they approve or disapprove the elevations and their decision shall be final and conclusive.

(ii) If the elevations are disapproved the decision of the advisory committee shall contain a statement of the grounds on which the proposed building is considered to be objectionable.

(iii) In arriving at their decision the advisory committee may adopt such procedure as they think fit.

(7) The decision of the advisory committee shall be in writing signed by them and a copy of the decision shall as soon as may be after the determination of the reference be sent to the Corporation and to the person by whom the elevations were submitted.

(8) In the event of a division of opinion among the members of the advisory committee upon reference to them the matter shall be decided by a majority of votes of the members of the committee but save as aforesaid the advisory committee shall act by their whole number.

(9) Where the elevations of a building have been disapproved under this section it shall not be lawful to erect the building until the elevations thereof have been approved by the Corporation and any person who acts in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

(10) The costs of any reference to the advisory committee shall be paid as the advisory committee may direct. Where such costs or part thereof are payable by the person submitting the elevations they shall be recoverable by the Corporation summarily as a civil debt and where such costs or part thereof are

payable by the Corporation they shall be recoverable by the person submitting the elevations in the like manner. A.D. 1927.

(11) The provisions of this section shall not apply to a building (not being a dwelling-house) belonging to any person or body of persons authorised by virtue of any Act of Parliament or any Order having the force of an Act of Parliament to manufacture gas or to supply electricity or water or to navigate on or use any river canal dock or basin or to demand any tolls or dues in respect of such river canal dock or basin and used or intended to be used exclusively for such purposes under the provisions of such Act of Parliament or Order.

44.—(1) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 shall be extended so as to enable the Corporation to make byelaws with respect to the following matters (namely) :—

Amendment
of section
157 of
Public
Health Act
1875.

- (a) The uniting of buildings and the making and stopping up of openings in party walls of buildings and the provision of fire-resisting doors in connection therewith and as to the occupation of buildings when united;
- (b) The structure of walls and partitions dividing separate tenements or rooms in the same building or separate tenements and buildings belonging to different owners for securing stability and the prevention of fire and for purposes of health;
- (c) The testing the drains of new buildings;
- (d) For securing that the internal surfaces of the walls and ceilings of rooms used or intended to be used for human habitation shall be properly covered with plaster or other suitable material;
- (e) For requiring the plans and sections deposited in pursuance of provision in any local Act for the time being in force to be drawn on such materials and in such manner as may be prescribed in such byelaws;

A.D. 1927.

- (f) For requiring work to be done in connection with the alteration whether in use or structure of a building or part thereof for securing stability and the prevention of fire and for purposes of health;
- (g) For securing the adequate lighting of buildings;
- (h) The number of dwelling-houses which may be erected in one block or in one continuous row;
- (i) The provision of an open space for separating blocks or rows of dwelling-houses and the width of such space;
- (j) The situation construction and height of walls or fences open or across such open space;
- (k) For requiring the submission of plans and sections in the case of the construction or alteration of drains;
- (l) The height to which any new building (including any alteration of or addition to an existing building) may be erected.

(2) No byelaw made under the provisions of this section shall require—

- (a) the number of dwelling-houses referred to in paragraph (h) hereof to be less than eight;
- (b) any such open space as is referred to in paragraph (i) hereof to be of a greater width than eight feet; or
- (c) any such wall or fence as is referred to in paragraph (j) hereof to be of a greater height than six feet.

(3) No byelaw made under the provisions of paragraphs (a) (b) (d) (f) (g) (h) (i) and (j) of subsection (1) of this section shall apply to any building of the Swansea Gas Light Company not being a dwelling-house office or showroom.

As to
houses
connected
with single
private
drain.

45.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer or into a cesspool or other receptacle for drainage the Corporation shall have all the powers conferred by section 41 (Examination of

drains privies &c. on complaint of nuisance) of the Public Health Act 1875 and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

A.D. 1927.

(2) Section 19 (Extension of 38 & 39 Vict. c. 55 s. 41) of the Public Health Acts Amendment Act 1890 shall cease to be in force within the borough.

(3) For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

46. Nothing in this Part of this Act except the sections whereof the marginal notes are "Adjustment of boundaries of streets" "As to pavement lights" and "Banners and signs across streets" shall extend or apply to any building (not being a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any land held or acquired or which may hereafter be held or acquired by any such company with the authority of Parliament so long as any such building railway work or land is used or held by such company primarily for railway purposes.

Saving as to
railway
companies.

PART VI.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

47.—(1) Any parent or other person liable to maintain a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any person residing with such parent or other person and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

Notification
of infectious
disease to
teachers.

A.D. 1927.

(2) In any proceeding under this section a certificate purporting to be under the hand of the head teacher of an elementary school or continuation school stating that he has or has not received any notification as required by this section shall be evidence of the facts stated in the certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

Prohibition
on infected
person
carrying
on business.

48. If a person who is suffering from an infectious disease or who is living in a house in which there is a case of infectious disease knowingly engages in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household in such a manner as to be likely to spread the infectious disease he shall be liable to a penalty not exceeding forty shillings.

Closet
accommo-
dation in
houses
occupied by
more than
one family.

49.—(1) Section 36 (Power of local authority to enforce provision of privy accommodation for houses) of the Public Health Act 1875 shall with the necessary modifications apply to a part of a house occupied by a separate family as it applies to the whole of a house.

(2) The provisions of subsections (1) (2) and (3) of section 7 (Execution of works to comply with byelaws) of the Housing Act 1925 shall apply with any necessary modifications as if the same were set out in this section.

As to filthy
premises.

50.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if the Corporation are satisfied of the truth of the representations of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary order to do act other than a payment of money) of the Summary Jurisdiction Act 1879.

