



CHAPTER xxiv.

An Act to confer further powers upon the Urban District Council of West Bridgford in regard to the running of omnibuses to make further and better provision for the health local government and improvement of their district and for other purposes. [29th June 1927.] A.D. 1927.

WHEREAS the urban district of West Bridgford in the county of Nottingham (in this Act referred to as "the district") is an urban district within the meaning of the Local Government Act 1894 and is under the management and control of the West Bridgford Urban District Council (in this Act referred to as "the Council"):

And whereas by the West Bridgford Urban District Council Act 1913 the Council were authorised to provide and work motor omnibuses within the district and as far as the tramway terminus of the corporation of Nottingham at Trent Bridge in the city of Nottingham (in this Act referred to as "the city"):

And whereas in pursuance of the provisions of the Act of 1913 the Council established a motor omnibus undertaking and they are now carrying nearly sixty thousand passengers weekly to the terminus of the corporation of Nottingham at Trent Bridge in the city:

And whereas it is expedient to authorise the Council and the corporation of Nottingham to enter into and carry into effect agreements for the working user

A.D. 1927. — management and maintenance of the omnibus services which they are respectively empowered to provide and of any omnibuses provided in connection with any such services and with respect to the right to provide and use the same and that the further powers contained in this Act in regard to the running of omnibuses and their omnibus undertaking should be conferred upon the Council :

And whereas it is expedient that further powers be conferred upon the Council for the regulation of streets buildings sewers and drains and other sanitary matters and otherwise in relation to the health local government regulation and improvement of the district :

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

And whereas an estimate has been prepared by the Council for the purpose hereinafter mentioned and such estimate is as follows :—

	£
For the provision of additional omnibuses - - - - -	7,300
For the extension to the existing garage - - - - -	3,700

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

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

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the West Bridgford Urban District Council Act 1927.

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

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Part I.—Preliminary.

Division of
Act into
Parts.

Part II.—Omnibuses.

Part III.—Streets buildings sewers and drains.

Part IV.—Infectious disease and sanitary provisions.

Part V.—Police hackney carriages &c.

Part VI.—Financial and miscellaneous.

3. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845 and except the provisions with respect to the purchase and taking of lands otherwise than by agreement) so far as they are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act.

Incorporation of Acts.

4. In this Act unless there be something in the subject or context repugnant to such construction 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 And—

Interpretation.

“the Council” means the West Bridgford Urban District Council;

“the district” means the urban district of West Bridgford;

“the district fund” and “the general district rate” mean respectively the district fund and the general district rate of the district;

“the clerk” “the treasurer” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the clerk the treasurer the surveyor and the medical officer of health of the district and any sanitary inspector appointed by the Council in pursuance of the powers of any local or public Act and respectively include any person duly appointed by the Council to discharge temporarily the duties of any such officers;

“the Act of 1913” means the West Bridgford Urban District Council Act 1913;

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- “the corporation” means the mayor aldermen and citizens of the city of Nottingham and county of the same city;
- “the city” means the city of Nottingham and county of the same city;
- “infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the district;
- “child” means a person under the age of fourteen years;
- “Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether or not on a Sunday;
- “food” includes every article used for food or drink by man other than drugs or water;
- “daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;
- “revenues of the Council” includes the revenues of the Council from time to time arising from any land undertaking or other property for the time being of the Council and the rates or contributions leviable by or on the order or precept of the Council;
- “the Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;
- “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;

“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 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 Council. A.D. 1927.

PART II.

OMNIBUSES.

5.—(1) Subject to the provisions of this section the Council may demand and take for passengers and parcels carried on the omnibuses of the Council fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport. Fares and charges &c.

Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

Where the Minister causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Council or by any of the parties on whose representation the inquiry is held or partly by the Council and partly by any of such parties and the Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown.

(2) Every passenger travelling upon the omnibuses of the Council may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Council may if they think fit convey on the omnibuses small parcels not exceeding fifty-six

A.D. 1927. — pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares rates and charges authorised by this Act or by the provisions incorporated therewith shall be paid to such persons and at such places upon or near to the Council's omnibuses and in such manner and under such regulations as the Council may by notice to be annexed to the lists of fares rates and charges appoint.

