



CHAPTER lxxxi.

An Act to extend the boundaries of the borough of Brighton to alter and adjust the boundary between the boroughs of Brighton and Hove to constitute a single parish for the area of the extended borough of Brighton and for other purposes. A.D. 1927.

[29th July 1927.]

WHEREAS the borough of Brighton (hereinafter referred to as "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 whereas the parish of Patcham in the rural district of Steyning East and the parishes of Falmer Ovingdean and Rottingdean in the rural district of Newhaven adjoin the borough and the parish of West Blatchington in the rural district of Steyning East adjoins the said parish of Patcham and it is expedient that the boundary of the borough be extended so as to include the said parishes of Ovingdean and Rottingdean and parts of the said parishes of Patcham West Blatchington and Falmer :

And whereas the Hove Corporation have applied to the Minister of Health under section 54 of the Local Government Act 1888 for a Provisional Order extending the borough of Hove so as to include (inter alia) the parish of Preston Rural in the said rural district of Steyning East :

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

And whereas the borough of Hove and the parish of Preston Rural adjoin the borough and it is expedient if the said Order be made and confirmed by Parliament that the boundary between the borough and the extended borough of Hove be altered and improved by transferring certain small areas of land from the borough to the borough of Hove and from the borough of Hove to the borough respectively and by adjusting the boundary where it passes along Dyke Road in accordance with the provisions of the agreement between the Brighton Corporation and the Hove Corporation as set forth in the Third Schedule to this Act :

And whereas the unrepealed provisions of the several Acts and Orders specified in the First Schedule to this Act were immediately prior to the passing of this Act in force within the borough and it is expedient that those Acts and Orders as amended by this Act should apply throughout the borough as extended and altered by this Act :

And whereas there are parish councils for the parishes of Patcham Falmer and Rottingdean respectively and there is no parish council for the parish of West Blatchington or for the parish of Ovingdean :

And whereas the area of the existing borough of Brighton comprises the parish of Brighton which has a separate board of guardians and the parish of Preston in the Steyning Poor Law Union :

And whereas the parishes of Hove Patcham and West Blatchington are in the Steyning Poor Law Union and the parishes of Ovingdean Rottingdean and Falmer are in the Newhaven Poor Law Union :

And whereas it is expedient that the area of the extended and altered borough of Brighton be constituted one parish under a separate board of guardians :

And whereas the Brighton Corporation are the burial board for the said parish of Brighton the Hove Corporation are the burial board for the said borough of Hove and there is no burial board for the said parish of Preston and it is expedient that the Brighton Corporation be constituted the burial board for the whole of the extended and altered borough of Brighton :

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

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 Brighton Corporation Act 1927. Short title.

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

- Part I—Preliminary.
- Part II—Borough extension and alteration.
- Part III—Alteration of unions and consolidation of parishes.
- Part IV—Provisions common to Parts II and III.
- Part V—Finance and miscellaneous.

3. In this Act unless the subject or context otherwise requires the following expressions have the respective meanings hereinafter stated (viz.):— Interpretation.

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

“Existing” in relation to any area altered by this Act means existing immediately before the appointed day;

“The existing borough” means the existing borough of Brighton;

“The borough” means the existing borough as extended and altered by Part II of this Act;

“The Corporation” means as the context may require the mayor aldermen and burgesses of

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

- the existing borough or of the borough acting by the council;
- “The council” means as the context may require the council of the existing borough or of the borough;
- “The town clerk” means as the context may require the town clerk of the existing borough or of the borough and includes any person duly appointed by the Corporation to discharge temporarily the duties of that officer;
- “The borough map” and “the ward map” mean respectively the maps respectively marked “Map of the borough of Brighton as extended and altered by the Brighton Corporation Act 1927” and “Map of the wards of the borough of Brighton as extended and altered by the Brighton Corporation Act 1927” each of which maps was signed in triplicate by the Right Honourable Baron Redesdale the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and has been deposited as follows one copy in the Parliament Office of the House of Lords one copy in the Committee and Private Bill Office of the House of Commons and one copy with the town clerk at his office;
- “The borough of Hove” means the existing borough of Hove as altered by Part II of this Act;
- “The Hove Corporation” means as the context may require the mayor aldermen and burgesses of the existing borough of Hove or of the borough of Hove acting by the council of that borough;
- “The county” and “the county council” mean respectively as the context may require the existing administrative county of East Sussex and the council of that county or the said county as altered by Part II of this Act and the council of that county;
- “The Steyning East District” and “the Steyning East Council” mean respectively as the context may require the existing rural district of Steyning East and the council of that district or the said district as altered by Part II of this Act and the council of that district;