(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

PART VII.

A.D. 1927.

HUMAN FOOD.

51.—(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 medical officer be detrimental to 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.

Power to prohibit persons in advanced stage of tuberculosis from handling &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 such person shall fail 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.

52.—(1) Every medical practitioner attending on a person who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the medical officer a notification of the case stating the name of such person and the place at which such person is.

Medical practitioners to notify cases of food poisoning.

(2) The Corporation shall pay to every medical practitioner for each notification duly sent by him in accordance with this section a fee of two shillings and sixpence if the case occurs in his private practice and of one shilling if the case occurs in his practice of medical officer of any public body or institution.

A.D. 1927.

(3) Every person required by this section to give notice who fails to give the same in accordance with this section shall be liable to a penalty not exceeding forty shillings.

Registration
of premises
used for
manufacture
&c. of
potted
meats and
ice-cream.

53.—(1) Any premises used or proposed to be used for—

(a) the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale; or

(b) the manufacture or sale of ice-cream;

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 or any of them unless the same are registered as aforesaid.

(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 respecting 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 and shall not in any way affect the operation of that Act.

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

Penalty on
original
vendor of
unsound
food.

54.—(1) Where it is shown that any animal or article liable to be seized under sections 116 to 119 of the Public Health Act 1875 and section 28 (Extension of 38 & 39 Vict. c. 55 ss. 116–119) of the Public Health Acts Amendment Act 1890 and found in the possession of any person was sold to him by another person for the food of man (the proof that the same was not sold for the food of man resting with the party charged) and when so sold was in such a condition as to be liable to be so seized and to be condemned under section 117 (Power to order destruction of unsound meat &c.) of the Public Health Act 1875 the person who so sold the same shall be punishable as mentioned in the said section 117 unless he proves that at the time he sold the said animal or article he did not know and had no reason to believe that the said animal or article was in such condition.

(2) Where any animal or article of food has been condemned by a justice under the said section 117 as amended by the said section 28 the person to whom the same belongs or did belong at the time of deposit of such article for the purpose of sale or of preparation for sale as well as the persons in those sections mentioned shall also be punishable as mentioned in the said section 117 unless he proves that at the time of such deposit he did not know and had no reason to believe that the said article was in such a condition as to be liable to be so condemned.

A.D. 1927.

(3) Before any animal or article liable to be condemned under the said section 117 as amended by the said section 28 and this section is dealt with by a justice the medical officer or the sanitary inspector shall inform the person in whose custody or possession the same was at the time when it was inspected by the medical officer or sanitary inspector of the intention of the medical officer or sanitary inspector to have the same dealt with by a justice and any person who may be liable in respect of such animal or article to a prosecution under the aforesaid provisions shall be entitled to attend the proceedings before the justice and to be heard with his witnesses upon the application for the condemnation of any such animal or article.

55. Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 (Extension of 38 & 39 Vict. c. 55 ss. 116-119) of the Public Health Acts Amendment Act 1890 shall extend to authorise the medical officer or sanitary inspector to inspect examine and search any cart or other vehicle or any basket sack bag or parcel whether open or closed in which he has reason to suspect that there is any article of food intended for sale or in the course of delivery after sale for the food of man and the provisions of such sections shall apply accordingly :

Further
powers in
relation to
unsound
food.

Provided that the extended powers conferred by this section on the medical officer and sanitary inspector may be exercised by any veterinary surgeon appointed by the Corporation :

Provided also that nothing in this section shall authorise the inspection examination and search of any cart or other vehicle belonging to a railway company and

A.D. 1927. — used by them for the purposes of their traffic or of any basket sack bag or parcel in the possession of such company as carriers thereof.

Byelaws as
to inspection
of meat.

56.—(1) The Corporation may make and enforce byelaws for preventing meat (other than meat which has been inspected and passed as fit for the food of man by a medical officer of health or a duly qualified inspector being an official of or authorised to act on behalf of the sanitary authority of the district in which the animal has been slaughtered) or any part of the carcase of an animal brought into the borough and intended for the food of man from being used for the food of man or being offered for sale or sold or deposited for sale or for preparation for sale until after inspection by an officer of the Corporation.

(2) Provided that any byelaw made by the Corporation for the said purpose shall provide (i) that any person bringing any meat or any part of the carcase of an animal into the borough shall give to the medical officer reasonable notice in writing of the day and hour and place in the borough on and at which the meat or any part of the carcase can be inspected as aforesaid and (ii) that if within such reasonable period after the notified hour as may with due regard to the requirements of the trade be prescribed by the byelaw an officer of the Corporation shall not have attended at the place so notified for the purpose of inspection the restriction in subsection (1) of this section referred to shall not apply to the meat or any part of the carcase in respect of which the notice was given.

(3) Before making any such byelaws the Corporation shall give not less than one month's notice to the Swansea and District Retail Butchers' Association of the Corporation's intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws and the Corporation shall confer with the said association thereon before they submit the same to the Minister of Health for confirmation and such association shall be entitled to make representations to the Minister of Health with regard thereto.

(4) Nothing in this section shall affect the operation of the Diseases of Animals Acts 1894 to 1922 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

PART VIII.

A.D. 1927.

COMMON LODGING-HOUSES.

57. No house or part of a house within the borough shall be exempt from the provisions with respect to common lodging-houses of the Public Health Acts or of this Part of this Act or any byelaws made thereunder on the ground that accommodation in such house or part of a house is let for a longer period or longer periods than one day or is not let for a less period than one week.

As to
periods of
letting as
affecting
common
lodging-
houses.

58.—(1) The Corporation may without prejudice to their powers under the Public Health Acts refuse to register or to renew the registration of any house as a common lodging-house unless they are satisfied—

Power to
refuse
registration.