Working
and other
agreements.

6.—(1) The Council and the corporation may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered to provide subject to the provisions of the respective Acts under which such omnibus services are authorised.

(2) The Council and the corporation may also enter into and carry into effect agreements for all or any of the following purposes (that is to say) :—

- (a) The working user management and maintenance of any omnibuses lands depôts buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services ;
- (b) The supply by any of the contracting parties under and during the continuance of any such agreement under this section of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants ;
- (c) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties ;
- (d) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

7. The Council may appoint the stations and places from which the omnibuses of the Council shall start or at which they may stop for the purposes of taking up or setting down passengers and may fix the time during which such omnibuses shall be allowed to remain at any such place. Provided that no stopping or starting place in the city shall be appointed without the consent of the corporation.

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Stopping
and starting
places.

8. Subject to the provisions of this Act the Council may run through omnibuses along any route on which the Council are for the time being authorised to run omnibuses and such omnibuses shall be distinguished from other omnibuses in such manner as may be directed by the Council and they may demand and take for every passenger by such omnibuses a fare or charge not exceeding the maximum fare or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such omnibus. Provided that during the running of such through omnibuses the Council shall maintain a reasonably sufficient ordinary service of omnibuses.

Through
omnibuses.

9.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Council may on any occasion run and reserve omnibuses on any route on which the Council are for the time being authorised to run omnibuses for any special purpose which the Council may consider necessary or desirable provided that such special omnibuses shall be distinguished from other omnibuses in such manner as the Council may direct and that during the running of such special omnibuses the Council shall maintain a reasonably sufficient ordinary service of omnibuses as the case may be.

Power to
reserve
omnibuses
for special
purposes.

(2) The Council may make byelaws and regulations for prohibiting the use of any such omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this or any other Act of the Council as to fares rates or charges for passengers shall not extend to any omnibuses run for such special services as aforesaid and in respect thereof the Council may demand and take such fares rates or charges as they shall think fit.

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Shelters and
waiting-
rooms.

10. The Council may within the district erect and maintain sheds shelters and waiting-rooms for the accommodation of passengers on any omnibus route of the Council and may with the consent of the local authority and road authority use for that purpose portions of the public streets or roads.

Cloak-
rooms &c.

11. The Council may within the district provide cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with their omnibus undertaking and at any suitable places on any omnibus route of the Council and the Council may make charges for the use of such cloakrooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of any highway without the consent of the road authority.

Lost
property.

12. Any property found in any omnibus of the Council or in any shelter or waiting-room in connection with their omnibus undertaking shall forthwith be handed to the conductor of the omnibus or be taken to a place to be appointed for the purpose by the Council and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue of the omnibus undertaking.

Attachment
of signs
indicating
stopping
places to
lamp-posts
&c.

13.—(1) The Council may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the Council's omnibuses signs or directions indicating the position of stopping places for omnibuses and boards for exhibiting time tables and notices Provided that in cases where the Council are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign direction or board and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Council shall indemnify the

said owner against any claim for damage occasioned to any person or property by or by reason of such attachment. A.D. 1927.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Council shall not attach any such sign direction or board to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

(4) The Council shall not attach any such sign or direction to any lamp-post pole standard or any similar erection belonging to a railway company without the consent of such company in writing or to any lamp-post pole standard or similar erection belonging to the Corporation without the consent of the Corporation.

(5) The Council shall not attach any such sign direction or board to any guide post direction arm or similar erection provided by or belonging to the county council of the administrative county of Nottingham without the consent of such council in writing.

PART III.

STREETS BUILDINGS SEWERS AND DRAINS.

14.—(1) Every person who intends to lay out a new street shall in addition to the information required to be supplied to the Council by virtue of any enactments or byelaws with respect to streets and buildings in force within the district distinctly define and mark on a plan drawn to such scale as the Council may require and to be prepared and submitted by such person to the Council for their approval the proposed line of frontage of any house or building to be erected in or fronting such street (in this section called "the building line") and the Council shall within six weeks after the date of submission thereof signify to the person submitting the same their approval or disapproval thereof. Frontage line in new streets.