“The Newhaven District” and “the Newhaven Council” mean respectively as the context may require the existing rural district of Newhaven and the council of that district or the said district as altered by Part II of this Act and the council of that district;

“The rural councils” means the Steyning East Council and the Newhaven Council and “the rural districts” means the Steyning East District and the Newhaven District;

“The parish of Brighton” “the parish of Hove” “the parish of West Blatchington” “the parish of Patcham” “the parish of Falmer” and “the parish of Ovingdean” respectively mean the existing parishes of those names as respectively altered by Part II of this Act;

“The new parish of Brighton” means the parish constituted by the amalgamation of the parish of Brighton the parish of Preston the parish of Patcham the parish of Ovingdean and the parish of Rottingdean under Part III of this Act;

“The Patcham Council” and “the Rottingdean Council” respectively mean the respective parish councils of the existing parishes of Patcham and Rottingdean;

“The Falmer Council” means as the context may require the parish council of the existing parish of Falmer or of the parish of Falmer;

“The added part of Hove” means the portion of the existing parish of Hove which is hatched blue on the borough map and added by this Act to the borough;

“The transferred area” means the portion of the existing parish of Brighton which is hatched red on the borough map and transferred by this Act to the parish of Hove and the borough of Hove but subject to the provisions of subsection (4) of the section of this Act of which the marginal note is “Extension of borough and alteration of boundary between Brighton and Hove”;

A.D. 1927.

“The added part of Patcham” means so much of the existing parish of Patcham as is not added by the Hove Order to the borough of Hove the added part of Patcham being edged green on the borough map;

“The added part of West Blatchington” means so much of the existing parish of West Blatchington as lies to the north-east and east of the line coloured red on the borough map and is added by this Act to the borough the boundary of the existing parish of West Blatchington being edged blue on the borough map;

“The added part of Falmer” means so much of the existing parish of Falmer as lies to the west and south of the line coloured red on the borough map and is added by this Act to the borough the boundary of the existing parish of Falmer being edged brown on the said map;

“The added areas” means the added part of Hove the added part of Patcham the added part of West Blatchington the added part of Falmer the existing parish of Ovingdean and the existing parish of Rottingdean;

“The Brighton Guardians” means as the context may require the board of guardians of the existing parish of Brighton or of the parish of Brighton or of the new parish of Brighton;

“The Steyning Union” and “the Steyning Guardians” mean respectively as the context may require the existing Steyning Poor Law Union and the board of guardians of that union or the said union as altered by Part III of this Act and the board of guardians of that union;

“The Newhaven Union” and “the Newhaven Guardians” mean respectively as the context may require the existing Newhaven Poor Law Union and the board of guardians of that union or the said union as altered by Part III of this Act and the board of guardians of that union;

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the

Borough Councillors (Alteration of Number) A.D. 1927.
Act 1925; —

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

“The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;

“The Act of 1907” means the Public Health Acts Amendment Act 1907;

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

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“Revenues of the Corporation” include the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation;

“Local authority” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county;

“Officer” includes a servant and any person whose remuneration is paid by a local authority;

“The Minister” means the Minister of Health;

“The Hove Order” means the Provisional Order made by the Minister on the twelfth day of May nineteen hundred and twenty-seven under section 54 of the Act of 1888 altering the boundary of the borough of Hove;

“The Act of 1884” means the Brighton Improvement Act 1884;

“The Act of 1903” means the Brighton Corporation Act 1903;

“The Act of 1924” means the Brighton Corporation Water Act 1924;

A.D. 1927.

“Statutory borrowing power” and “statutory security” have respectively the respective meanings given to those expressions by the Act of 1924.

Commence-
ment of
Act.

4.—(1) Parts I and V of this Act shall come into force on the date of the passing of this Act.