(a) that the premises are suitably equipped for use and occupation as a common lodging-house; or

(b) that the use of the premises as a common lodging-house is not likely to occasion inconvenience or annoyance to the inhabitants or persons in the district in which the premises are situate.

(2) If the Corporation refuse to grant or renew registration under this section they shall if required by the applicant deliver to him a statement in writing of the ground or grounds upon which such registration is refused.

(3) If the registration or renewal of registration be refused any person aggrieved by such refusal may appeal to a court of summary jurisdiction provided that such appeal be made within fourteen days from the date of such refusal and that not less than twenty-four hours' notice of such appeal be sent to the Corporation.

(4) If the registration or renewal of registration be refused upon the ground that the premises are not suitable or suitably equipped for the purposes of a common lodging-house the court shall have power to appoint a person being a properly qualified surveyor or architect to examine and report to them upon the condition of such premises and their suitability for the purposes of a common lodging-house.

A.D. 1927.

(5) The costs of any such appeal including the expenses of any such examination and report as aforesaid shall be paid in such manner and by such parties to the appeal as the court may direct.

(6) On any such appeal the court may after considering any representations made by the Corporation either confirm the refusal or direct the Corporation to grant registration and the Corporation shall comply with any such direction.

Byelaws
relating to
common
lodging-
houses.

59. Section 80 (Byelaws to be made by local authority) of the Public Health Act 1875 shall operate so as to include the making by the Corporation of byelaws as regards the maintenance in good condition and free from obstruction of all precautions and means of escape in case of fire which may be provided in or in connection with a common lodging-house.

Notice of
provisions
of Part VIII
of Act.

60. Within one month after the passing of this Act the Corporation shall give notice of the provisions of this Part of this Act to the keeper of every registered common lodging-house in the borough.

PART IX.

HACKNEY CARRIAGES AND POLICE.

Inspection
and certifi-
cation of
taximeters.

61.—(1) The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage regularly plying for hire within the borough to be tested and inspected and they may also require any taximeter or other similar apparatus to be re-tested and re-inspected at such reasonable intervals of time as the Corporation may prescribe and no such taximeter or other similar apparatus shall be used or be continued in use unless the same be certified to register correctly and the expenses of such testing and certificate not exceeding five shillings in any one year shall be borne by the owner of the hackney carriage.

(2) The Corporation shall issue a certificate in respect of any taximeter found by them to register correctly and such certificate shall be dated with the date upon which such taximeter was last tested and inspected.

(3) Any person using a taximeter or other similar apparatus which is not so certified or failing to submit the

same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable to a penalty not exceeding forty shillings. A.D. 1927.

62. No person shall be entitled to drive a motor vehicle licensed by the Corporation as a hackney carriage or omnibus unless he shall have satisfied the Corporation of his ability to drive and for that purpose the Corporation may impose such reasonable tests as they may think fit. Power to impose tests on motor drivers.

63. The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant (not being a railway company) fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 (Local licensing fees to cease to be chargeable) of the Roads Act 1920 and all the provisions of that subsection shall apply accordingly. Insurance by hackney carriage proprietors.

64.—(1) The Corporation may from time to time make regulations prescribing within the central area defined in subsection (11) of this section— Regulations for controlling traffic.

(a) the routes to be taken by all vehicles or by any specified class or description of vehicle either generally or during specified hours;

(b) streets in which vehicular traffic shall pass in one specified direction only either generally or during specified hours;

(c) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers :

Provided that any regulation made under paragraph (a) or paragraph (b) of this subsection shall not apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the central area whilst so engaged and that any regulation made under paragraph (a) of this subsection shall not apply to any tramcar or light railway car :

A.D. 1927.
—

Provided also that no street shall be included in any regulation made under the said paragraph (b) if and so long as such street is used by tramcars or light railway cars proceeding along such street in opposite directions.

(2) Before any regulations made under this section shall come into force the Corporation shall submit the same to the Minister for his approval and shall give notice of the subject matters of the regulations by advertisement in a local newspaper circulating in the borough and in the London Gazette and in such other manner (if any) as the Minister may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(3) The Minister shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modifications or may disapprove the same.

(4) Before approving any regulations the Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 (Power to hold inquiries) of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person.

(5) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the borough and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(6) The regulations shall take effect as approved by the Minister and shall come into force on a date to be fixed by him.

A.D. 1927.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a local newspaper circulating in the borough and otherwise in such manner as may be prescribed by the Minister of Transport and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

(8) The Minister on the application of any company body or person appearing to him to be sufficiently interested and alleging that any regulation made under this section is unsuitable for the traffic requirements of the borough may if satisfied as to the correctness of such allegation and after considering any representations made to him by the Corporation modify or extend the regulation to which the application relates.

(9) A copy of any regulations approved under this section (with any modifications or extensions made by the Minister as aforesaid) purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence (until the contrary is proved) in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(10) As respects any regulation made and approved under this section (subject to any modification or extension made by the Minister of Transport as aforesaid) any person who—

(a) shall contravene any regulation under paragraph (a) of subsection (1) of this section after warning given by word or signal by a police constable in uniform; or

(b) shall drive or cause to be driven any vehicle in any street in relation to which a regulation shall be in force under paragraph (b) of subsection (1) and a warning notice shall have been erected pursuant to subsection (7) of this section in contravention of such regulation; or

(c) shall contravene any regulation under paragraph (c) of subsection (1) of this section;

shall be liable to a penalty not exceeding forty shillings.

A.D. 1927.