(2) The Council may also prescribe the building line to be observed in those parts of any street (not being a highway maintainable by them or by any highway authority) already laid out upon which buildings have not already been erected.

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(3) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof or any addition to any house or building if the building line for such street has been disapproved by the Council or before the expiration of the six weeks aforesaid without their approval nor beyond or in front of the building line approved or prescribed by the Council and any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(4) The provisions of section 3 of the Public Health (Buildings in Streets) Act 1888 shall not apply to any house or building erected or proposed to be erected on lands in respect of which a building line as aforesaid shall have been approved or prescribed by the Council.

(5) In the event of the Council requiring as a condition of their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of a new street than one-half of the width of the street and ten feet in addition or of their prescribing a building line at a greater distance from the centre of a street already laid out than the line at which buildings could be erected having regard to the provisions of the Public Health (Buildings in Streets) Act 1888 the Council shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set back for any damage sustained by him by reason of his being unable to build upon such land.

(6) For the purpose of this section the surveyor shall by certificate under his hand at or before the time of the approval of the building line by the Council determine the centre of any street or intended street.

(7) The amount of any compensation payable under this section shall in default of agreement be determined by arbitration in accordance with the provisions of the Lands Clauses Acts.

(8) Any person deeming himself aggrieved by any requirement of or by the Council under this section may within fourteen days from the date of such requirement 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.

(9) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct. A.D. 1927.

15. The power of the Council to make byelaws with respect to secondary means of access under section 23 of the Public Health Acts Amendment Act 1890 shall extend to enable them to require every person who shall erect fronting a street or intended street terraces or other continuous blocks of houses not giving access through their own grounds to the backs of such houses to make and construct a back and side roads at the back and at each end of such terraces or continuous blocks of houses of such widths as may be prescribed by such byelaws. Secondary means of access.

16. Where in the opinion of the Council repairs are required in the case of any street not being a highway repairable by the inhabitants at large to obviate or remove danger to any passenger or vehicle in the street the Council may at their own expense execute such repairs as they deem necessary and the execution thereof shall not prejudice or affect the operation with regard to such street at any subsequent date of the Private Street Works Act 1892 or of section 19 (As to urgent repairs of private streets) of the Public Health Acts Amendment Act 1907 Provided that the cost of any such repairs shall not exceed five pounds in the case of any such street. As to urgent repairs of private streets.

17. It shall be lawful for a court of summary jurisdiction upon complaint by the Council upon a report by the medical officer or sanitary inspector that any smoke gas or vapour from any chimney of a washhouse or outbuilding forming part of or in proximity to a dwelling-house is a nuisance to any of the inhabitants of the district to make an order requiring the owner of such chimney to cause the same to be raised or a funnel or pipe to be placed thereon for conveying away such smoke gas or vapour or such other means to be adopted as may seem fitting to such court and as shall not exceed an expenditure of ten pounds for preventing or mitigating such nuisance within such time as shall be specified in such order and any such owner as aforesaid who shall neglect or refuse to obey such order shall be liable to a Power to order alteration of chimneys.

A.D. 1927. — penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Food storage accommodation to be provided.

18.—(1) Every dwelling-house erected after the passing of this Act shall be provided with sufficient and properly ventilated pantry or other food storage accommodation and any owner who shall occupy or allow to be occupied any dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(2)—(a) Every dwelling-house the erection of which was commenced before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated pantry or other food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which can reasonably be so provided but which is not so provided after one month's notice from the Council requiring the same to be done shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(b) Any person aggrieved by any requirement of the Council under this subsection may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the clerk and the court shall have power to make such order as the court may think fit and to award costs.

(c) Notice of the right to appeal shall be endorsed on every requirement of the Council under this subsection.

(3) If the owner of the dwelling-house alleges that any occupier should bear or contribute to the expenses of complying with any requirements of the Council under this section he may apply to the county court and thereupon the county court after giving the occupier an opportunity of being heard may make such order as appears to the court just and equitable under all the circumstances of the case.