(2) Parts II III and IV of this Act shall except so far as is otherwise herein expressly provided and except so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day Provided that for the purposes of all proceedings preliminary or relating to any election to be held for any area constituted or affected by this Act in the year nineteen hundred and twenty-eight prior to the appointed day Parts II III and IV of this Act shall operate from the passing thereof.

PART II.

BOROUGH EXTENSION AND ALTERATION.

Extension
of borough
and altera-
tion of
boundary
between
Brighton
and Hove.

5.—(1) On the appointed day the boundaries of the existing borough shall be extended so as to include the added part of Patcham the added part of West Blatchington the added part of Falmer and the existing parishes of Ovingdean and Rottingdean.

(2) Subject to the confirmation by Parliament before the appointed day of the Hove Order the boundary between the existing borough and the existing borough of Hove shall on the appointed day be altered as follows:—

(a) The added part of Hove shall cease to form part of the existing borough of Hove and shall be transferred to and form part of the borough;

(b) The transferred area shall cease to form part of the existing borough and shall be transferred to and form part of the borough of Hove and of the Goldsmid Ward of that borough;

and on the appointed day the boundary of the existing borough shall be further altered and adjusted in accordance with the provisions of clause 2 (a) of the

agreement between the Corporation and the Hove Corporation as set forth in the Third Schedule to this Act. A.D. 1927.

(3) The boundary of the borough shall as from the appointed day be that shown by the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and for the purposes of the Act of 1888 shall be the county borough of Brighton.

(4) Notwithstanding anything in the preceding provisions of this section or any other provisions of this Act but subject to the confirmation by Parliament before the appointed day of the Hove Order the following provision shall have effect. If the Corporation widen on its western side the whole or any part of the portion of Dyke Road which forms the north-eastern boundary of the transferred area so as to include the whole or any part of the land situate between the existing westerly boundary of that portion of the road and the line of frontage prescribed in October 1900 under section 69 of the Act of 1884 which widening the Corporation may (notwithstanding anything in this Act) carry out in accordance with the provisions of the Act of 1884 such land shall as and when and to the extent to which it is added to Dyke Road be deemed to be part of the borough in accordance with clause 5 (3) of the agreement set forth in the Third Schedule to this Act and to cease to be part of the transferred area the intention being that the boundary of the borough along the north-eastern side of the transferred area shall be the westerly boundary of Dyke Road as for the time being existing.

6. On the appointed day the existing rural districts shall be altered as follows :—

Alterations
of rural
districts.

(1) The added part of Patcham and the added part of West Blatchington shall cease to form part of the existing Steyning East District :

(2) The added part of Falmer and the existing parishes of Ovingdean and Rottingdean shall cease to form part of the existing Newhaven District.

A.D. 1927,

—
As to
Steypning
East Dis-
trict.

7. If the Hove Order shall be confirmed by Parliament it shall be the duty of the county council as soon as may be after the passing of this Act and of the Act confirming the Hove Order to take such action as may be necessary or desirable under section 57 of the Act of 1888 as if a proposal had been made to them under that section in respect of the Steypning East District as altered by Part II of this Act and the Hove Order.

Alterations
of parishes
and unions.

8.—(1) On the appointed day the existing parishes of Patcham West Blatchington Falmer and Ovingdean shall subject to the provisions of Part III of this Act be altered as follows:—

- (a) The portion of the existing parish of Patcham which is added by the Hove Order to the borough of Hove shall be excluded from that parish;
- (b) The added part of West Blatchington shall cease to form part of the existing parish of West Blatchington and shall be transferred to and form part of the parish of Patcham;
- (c) The added part of Falmer shall cease to form part of the existing parish of Falmer and shall be transferred to and form part of the existing parish of Ovingdean.

(2) Subject to confirmation by Parliament before the appointed day of the Hove Order the boundary between the existing parish of Brighton and the existing parish of Hove and the Steypning Union shall on the appointed day but subject to the provisions of Part III of this Act be altered as follows:—

- (a) the transferred area shall cease to form part of the existing parish of Brighton and shall be transferred to and form part of the parish of Hove and of the Steypning Union and shall for the purpose of the election of guardians become part of the Goldsmid Ward of the parish of Hove;
- (b) the added part of Hove shall cease to form part of the existing parish of Hove and of the Steypning Union and shall be transferred to and form part of the parish of Brighton;

and shall be further altered and adjusted so as to be coincident with the boundary of the borough as altered in accordance with the provisions of clause 2 (a) of the said agreement set forth in the Third Schedule to this Act.