(11) In this section—

- (a) “the central area” means the portion of the borough comprised within a circle having a radius of one and a half miles from the borough central police station;
- (b) “the Minister” means the Minister of Transport; and
- (c) “specified” means specified in any regulations made or approved under this section.

Regulations
as to stands
or stopping
places of
omnibuses.

65.—(1) The Corporation may make regulations prescribing within the borough—

- (a) as respects omnibuses in general or omnibuses of any particular class or used on any particular route or running according to a published timetable the stands which may be occupied exclusively by them and the places where they may stop for longer than is necessary for the purposes of picking up and setting down passengers; and
- (b) the time during which any omnibus shall be allowed to remain at a prescribed stand or stopping place;

and any omnibus standing upon any such stand or stopping place in accordance with regulations made under this section shall be deemed to be within the exception in the ninth paragraph of section 28 of the Town Police Clauses Act 1847.

(2) Upon the coming into force of the regulations first made under this section the sixth paragraph of section 6 of the Town Police Clauses Act 1889 shall cease to extend to the borough.

(3) Where the Corporation propose to make regulations under this section they shall cause notice of their proposal and a statement of the effect of the proposed regulations to be published in at least one newspaper circulating within the borough and shall serve a copy of the notice upon the proprietor of every omnibus licensed to ply for hire within the borough.

(4) Every such notice shall indicate the date (which shall not be less than twenty-eight days) within which any objection to the regulations shall be sent in writing to the Corporation and shall contain a notification of

the place at which copies of the proposed regulations may be obtained free of charge. A.D. 1927.

(5) The Corporation shall consider and determine any objection to the proposed regulations which is sent to them in writing within the time fixed in that behalf and shall send notice of their decision to the objector who if he is dissatisfied with their decision may within fourteen days after the receipt of the notice appeal to the Minister of Transport (in this section referred to as "the Minister").

(6) A notification of the right of appeal under this section shall be included in any notice sent by the Corporation of their decision on an objection to the regulations and upon any appeal being made to the Minister notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the Corporation.

(7) The Minister shall consider any appeal duly made to him and may make such order in the matter as he thinks fit and his decision shall be final.

(8) Before making any order under this section the Minister may and if an appeal duly made is not withdrawn shall (unless the appeal appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the provisions in subsections (4) and (5) of the section of this Act the marginal note whereof is "Regulations for controlling traffic" as to expenses and notices of local inquiries shall extend to any local inquiry so directed by the Minister.

(9) Where an objection has been made to regulations proposed by the Corporation under this section the regulation shall not be sealed by the Corporation until after the expiration of the time within which an appeal may be made by the objector to the Minister or if an appeal to the Minister has been made by the objector until after the determination or withdrawal of the appeal.

(10) Any company body or person running omnibuses in the borough may at any time apply to the Minister to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the borough or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the

A.D. 1927. Corporation may modify the regulations to which the application relates.

(11) A copy of any regulations approved under this section (with any modifications or extensions made by the Minister as aforesaid) purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence (until the contrary is proved) in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

Power to stop traffic on occasions of emergency.

66. It shall be lawful for the Corporation at all times of public processions rejoicings or illuminations or on emergency to cause barricades to be erected across any of the streets in the borough and to continue the same for such time as may be deemed reasonably necessary and any person who wilfully removes any such barricade or any part thereof shall be liable to a penalty not exceeding forty shillings.

Notice of processions to be given.

67.—(1) Any person or persons intending to organise or form a public or ceremonial procession or a circus procession or processions of wild animals through the streets of the borough (other than a public or ceremonial procession which is regularly held through such streets) shall give written notice thereof and of the route proposed to be taken and of the time at which it will take place to the chief constable of the borough by leaving such notice at the central police station in the borough twenty-four hours at least (exclusive of Sundays) previous to the time fixed for such procession to pass through the streets.

(2) If any such procession passes through the streets of the borough without such notice having been previously given or otherwise than in accordance with such notice the person or persons organising or conducting such procession or any or either of them shall be liable to a penalty not exceeding five pounds each.

Byelaws as to leading or driving cattle.

68. The power to make byelaws conferred on the Corporation by section 23 (Power of council to make byelaws) of the Municipal Corporations Act 1882 shall be deemed to enable the Corporation to make byelaws in accordance with the provisions of this section for prescribing the streets in which the hours during which and the manner according to which animals may be led or driven along the streets of the borough. Provided that

the route or routes prescribed by any such byelaws shall not be such as would prevent the passage of cattle by a reasonably short and convenient route between any market or licensed or registered slaughter-house and any railway station in the borough or any place beyond the boundary of the borough when such animals are merely passing between such market or slaughter-house and railway station or other place as aforesaid. Provided also that any such byelaw shall not prevent the owner of any animal driving the same to his own premises.

A.D. 1927.

PART X.

FINANCE.

69.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for 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 respective revenues funds and rates mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as “the prescribed period”) mentioned in the fourth column thereof (namely):—

Power to
borrow.

Purpose.	Amount.	Fund or Rate chargeable.	Period for repayment.
(a) For the purchase of lands for the street improvements by this Act authorised.	£ 17,500	The borough fund and borough rate.	Sixty years from the date or dates of borrowing.
(b) For the construction of the street improvements by this Act authorised.	27,521	The borough fund and borough rate.	Thirty years from the date or dates of borrowing.
(c) For the purchase of lands for park or recreation ground at Ravenhill by this Act authorised.	2,100	The borough fund and borough rate.	Sixty years from the date or dates of borrowing.
(d) For paying the costs charges and expenses of this Act.	The sum requisite.	The borough fund and borough rate.	Five years from the passing of this Act.

A.D. 1927.

(2) (a) The Corporation may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act.