As to hoardings and similar structures.

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

(i) beyond any building line prescribed by the Council under the provisions of any enactment

for the time being in force within the district; A.D. 1927.
or

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

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

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

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

(3) The provisions of this section shall not be enforceable with regard to any structure existing at the date of the passing of this Act for a period of five years from such date and shall not apply to any wooden structure fence or hoarding of a moveable or temporary character erected by a builder for his use during the construction alteration or repair of any building unless

A.D. 1927. — the same is not taken down or removed immediately after such construction alteration or repair is complete.

As to
repair of
hoardings.

20. The Council may by notice in writing require the owner of any hoarding to maintain the same and any advertising matter thereon in good order and condition and if any owner shall neglect or refuse to comply with any such notice the Council may carry out such alterations or repairs as may be reasonably necessary and recover summarily as a civil debt from the owner any expense incurred by them in so doing.

Partial
saving for
railway
companies.

21. Nothing in this Part of this Act except the sections whereof the marginal notes are :—

As to hoardings and similar structures ;

As to repair of hoardings ;

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 lands 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 lands are used or held by such company primarily for railway or dock purposes.

PART IV.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Restriction
on attend-
ance of
children at
Sunday
schools and
places of
assembly
when
infectious
disease
prevails.

22.—(1) No person being the parent or having the charge or care of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending school by the medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly without having procured from the medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings. A.D. 1927.

23.—(1) If the Council or any committee of the Council acting on the advice of the medical officer with the view of preventing the spread of infectious disease require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with. Power to close Sunday schools in certain events.

(2) Any person responsible for the conduct or management of any school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding twenty shillings.

24. Section 39 (Information to be furnished to medical officer and penalty for furnishing false information) of the Act of 1913 shall be read and have effect as though the words “and the expression ‘infectious disease’ shall include pulmonary tuberculosis” had been inserted at the end of subsection (3) thereof. Amend-ment of section 39 of Act of 1913.

25.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Council that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Council duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if the Council are satisfied of the truth of the representation 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 of the Summary Jurisdiction Act 1879. As to filthy premises.

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

26.—(1) (a) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any tent van shed or similar structure used Disinfection in case of tuberculosis.

A.D. 1927. — for human habitation) or any part thereof would tend to prevent or check tuberculosis the clerk shall give notice in writing to the owner or occupier of such building that the same or such part thereof will be cleansed and disinfected by and at the cost of the Council unless the owner or occupier of such building informs the Council within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the building or the part thereof to the satisfaction of the medical officer within the time to be fixed in the notice.

(b) If within twenty-four hours from the receipt of such notice the owner or occupier of such building has not informed the Council as aforesaid or if having so informed the Council as aforesaid he fails to have the building or the part thereof cleansed and disinfected as aforesaid within the time fixed by the notice the building or the part thereof shall be cleansed and disinfected by and at the cost of the Council under the superintendence of the medical officer. Provided that any such building or part thereof may without any such notice being given as aforesaid but with the consent of the owner or occupier be cleansed and disinfected by and at the cost of the Council under the superintendence of the medical officer.

(c) For the purpose of carrying into effect the provisions of this subsection the Council may by any person who shall be authorised in that behalf in writing under the hand of the clerk and who shall produce his authority enter on any premises between the hours of nine o'clock in the forenoon and six o'clock in the afternoon.

(d) Every person who shall wilfully obstruct any person duly authorised by the Council in carrying out the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and if the offence is a continuing one to a daily penalty not exceeding twenty shillings.

(2) (a) The medical officer if generally empowered by the Council in that behalf may by notice in writing require the owner of any household or other articles books things bedding or clothing which have been exposed to the infection of tuberculosis of the lung or other forms of tuberculosis with discharges to cause such articles books things bedding or clothing to be delivered to the Council for removal for the purpose

of disinfection and any person who fails to comply with such requirement shall be liable to a penalty not exceeding five pounds. A.D. 1927.
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(b) Such articles books things bedding and clothing shall be disinfected by the Council and returned to the owner free of charge.