A.D. 1927.

(3) Subject to confirmation by Parliament before the appointed day of the Hove Order any land which in pursuance of subsection (4) of the section of this Act whereof the marginal note is "Extension of borough and alteration of boundary between Brighton and Hove" is from time to time deemed to be part of the borough and to cease to be part of the transferred area shall at the same time become part of the parish of Brighton so that the boundary between the parish of Brighton and the parish of Hove shall always be coincident with the boundary between the borough and the borough of Hove.

9.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent within one month after the passing of this Act to the clerk to the county council to the town clerk of the borough of Hove to the respective clerks to the Steyning East Council the Newhaven Council the Brighton Guardians the Steyning Guardians and the Newhaven Guardians to the Minister to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

Deposit of maps.

(2) Copies of the ward map so deposited and certified in like manner shall be sent within the period aforesaid to the Minister to the Registrar-General and to the Minister of Agriculture and Fisheries.

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

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

the said map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

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

Number of
councillors
and alder-
men.

10. The number of councillors of the borough shall be increased from forty-two to fifty-seven and the number of aldermen shall be increased from fourteen to nineteen.

Division of
borough
into wards.

11. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of the number or boundaries of wards or the number of councillors the following provisions shall have effect:—

(1) For the purposes of the election of councillors the borough shall be divided into nineteen wards set out in the Second Schedule to this Act:

(2) Of the fourteen existing wards those designated in the said schedule by the numbers 1 to 6 (inclusive) and 8 to 11 (inclusive) and the number of councillors respectively apportioned thereto shall remain unaltered:

(3) The existing ward known as the Montpelier Ward and designated in the said schedule by the number 7 shall be altered by the inclusion therein of the added part of Hove and the exclusion therefrom of the transferred area and the number of councillors apportioned thereto shall remain unaltered:

(4) So much of the borough as is comprised in the existing wards known as the Lewes Road Ward the Preston Park Ward and the Preston Ward and the added areas (other than the added part of Hove) shall be formed into eight new wards which shall be named respectively the Elm Grove Ward the Lewes Road Ward the Moulescoomb Ward the Preston Park Ward the Hollingbury Ward the Preston Ward the Patcham Ward and the Rottingdean Ward each of which wards shall comprise that portion of the borough which is indicated

by a separate colour and distinguished by the number of the ward on the ward map : A.D. 1927.

- (5) Three councillors shall be assigned to each of the eight wards constituted by paragraph (4) of this section.

12. Notwithstanding any enactment to the contrary the following provisions shall have effect with regard to the persons who immediately before the appointed day are the mayor aldermen and councillors of the existing borough (viz.) :—

Continuance
in office of
mayor
aldermen
and coun-
cillors.

(a) The mayor shall continue in office as mayor of the borough until the ninth day of November nineteen hundred and twenty-eight :

(b) Such of those persons as are aldermen of the existing borough shall continue in office as aldermen of the borough until the day on which they would have retired if this Act had not been passed and shall then go out of office :

(c) Such of those persons as are councillors representing the existing wards designated in the Second Schedule to this Act by the numbers 1 to 6 (inclusive) and 8 to 11 (inclusive) shall continue in office as councillors of the borough until the day on which they would have retired if this Act had not been passed and shall then go out of office :

(d) Such of those persons as are councillors representing the said existing Montpelier Ward shall continue in office as councillors representing the said ward as altered by the immediately preceding section of this Act until the date on which they would have retired if this Act had not been passed and shall then go out of office :

(e) Such of those persons as are councillors representing the existing Lewes Road Ward the existing Preston Park Ward and the existing Preston Ward shall in each case be deemed from and after the appointed day to represent the ward constituted by this Act which bears the name of the ward which they now represent

A.D. 1927:

(such new wards being designated in the said Second Schedule by the numbers 13 15 and 17) and shall remain in office until the day on which they would have retired if this Act had not been passed and shall then go out of office.

Election of
councillors
for new
wards and
of additional
aldermen.