(b) In order to secure the repayment of the moneys borrowed under this subsection and the payment of the interest thereon the Corporation may mortgage or charge such fund rate or revenue as the Minister of Health may prescribe and any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by that Minister.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by section 105 (Power to use one form of mortgage for all purposes) of the Act of 1912.

Power to
borrow for
litigation
costs.

70. The Corporation may from time to time independently of any other borrowing power borrow at interest the sum requisite for paying any costs charges damages and expenses incurred by the Corporation in and incidental to the action at law at the suit of the Graigola Merthyr Company Limited relative to the Blaennant Ddu reservoir of the Corporation and in order to secure the repayment thereof and the payment of interest thereon they may mortgage the revenues of the water undertaking and the borough fund and borough rate and they shall pay off all moneys so borrowed within a period from the date or dates of borrowing to be determined by the Minister of Health.

Incorporation of
certain
financial
provisions of
Act of 1902.

71. The provisions contained in the sections of the Act of 1902 the numbers and marginal notes of which are set forth in this section shall so far as applicable and subject as regards mortgages granted under the provisions of section 105 (Power to use one form of mortgage for all purposes) of the Act of 1912 to the provisions of that section extend and apply to and in relation to the like matters as if they were with any necessary modifications re-enacted in this Act (namely):—

Section 111 Certain regulations of Public Health Act 1875 as to borrowing not to apply;

Section 112 Mode of raising money;

- Section 113 Provisions of Public Health Act as to A.D. 1927.
mortgages to apply;
- Section 115 Mode of payment off of money
borrowed;
- Section 116 Sinking fund;
- Section 117 Protection of lender from inquiry;
- Section 118 Corporation not to regard trusts;
- Section 119 Appointment of receiver;
- Section 123 Application of money borrowed;
- Section 124 Expenses of execution of Act; and
- Section 125 Audit of accounts.

72. In calculating under subsection (2) of section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 the amount which the Corporation may borrow the amount at the time of such calculation of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the Sanitary Acts and the Public Health Act 1875 shall be deducted from the outstanding loans contracted by the Corporation under those Acts. As to section 234 of Public Health Act 1875.

73.—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or any Order as from the thirty-first day of March nineteen hundred and twenty-eight or as from any succeeding thirty-first day of March the Corporation may if they think fit establish a fund to be called "the consolidated loans fund" to which shall be paid as and when they are received— Consolidated loans fund.

- (a) all moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys temporarily borrowed without security in connection with the exercise of duly authorised borrowing powers;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and

A.D. 1927.
—

- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the thirty-first day of March as from which the consolidated loans fund shall be established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the exercise of any duly authorised borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation; or
- (b) in the redemption of stock or any other securities issued by the Corporation the purchase of stock for extinction or the repayment of any moneys borrowed by the Corporation:

And any moneys of the consolidated loans fund pending use or application as aforesaid may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund.

(3) Subject to any priority existing at the passing of this Act all stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(5) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

74. When under the provisions of this Act or of any other Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and accumulations thereof required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation (that is to say) :—

A.D. 1927.

Investment
of and pay-
ments into
sinking
fund.

(1) The Corporation may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities :

(2) The said yearly sums and accumulations shall be paid and provided out of the borough fund and borough rate and any interest dividends and annual proceeds arising from the investment thereof or of any moneys standing to the credit of any sinking or loans fund as aforesaid at or after the passing of this Act shall be paid into and form part of the borough fund.

75. When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a reserve or renewals fund they may (in addition to any other powers for the time being vested in them) invest the moneys forming part of such reserve or renewals fund and the interest on the investments of such moneys in statutory securities.

Power to
invest
certain
funds in
statutory
securities.

76.—(1) The Corporation may if they think fit establish a fund to be called the "insurance fund" with a view of providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any of the following risks (that is to say) :—

Insurance
fund.

(i) Risk of fire in respect of buildings works premises and the contents thereof and other

A.D. 1927.

property whether belonging or on loan to or under the care custody or control of the Corporation;

- (ii) Risk of accident and claims by third parties in respect of tramways omnibuses scavenging vehicles motor cars and motor transport and horse-drawn vehicles;
- (iii) Risk of explosion in respect of boilers;
- (iv) Risks under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1925 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of accidents to the officers servants or workmen of the Corporation or to third parties;
- (v) Risks of injuries to school children through accident caused by the negligence of a teacher attendant or other person or defect in any school premises of or leased to the Corporation;
- (vi) Risks of mechanical or electrical breakdown at or in connection with any of the electricity works of the Corporation;
- (vii) Risks of loss due to infidelity of officials of the Corporation;
- (viii) Any other risks against which in the absence of such an insurance fund the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices of good repute against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

- (a) such a sum as shall in their opinion be equal to the aggregate amount of the premiums which would be payable if the Corporation fully insured in some insurance office of good repute against the several risks for which the insurance fund is intended to provide; or

A.D. 1927.

(b) if the Corporation partly insure in some insurance office of good repute against the whole or any part of the several risks for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last mentioned insurance be equal to the aggregate amount aforesaid.

(4) When the insurance fund shall amount to two hundred and fifty thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below two hundred and fifty thousand pounds the Corporation shall recommence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of two hundred and fifty thousand pounds.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the borough fund and shall show the same in their accounts under the separate heading or division in respect of the particular undertaking or department of the Corporation which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premiums of such insurance.

(6) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (subject to the provisions of this Act) be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of two hundred and fifty thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities may be carried to the credit of the borough fund.

(7) For the purposes of this section the Corporation may if they deem it expedient and by arrangement with the managers of any public elementary school or the governing body of any college secondary school institute or hostel not provided by the Corporation as the local education authority include in the risks

A.D. 1927. insured under paragraph (iv) of subsection (1) of this section risks of accident to any teacher employed in any such school college institute or hostel.