(3) If any person sustains any damage by reason of the exercise by the Council of any of the powers of subsections (1) and (2) of this section in relation to any matter as to which he is not himself in default full compensation shall be made to such person by the Council and the amount of compensation shall be recoverable in and in the case of dispute may be settled by a court of summary jurisdiction.

27.—(1) When a sewer and water supply sufficient for the purpose are reasonably available the Council may require any existing slop-closet accommodation provided at or in connection with any building which has no fresh water closet to be altered so as to be converted into a fresh water closet which shall comply with the byelaws for the time being in force and shall communicate with a sewer and they may also require a separate receptacle for ashes and house refuse to be provided at or in connection with such building. As to existing slop-closet accommodation.

(2) If the owner of any such building fail in any respect to comply with a notice from the Council under this section the Council may at the expiration of a time to be specified in the notice (not being less than twenty-one days after the service of the notice) do the work specified in such notice and may recover from the owner such part of the expenses incurred by the Council in so doing as they may recover under the provisions of subsection (3) of this section.

(3) The Council shall bear and pay such part of the expenses incurred by the owner or by them under the provisions of the preceding subsections (not being less than one-half thereof) as they may consider just and proper according to the circumstances and the remainder of the expenses shall be borne by the owner and the Council may if they think fit pay the whole of the expenses incurred in making any alteration of any slop-closet accommodation in pursuance of this section.

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(4) The Council may require the abolition of any existing slop water closet accommodation provided at or in connection with any building which is also provided with a fresh water closet and if the owner of any such building fails to comply with a notice from the Council under this subsection the Council may at the expiration of a time to be specified in the notice (not being less than twenty-one days after the service of the notice) execute the work and may recover from the owner the expenses incurred by the Council in so doing. The Council shall bear and pay one-half of the expenses incurred by the owner or by them under the provisions of this subsection.

(5) The notice under this section shall state the effect of the provisions of this section.

Byelaws
as to
transport
&c. of food.

28.—(1) The Council may make byelaws for promoting and securing sanitary and cleanly conditions in the transport or the conveyance through the streets of the district of any article intended to be sold for food.

(2) At least one month before applying to the Minister of Health for confirmation of any byelaws made under this section applicable to the transport by a railway company of any article intended for food the Council shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws and such company shall be entitled to make representations to the Minister of Health with regard thereto.

(3) The medical officer and the sanitary inspector and any other officer duly authorised by the Council in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of a byelaw made under this section and any person refusing such entry or inspection or obstructing any such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Registration
of premises
used for pre-
paration of
potted and
preserved
foods.

29.—(1) Any premises used or proposed to be used for the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale shall be registered by the owner or occupier thereof with the Council from time to time and no premises shall be used for the purposes aforesaid 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. A.D. 1927.

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

30.—(1) On any inspection carried out by the medical officer sanitary inspector or any other officer of the Council under the provisions of section 72 of the Public Health Act 1925 such officer shall have power to take samples of any such materials commodities or articles of food found therein making reasonable payment therefor and if he intends to submit any sample to analysis he shall forthwith notify to the vendor merchant or dealer or the agent of such person his intention to have the same analysed by the public analyst and shall divide the sample into three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall if required to do so deliver one of the parts to such vendor merchant dealer or agent The officer shall afterwards retain one of the said parts for future comparison and submit the third part if he deems it right to have the sample analysed to the public analyst. As to inspection of premises used for storage of food.

(2) The expression "public analyst" in this section means the analyst appointed by the county council for the purposes of the Sale of Food and Drugs Acts 1875 to 1907.

31.—(1) Where it is shown that any animal or article liable to be seized under section 116 of the Public Health Act 1875 (as extended by section 28 of the Public Health Acts Amendment Act 1890) and found in the possession of any person was sold to him by another person for food (the proof that the same was not sold for food 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 of the Public Health Act 1875 the person who so sold Penalty on original vendor of unsound food.

A.D. 1927. — the same shall be punishable as mentioned in the last-mentioned section unless he proves that at the time he sold the animal or article he did not know and had no reason to believe that it was in such condition.