13.—(1) The first election of councillors for the five new wards constituted by this Act but not represented by councillors and designated in the Second Schedule to this Act by the numbers 12 14 16 18 and 19 shall be held on the twenty-second day of March nineteen hundred and twenty-eight and the mayor of the existing borough shall be the returning officer at the election for those wards.

(2) The mayor of the existing borough may appoint some other person to act as returning officer at the first election for any of the said five wards

(3) The first election of the five additional aldermen of the borough shall take place at the first meeting of the council held after the appointed day and at that meeting an alderman shall be assigned as returning officer for each of the new wards at any election occurring before the ninth day of November nineteen hundred and twenty-eight.

Retirement
of council-
lors elected
in March
1928.

14.—(1) The councillors elected in the month of March nineteen hundred and twenty-eight for the said five wards designated by the numbers 12 14 16 18 and 19 shall retire as follows:—

(a) The councillor for each ward who is elected by the smallest number of votes on the first day of November nineteen hundred and twenty-nine;

(b) The councillor for each ward who is elected by the largest number of votes on the first day of November nineteen hundred and thirty-one;

(c) The other councillor for each ward on the first day of November nineteen hundred and thirty.

(2) The five additional aldermen elected at the first meeting of the council after the appointed day in pursuance of this Act shall retire as follows:—

(a) The two aldermen elected by the smallest number of votes on the ninth day of November nineteen hundred and thirty-one;

(b) The other three aldermen on the ninth day of November nineteen hundred and thirty-four. A.D. 1927.

(3) If by reason of there having been no contested election for any of the said wards or if for any other reason it is doubtful which of the councillors or aldermen as the case may be ought to retire on the dates above specified the council shall at their first meeting or at the next following quarterly meeting and not later by a majority of votes or if there is an equality of votes by the casting vote of the chairman determine the question.

15. The first meeting of the council shall be held on the fifth day of April nineteen hundred and twenty-eight or on such other day as the Minister may appoint and such meeting shall not be in substitution for one of the quarterly meetings of the council. First meeting of council.

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

17.—(1) The added part of Patcham and the added part of West Blatchington shall be separated from the Patcham electoral division of the county. County electoral divisions.

(2) The existing parishes of Ovingdean and Rottingdean and the added part of Falmer shall be separated from the Rottingdean electoral division of the county.

(3) The area of the Hove Brunswick electoral division of the county shall be altered by the exclusion therefrom of the added part of Hove and the inclusion therein of the transferred area.

(4) The person who immediately before the appointed day is the county councillor representing the Patcham electoral division or the Rottingdean electoral division or the Hove Brunswick electoral division shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the day on which he would have retired if this Act had not been passed.

18.—(1) The added part of Patcham and the added part of West Blatchington shall cease to form part of the Hove petty sessional division of the county. Petty sessional divisions.

A.D. 1927.

(2) The existing parishes of Ovingdean and Rottingdean and the added part of Falmer shall cease to form part of the Lewes petty sessional division of the county.

(3) The powers and duties of the justices of the peace of the existing borough of Hove and of the clerk to those justices shall cease in the added part of Hove and shall extend to the transferred area.

Jurisdiction
of borough
justices &c.
extended.

19. The powers rights privileges authorities and duties of the quarter sessions recorder clerk of the peace coroner and justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough and shall cease to extend to or apply to the transferred area :

Provided that—

(a) every person committing an offence in any part of the added areas or the transferred area prior to the appointed day shall be tried and dealt with as if this Act had not been passed;

(b) every proceeding which prior to the appointed day has been begun by or is pending before any justice in relation to any matters arising in or concerning any part of the added areas or the transferred area may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

Officers of
Corporation
continued.

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

(2) The auditors of the existing borough who are in office at the appointed day shall continue in office until the next ordinary day of election of borough auditors.

Corporation
property &c.

21. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this

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

A.D. 1927.

22.—(1) So much of any sums borrowed by the Corporation as will at the appointed day be owing and charged on the borough fund or general district fund or the borough rate or general district rate of the existing borough shall be charged on the general rate fund or general rate.

Mortgage
debts of
Corporation.

(2) All borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said moneys and interest are owing were originally sanctioned or within which those loans are otherwise required to be repaid or are made repayable.