(8) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister of Health and on such security as that Minister may prescribe borrow at interest under and subject to the provisions of this Act such sums of money as will be necessary to make up the deficiency. The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the borough fund and charged in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings or departments of the Corporation and in such proportions as the Minister of Health may direct having regard to the risks through which such deficiencies arise.

(9) Any moneys standing at the date of the establishment of the insurance fund to the credit of any fund established by the Corporation under section 109 of the Act of 1902 or sections 82 to 84 inclusive of the Act of 1920 shall be carried by the Corporation to and be deemed to form part of the insurance fund.

Period for
repayment
of loans
under
Municipal
Corporations
Act 1882.

77. Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister of Health shall in each case prescribe.

Revenue
and
expenses of
trading
under-
takings.

78.—(1) All moneys received by the Corporation in any year ending on a thirty-first day of March subsequent to the thirty-first day of March nineteen hundred and twenty-eight on account of the revenue of their tramway light railways electricity water markets and slaughter-houses undertakings shall be carried to

and shall form part of the revenue for that year of the general rate fund and all payments and expenses made and incurred in respect of each of those undertakings in the same year shall be paid out of that fund.

A.D. 1927.

(2) The Corporation may (if they think fit) apply money received by them on account of the revenue of the tramway light railways water markets and slaughter-houses undertakings of the Corporation in the construction renewal extension and improvement of the works and conveniences for the purposes of such undertakings respectively.

79.—(1) As from the first day of April nineteen hundred and twenty-eight the Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as regards the revenue accounts to show under a separate heading or division in respect of each of the following undertakings (that is to say) the tramway undertaking the light railways undertaking the water undertaking the electricity undertaking the markets undertaking and the slaughter-houses undertaking (each of which is in this section separately referred to as “the undertaking”) on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say) :—

Separate accounts in respect of trading undertakings.

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to any reserve fund which the Corporation are from time to time authorised to maintain.

A.D. 1927.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall as far as may be reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Applica-
tion of
Electricity
(Supply)
Act 1926.

80. Nothing contained in this Act shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of section 43 of and the Fifth Schedule to the Electricity (Supply) Act 1926.

Reserve
funds of
certain
under-
takings.

81.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of the tramway undertaking the light railways undertaking the electricity undertaking the markets undertaking and the slaughterhouses undertaking of the Corporation by setting aside such an amount as they may from time to time think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding in the case of the tramway and light railways undertakings a sum equal to one-fifth and in the case of each of the other undertakings to which this section relates a sum equal to one-tenth of the aggregate capital expended for the time being by the Corporation upon the undertaking.

(2) Any reserve fund which has been formed for the purposes of any of the said undertakings and which is in existence at the passing of this Act shall be deemed to have been formed under this section.

(3) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or

for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

A.D. 1927.

(4) Resort may be had to a reserve fund formed under the foregoing provisions of this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

82.—(1) The Corporation may form and maintain reserve funds in respect of their water undertaking consisting of a reserve fund in respect of the bulk supply works referred to in the section of this Act of which the marginal note is “As to supply of water to Swansea Rural District Council” (in this Act referred to as “the bulk supply reserve fund”) and a reserve fund in respect of the remaining portion of the water undertaking by setting aside to each such fund such an amount (not exceeding in any one financial year a sum of money equivalent to one half of one per centum upon the total capital expenditure by the Corporation upon the portion of the undertaking in respect of which such fund is formed as at the termination of the immediately preceding financial year) as they may from time to time think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equivalent to one-tenth of the aggregate capital expenditure for the time being by the Corporation upon the portion of the undertaking in respect of which such fund is formed.

Water
reserve
funds.

(2) Any reserve fund formed under this section shall be applicable to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the portion of the undertaking in respect of which such fund is formed or for payment of the cost of renewing improving or extending any part of the works comprised in that portion of the undertaking or otherwise for the benefit of that portion of the undertaking and so that if the fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens :

A.D. 1927.

Provided that resort may be had to either reserve fund formed under the foregoing provisions of this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

Proceeds of
sale of
surplus
lands.

83.—(1) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall subject to the provisions of the section of this Act of which the marginal note is “Consolidated loans fund” apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Subject as aforesaid any capital moneys received by the Corporation on the re-sale or exchange of or by leasing any lands acquired under any Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister of Health.

Return to
Minister of
Health with
respect to
repayment
of debt.

84.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

A.D. 1927.

(4) Any provision (other than the foregoing provisions of this section) of any enactment now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt is hereby repealed.

85. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be sufficient discharge to the Corporation.

Receipt in
case of
persons not
sui juris.

86. Where more persons than one are registered as joint holders of any mortgage or stock or other security of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Interest on
mortgages
held jointly.

PART XI.

MISCELLANEOUS.

87. The provisions of sections 102 and 103 of the Public Health Act 1875 shall extend and apply to the purposes of Part V (Streets buildings and drains) Part VI (Infectious disease and sanitary provisions) and Part VII (Human food) of this Act as if those purposes had been mentioned in the said section 102.

Power to
enter
premises.

A.D. 1927.

Penalty on
occupiers
refusing
execution
of Act.

88. If the occupier of any house or part of a house or any lands shall prevent the owner thereof from carrying into effect any requirement of the Corporation under or in pursuance of Part V (Streets buildings and drains) and Part VI (Infectious disease and sanitary provisions) of this Act then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding forty shillings and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Byelaws
as to
Caswell
Bay.