(2) Where any animal or article of food has been condemned by a justice under section 117 of the Public Health Act 1875 (as extended by section 28 of the Public Health Acts Amendment Act 1890 and this section) the person to whom the same belongs or did belong at the time of deposit of such animal or 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 section 117 of the Public Health Act 1875 unless he proves that at the time of such deposit he did not know and had no reason to believe that the said animal or article was in such a condition as to be liable to be so condemned.

(3) Before any animal or article liable to be condemned under section 117 of the Public Health Act 1875 (as extended by section 28 of the Public Health Acts Amendment Act 1890 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 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.

Further powers in relation to unsound food.

32. Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 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 animal or any of the articles referred to in the said sections 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 :

Provided that in the exercise at any railway station or upon any railway premises of a railway company of the powers conferred upon him by this section such medical officer or sanitary inspector shall conform to such reasonable requirements of the railway company owning or using such station or premises as are necessary to prevent the working of their traffic being obstructed or interfered with and with respect to any cart or other vehicle belonging to the said company the powers conferred upon the medical officer or sanitary inspector by this section shall be so exercised as not unreasonably to obstruct or interfere with the collection of goods by the said company.

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33.—(1) Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the district and by a notice affixed outside the Council offices and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

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

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section so far as they relate to advertisements in newspapers have been complied with and the production of a certificate purporting to be signed by an officer or servant of the Council that the notice required by this section has been affixed outside the Council offices and that handbills have been distributed amongst persons affected or likely to be affected so far as such persons could reasonably be ascertained shall be sufficient evidence that the other provisions of this section have been complied with.

PART V.

POLICE HACKNEY CARRIAGES &C.

34. No person shall be entitled to drive a motor vehicle licensed by the Council as a hackney carriage (which expression shall in this section include an omnibus) unless he shall have satisfied the Council of his ability to drive and for that purpose the Council may impose such reasonable test as they may think fit.

Power to impose test on motor drivers.

35. An occasional licence for a hackney carriage omnibus or other public vehicle to ply for hire may be

Power to grant occasional licences

A.D. 1927.

for hackney
carriages and
other public
vehicles.

granted by the Council to be in force for such day or days or other periods less than one year as may be specified in the licence.

Inspection
and certifi-
cation of
taxi meters.

36.—(1) The Council may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage regularly plying for hire within the district 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 Council 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 Council 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.

Regulations
as to stands
or stopping
places of
omnibuses.

37.—(1) The Council may make regulations pre-
scribing within the district—

(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 purpose 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.

A.D. 1927.

(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 district and any byelaws made by the Council under that paragraph shall be repealed.

(3) Where the Council 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 district and shall serve a copy of the notice upon the proprietor of every omnibus licensed to ply for hire within the district.

(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 Council and shall contain a notification of the place at which copies of the proposed regulations may be obtained free of charge.

(5) The Council 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 Council 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 Council.

(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 Council shall pay to the Minister any expenses incurred by him in relation to

A.D. 1927. any such inquiry including the expenses of any witness summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person. The Council 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 district and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(9) Where an objection has been made to regulations proposed by the Council under this section the regulations shall not be sealed by the Council 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 district 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 district or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the Council may modify the regulation to which the application relates.

(11) Provided that no regulation shall be made under this section in relation to any stand upon any main road in the administrative county of Nottingham without the consent in writing of the county council of that county.

PART VI.

FINANCIAL AND MISCELLANEOUS.

Power to
borrow.

38.—(1) The Council 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 revenues of

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Urban District Council Act, 1927.

the Council and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table (namely) :—

A.D. 1927.

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) The provision of omnibuses - -	£ 7,300	Eight years from the date or dates of borrowing.
(b) The extension of the existing garage	3,700	Thirty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Council may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part II. (Omnibuses) of this Act and with the consent of the Minister of Health such further money as may be necessary for any of the other purposes of this Act.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister with whose consent it is borrowed.