23.—(1) Subject to the provisions of this Act the unrepealed provisions of—

Local Acts
and Orders.

- (a) the local Acts specified in Part I of the First Schedule to this Act;
- (b) the confirmation Acts specified in Part II of that schedule so far as those Acts respectively relate to the Provisional Orders specified in the said Part II;
- (c) any other local Act or Provisional Order duly confirmed and affecting the existing borough or the Corporation;

as the same respectively are in force within the existing borough at the appointed day shall extend to and be in force throughout the borough and shall cease to apply to or be in force in the transferred area except so far as those provisions apply at the passing of this Act to the existing borough of Hove and any reference in the said provisions to the existing borough and the Corporation shall be deemed to refer to the borough and the Corpora-

A.D. 1927. — tion thereof and any reference in the said provisions to the existing borough of Hove shall be deemed to refer to the borough of Hove.

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

(3) The unrepealed provisions of—

(a) the local Acts specified in Part I of the Second Schedule to the Hove Order; and

(b) the confirmation Acts specified in Part II of that schedule so far as those Acts respectively relate to the Provisional Orders specified in the said Part II

shall cease to apply to or be in force in the added part of Hove.

Electricity powers not to be affected.

24. Nothing in this Act shall alter the area for the supply of electricity by the Corporation or the Hove Corporation or prejudice or affect the rights powers or duties of the Corporation under the Brighton Electricity Acts and Orders 1883 to 1925 or of the Hove Corporation under Part IV of the Hove Corporation Act 1913 nor shall anything in this Act affect the application of sections 6 and 7 of the Brighton Electric Lighting Order 1883 to and in respect of the several parishes mentioned in section 30 (Extension of area of supply) of the Act of 1903 in the same manner and to the same extent as those sections applied to those parishes immediately before the passing of this Act.

Saving for gas undertakers.

25. Nothing in this Act shall prejudice or affect the rights powers or duties of the Brighton and Hove General Gas Company as existing at the passing of this Act nor shall the powers of charge in the respective districts of the said company be varied or affected thereby.

26.—(1) The added areas shall be included in and the transferred area shall be excluded from the constituent area of the Corporation within the meaning and for the purposes of the Brighton Intercepting and Outfall Sewers Act 1870 as amended by the Brighton and Hove (Outfall Sewers) Order 1924 and any reference in that Act as so amended or in the said Order or in any other Act or Order amending the said Act of 1870 to the Corporation or the Brighton Local Board and to the constituent area or district of the Corporation or the Brighton Local Board shall be construed as a reference to the Corporation and the borough. Provided that the Corporation shall so far as may be reasonably practicable secure that all surface water and storm water from the added areas (other than the added part of Hove) shall be excluded from any sewer for draining the added areas which communicates or may communicate directly or indirectly with a sewer of the Brighton Intercepting and Outfall Sewers Board.

A.D. 1927.

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Brighton
Intercepting
and Outfall
Sewers
Board.

(2) The transferred area shall be included in and the added part of Hove shall be excluded from the constituent area of the Hove Corporation within the meaning and for the purposes of the said Act of 1870 as amended by the said Order of 1924 and any reference in that Act as so amended or in the said Order or in any other Act or Order amending the said Act of 1870 to the Hove Corporation or to the West Hove Commissioners or the Brunswick Square and Terrace Commissioners shall be construed as a reference to the Hove Corporation.

(3) Nothing in this section shall be construed so as to affect the rights or obligations subsisting immediately prior to the appointed day in the added part of Hove and the transferred area with regard to the laying maintenance or use of sewers.

27. Subject to the provisions of any future order of the Minister the provisions of the order of the Local Government Board dated the twenty-fourth day of October eighteen hundred and ninety-two (and any amending order) relating to the constitution of the New Shoreham Port Sanitary Authority and providing for the apportionment of the expenses incurred by that port sanitary authority and other matters shall be read and have effect as if references to the borough and the Corporation thereof were substituted therein for references

New
Shoreham
Port
Sanitary
Authority.

[Ch. lxxxii.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. — applicable to the existing borough and the Corporation thereof.

East Sussex
Western
Small-pox
Hospital
District.