89.—(1) Section 82 (Byelaws as to seashore) and section 92 (Bathing places) of the Public Health Acts Amendment Act 1907 are hereby extended so as to enable the Corporation to make byelaws with respect to public bathing and for the regulation of the seashore in any part of the beach or seashore of Caswell Bay which is situate in the rural district of Gower as if the Corporation were the local authority for the purposes of those sections.

(2) No such byelaws shall apply to any part of any beach or seashore which is within the rural district of Gower until the council of that district have consented thereto :

Provided that in the event of the said council failing to give such consent the matter shall be referred to and determined by the Secretary of State in the case of byelaws under the said section 82 and the Minister of Health in the case of byelaws under the said section 92.

(3) No such byelaws shall apply to the foreshore below high-water mark of the said part of Caswell Bay until the consent of the Board of Trade to such byelaws has been obtained.

(4) For the purpose of enforcing any such byelaws the provisions contained in any general or local Act for the time being in force in the borough relating to

public bathing and for the regulation of the seashore shall extend and apply to the said part of the beach or seashore of Caswell Bay outside the borough and proceedings for the recovery of any penalty under any of those provisions or byelaws made thereunder may be taken by the Corporation or by any officer of the Corporation duly authorised in that behalf.

A.D. 1927.

90. The Corporation may acquire hold and exercise such patent and other rights and licences (not being exclusive) as they deem necessary or expedient for or in connection with the purposes of any of their several undertakings powers or duties.

Power to
hold patent
rights.

91. Where under the provisions of any local Act from time to time in force within the borough the Corporation shall construct or do any work for the common benefit of two or more buildings belonging to different owners the expenses which under those Acts or any of them are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Apportion-
ment of
expenses
between
different
owners.

92.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under this Act and the said inspectors shall for the purposes of any such inquiry have all such powers as inspectors of the Minister of Health have for the purposes of inquiries directed by that Minister under the Public Health Act 1875.

Inquiries
by Minister
of Health.

(2) The Corporation shall pay to the Minister of Health any expenses incurred by him in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum (not exceeding five guineas a day) to be fixed by the Minister for the services of such inspector.

93. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of or applicable to the Corporation

Inquiries by
Minister of
Transport.

A.D. 1927. — the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words “ under the seal of the Minister of Transport ” were substituted for the words “ by writing under the hand of the President or of one of the secretaries of the Board.”

For protection of Swansea Gas Light Company.

94. The provisions of section 117 (For protection of the Swansea Gas Light Company) of the Act of 1912 shall extend and apply to the execution and maintenance of any works carried out by the Corporation under the provisions of Parts II and III of this Act as if the same had been re-enacted in this Act with the substitution therein of the said Parts II and III for Parts II III and IV of the Act of 1912 And in addition thereto the following provisions shall apply and have effect (that is to say) :—

If in executing any works authorised by Parts II and III of this Act the Corporation shall make any alteration of road surfaces which will have the effect of giving the mains of the said gas company a greater cover than that which they had immediately prior to the alteration of the road surface the Corporation shall repay to the said gas company any extra cost incurred by them in repairing such mains or in making or repairing connections therewith.

Crown rights.

95. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Incorporation of further provisions

96. The provisions contained in the sections of the Act of 1902 and of the Act of 1912 the numbers and marginal notes of which are set forth in this section

shall so far as applicable extend and apply to and in relation to the like matters as if they were with any necessary modifications re-enacted in this Act (namely):—

A.D. 1927.
—
of Acts of
1902 and
1912.

Act of 1902—

- Section 135 (Authentication and service of notices);
- Section 136 (As to appeal);
- Section 137 (Compensation how to be determined);
- Section 138 (Recovery of penalties); and
- Section 139 (Informations by whom to be laid).

Act of 1912—

- Section 122 (Confirmation of byelaws);
- Section 123 (Consent of Corporation to be in writing);
- Section 125 (Recovery of demands);
- Section 127 (Application of section 265 of Public Health Act 1875);
- Section 128 (Saving for indictments &c.); and
- Section 129 (Powers of Act cumulative):

Provided that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board.

97.—(1) The following enactments are hereby repealed (namely):—

Repeal.

Act of 1912—

- Section 27 (Supply of water by hose pipes to stables &c.);
- Section 29 (Supply of water to houses partly used for trade &c.).

Act of 1920—

- Section 31 (As to restriction of air space).

A.D. 1927.

(2) As from the first day of April one thousand nine hundred and twenty-eight the following enactments are hereby repealed viz. :—

The Swansea Local Board of Health Waterworks Act 1860—

Section 61 (Separate waterworks account to be kept);

Section 72 (Application of receipts of Board).

The Swansea Local Board of Health Act 1872—

Section 21 (Waterworks account to be primarily liable for all waterworks charges).

The Act of 1902—

Section 122 (Separate accounts for tramway).

The Swansea and District Light Railways Order 1902—

Section 93 (Application of revenue).

The Swansea Corporation Act 1922—

Section 37 (Application of revenues of certain undertakings).

Costs of Act.

98. 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 borough fund and borough rate or out of money to be borrowed under this Act for that purpose.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1927.
—

THE FIRST SCHEDULE.

LANDS FOR PARK OR RECREATION GROUND.

NOTE.—In the following description the enclosures referred to are those shown on the $\frac{1}{2500}$ Ordnance maps (edition of 1916) Glamorgan sheets XXIII. 4 and XIV. 16 or one of those maps and thereon described by the numbers respectively referred to in this description.

No. 1 Lands comprising enclosure No. 213 except a small portion thereof at the eastern end thereof situate on the north-east side of an imaginary straight line drawn in prolongation of the boundary fence on the north-east side of premises known as Hazeldine Ravenhill Road.