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

39. The following sections of the Act of 1913 are incorporated with this Act and shall extend and apply to and for the purposes of this Act as if those sections with the necessary modifications were set out in this Act (namely) :—

Incorporation of provisions of Act of 1913.

- Section 48 (Section 234 of Public Health Act not to apply);
- Section 50 (Provisions as to mortgages);
- Section 51 (Protection of lender from inquiry);
- Section 52 (Mode of payment off of money borrowed);

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Section 53 (Sinking fund) (provided that the said section shall be read and have effect as if the words "three pounds ten shillings per centum per annum or such other rate as the Minister of Health may approve" were inserted in subsection (1) (b) of that section instead of the words "three pounds per centum per annum");

Section 58 (Council not to regard trusts);

Section 61 (Expenses of executing Act);

Section 71 (Confirmation of byelaws);

Section 75 (Recovery of penalties &c.);

Section 76 (Recovery of demands);

Section 80 (Judges not disqualified);

Section 84 (Powers of Act cumulative).

Investment
of and
payments
into sinking
fund.

40. When under the provisions of this Act or 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 Council 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 to the accumulations (if any) 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 Council (that is to say) :—

(1) The Council 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 accumulations of the said yearly sums shall be paid and provided out of the district fund and the general district rate and any interest dividends and the proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the district fund.

41. Notwithstanding anything contained in any previous enactment the Council may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingent insurance or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

A.D. 1927.
—
Use of
moneys
forming
part of
sinking and
other funds.

- (1) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Council shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power:

- (2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Council to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:
- (3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

A.D. 1927.

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Application
of money
borrowed.

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

42. All moneys borrowed by the Council under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

43.—(1) The 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 Council 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 clerk or other the chief accounting officer of the Council 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 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 Council 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 Council 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.

Reserve
fund.

44.—(1) The Council may if they think fit provide a reserve fund in respect of their omnibus undertaking

by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities (with power to vary and transpose such investments) until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Council not exceeding a sum equal to one-tenth of the aggregate capital expenditure for the time being by the Council upon the undertaking.

A.D. 1927.
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(2) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Council from the undertaking or to meet any extraordinary claim or demand at any time arising against the Council in respect of the undertaking or for payment of the cost of renewing improving or extending any part of the works comprised in the undertaking or otherwise for the benefit 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.

(3) All interest received in any year from the investments of any reserve fund so formed shall be carried to and shall form part of the revenue for that year of the district fund but the reserve fund shall in that year be increased by a sum equal to the amount of such interest.

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

45.—(1) The Council shall keep the accounts in respect of their omnibus undertaking separate from their other accounts distinguishing therein capital from revenue and as to revenue so as to show under a separate heading or division 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 the amounts expended in respect of each of the following purposes (that is to say):—

Accounts of
omnibus
under-
taking.

(a) The working and establishment expenses and cost of maintenance of the undertaking;

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- (b) The interest on moneys borrowed by the Council 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 formed for the purposes of the undertaking under the provisions of the section of this Act of which the marginal note is "Reserve fund."

(2) The Council shall show in their accounts 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.

Accounts to be furnished to Minister of Transport.

46. The Council shall every year within three months after the closing of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of their omnibus undertaking.

Omnibus receipts and expenses.

47. All moneys from time to time received by the Council on account of revenue of the omnibus undertaking shall be carried to and shall form part of the district fund and all payments and expenses on revenue account made and incurred in respect of that undertaking shall be paid out of that fund.

Inquiries by Minister of Transport.

48. 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 the Council the provisions of Part I. of the Board of Trade Arbitration &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."

Inquiries by Minister of Health.

49.—(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 inspectors of the Minister shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875. A.D. 1927.

(2) The Council shall pay to the Minister any expenses incurred by the Minister 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 to be fixed by the Minister not exceeding five guineas a day for the services of such inspector.

50. The following provisions of the Act of 1913 are hereby repealed (that is to say):— Repeal.

Section 6 (For protection of Nottinghamshire County Council);

Section 60 (Annual return to Local Government Board respecting sinking fund).

51. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

52. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council in the first instance out of the district fund and general district rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose. Costs of Act.

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