No. 2 A plot of land having a frontage to Ravenhill Road of 35 feet or thereabouts and a depth of 195 feet or thereabouts and bounded on the south-west by the premises known respectively as Gendros English Congregational Church Barclays Bank Thomas' Cash Boot Stores Midland Bank and Fforestfach Public Library Carmarthen Road on the north-west by the lands first hereinbefore described on the north-east by the shop garage dwelling-houses and land fronting Ravenhill Road known as the Raven Grocery Stores and on the south-east by Ravenhill Road aforesaid.

No. 3 Land comprising so much of enclosure No. 177 as lies to the east of an imaginary straight line drawn in a northerly direction commencing at the northern corner of enclosure No. 178 and terminating at the fence dividing enclosure No. 137 from enclosure No. 177.

No. 4 Land comprising so much of enclosure No. 137 as lies to the east of an imaginary straight line drawn in a northerly direction commencing at the termination of the imaginary straight line referred to in the description of the lands thirdly hereinbefore described and terminating at the westernmost corner of enclosure No. 139.

No. 5 Land comprising so much of enclosure No. 139 as lies to the south-east of an imaginary straight line drawn parallel to and south-west of and at a distance of 160 feet or thereabouts from Middle Road.

A.D. 1927.
—

No. 6 Land comprising enclosure No. 176 except such part thereof as lies to the north-east of an imaginary straight line drawn in a south-easterly direction commencing at the south-easterly extremity of the imaginary straight line referred to in the description of the lands fifthly hereinbefore described and terminating at the western end of the fence at the rear of the premises known as Bryn Hir Middle Road and except such part of the said enclosure as lies to the south of an imaginary straight line drawn from the outbuildings of "Ravenhill House" in an easterly direction to the western boundary of enclosure No. 216.

No. 7 Land comprising so much of enclosure No. 216 as lies to the north of the dwelling-house and land known as Ravensdale Ravenhill Road.

No. 8 Land comprising so much of enclosure No. 216 as lies to the west of premises known respectively as the Bungalow Ravenswood and Dalwhinney Ravenhill Road and to the north of an imaginary straight line drawn in prolongation of the imaginary straight line secondly referred to in the description of the lands sixthly hereinbefore described.

No. 9 A plot of land having a frontage to Carmarthen Road of 27 feet or thereabouts and a depth of 178 feet or thereabouts and bounded on the south-west by Carmarthen Road aforesaid on the north-west by dwelling-houses and premises known as Twynheulog House Carmarthen Road on the north-east by enclosure No. 213 and on the south-east by the premises known as Nyddan Villa Carmarthen Road.

No. 10 Land comprising so much of enclosure No. 136 as is bounded on the south-east by enclosure No. 139 on the west by an imaginary straight line drawn in a northerly or north-easterly direction for a distance of 85 feet or thereabouts commencing at a point in the north-western fence of enclosure No. 139 situate at a distance of 260 feet or thereabouts measured along the said fence from Middle Road on the north-east by an imaginary straight line drawn in a north-westerly direction for a distance of 42 feet or thereabouts in prolongation of the imaginary straight line referred to in the description of the lands fifthly hereinbefore described.

THE SECOND SCHEDULE.

A.D. 1927.

PROPERTIES OF WHICH PART ONLY MAY BE TAKEN
COMPULSORILY.

Area.	No. on deposited plans.
The borough of Swansea.	4 to 19 (inclusive) 21 to 46 (inclusive) 49 52 to 56 (inclusive) 58 to 60 (inclusive) 67 to 87 (inclusive) 89 to 118 (inclusive) 120 to 125 (inclusive) 127 to 130 (inclusive) 132 and 134.

THE THIRD SCHEDULE.

(1) Cray reservoir and subsidiary works including tunnel from Cray to Nantyrwydd and reservoir keeper's house.

(2) Gauge basin at Nantyrwydd and subsidiary works including linesman's house.

(3) 24-inch main from Nantyrwydd to Morriston service reservoir and all subsidiary works.

(4) 17-inch main from Nantyrwydd to Town Hill reservoir and all subsidiary works.

(5) Upper Lliw reservoir and all subsidiary works including reservoir keeper's house.

(6) 18-inch main from Upper Lliw reservoir to Lower Lliw reservoir and all subsidiary works.

(7) Lower Lliw reservoir and all subsidiary works including reservoir keeper's house.

(8) 24-inch main from Lower Lliw reservoir to Morriston service reservoir and all subsidiary works.

(9) Blaennant Ddu reservoir and all subsidiary works including reservoir keeper's house.

(10) 24-inch main from Blaennant Ddu reservoir to its junction with the 24-inch main referred to in No. 8.

(11) Morriston service reservoir and all subsidiary works.

(12) Town Hill reservoir and all subsidiary works.

(13) A proportion of the 24-inch and 18-inch water mains from Morriston service reservoir to Carmarthen Road pumping station and all subsidiary works.

(14) Carmarthen Road pumping station and all subsidiary works.

(15) A proportion of the 9-inch main between Carmarthen Road pumping station and Town Hill reservoir and all subsidiary works.

A.D. 1927.

THE FOURTH SCHEDULE.

PART I.

(Expenses.)

Collection and storage of water by bulk supply works.

Maintenance of bulk supply works.

Rent rates taxes and insurance in respect of bulk supply works.

One-fourth of the total salaries and establishment charges attributable to the water undertaking.

Interest on loans and dividends on stock and management thereof attributable to bulk supply works.

Payments by the Corporation to sinking fund attributable to bulk supply works.

One-fourth of the payments by the Corporation to the renewal and reserve funds.

Other expenses chargeable to bulk supply account.

PART II.

(Income.)

Meter rents.

Fishing licences.

Other income applicable to bulk supply account.

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.