28. The added part of Patcham the added part of West Blatchington the added part of Falmer and the existing parishes of Ovingdean and Rottingdean shall be excluded from and cease to form part of the East Sussex Western Small-pox Hospital District constituted by the East Sussex Western Small-pox Hospital District Order 1902 of the county council as confirmed by an order of the Local Government Board dated the twenty-seventh day of September nineteen hundred and two and in that order of the county council any reference to the Steyning East District or the Newhaven District shall be construed as a reference to that district as altered by this Part of this Act.

Brighton
Burial
Board.

29.—(1) The added areas and the existing parish of Preston shall be transferred to and form part of and the transferred area shall be excluded from and cease to form part of the district of the Corporation as the burial board for the purposes of the Burial Acts 1852 to 1906 and accordingly the Corporation shall have throughout the borough to the exclusion of any other burial authority all the powers rights duties and liabilities of a burial board under the said Acts and the council may exercise and perform any of such powers rights duties and liabilities in accordance with the provisions of section 37 of the Brighton Corporation Act 1903.

(2) All property and liabilities which immediately before the appointed day were vested in or attached to the Corporation as the burial board for the existing parish of Brighton shall be vested in and attach to the Corporation as the burial board for the borough.

(3) Nothing in this Act shall prejudice or affect any right of burial or any right of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to any burial ground.

(4) Nothing in this Act shall prejudicially affect any right privilege authority or duty which immediately before the appointed day was exerciseable by or attached to any incumbent or sexton under the Burial Acts.

30.—(1) The provisions of—

A.D. 1927.

- (a) sections 4 6 12 13 14 16 18 20 21 and 24 of the Infectious Disease (Prevention) Act 1890;
- (b) Parts II III and V of the Public Health Acts Amendment Act 1890;
- (c) Part II (except sections 29 33 and 34) Part III (except section 38) and Parts IV and V of the Public Health Act 1925;
- (d) the Baths and Washhouses Acts 1846 to 1899;
- (e) the Health Resorts and Watering Places Act 1921; and
- (f) the Notification of Births Act 1907;

Adoptive
Acts.

shall be in force in and apply to the borough as if those Acts had to the extent herein mentioned been adopted for the borough.

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

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the borough and any order under the Infectious Disease (Notification) Act 1889 in force immediately before the appointed day in the added areas shall cease to be in force in or apply to any part of the added areas.

(4) Subject to the provisions of the article of the Hove Order of which the marginal note is "Adoptive Acts" the provisions of the enactments mentioned in subsection (1) of this section and of any order referred to in subsection (3) of this section and in force immediately before the appointed day in the existing borough shall cease to be in force in or apply to the transferred area.

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

Powers
under Act
of 1907.

- (1) The provisions of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force in the existing borough shall have effect as if any reference

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

in that order to the borough as it existed at the date of such order extended and applied to the borough and did not extend or apply to the transferred area and as if the said parts or sections were accordingly declared to be in force in the borough. Any other order under the Act of 1907 which is in force at the appointed day throughout the existing borough shall extend and apply to the borough:

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

Orders
under Shop
Hours Act
and Shops
Acts.

32. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of those Acts remain in force and apply to the area to which it applied immediately before the appointed day.

As to Town
Planning
Act 1925.

33. Any resolution passed or other proceeding taken by either of the rural councils under the Town Planning Act 1925 or any enactment thereby repealed or any order of the Minister of Health made under that Act or repealed enactment (including agreements orders and consents entered into made or given under that Act repealed enactment or order) shall in so far as they relate to any land within the added areas have effect as if they had been taken by the Corporation in respect of the rural district in which the land was situate immediately before the appointed day.

Orders
under Wild
Birds

34. Any order made under the Wild Birds Protection Act 1926 or under any enactment repealed by that Act

shall if the order is in force at the appointed day in the existing borough extend to and be in force in the added areas and shall cease to be in force in the transferred area and any order under those Acts which is then in force in the county shall extend to and be in force in the transferred area and shall cease to be in force in the added areas.

A.D. 1927.

Protection Acts.

35. All the powers rights duties capacities liabilities and obligations of an urban authority and all the powers in relation to the chargeability of expenses with which the Newhaven Council are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts in respect of the existing parish of Falmer shall be deemed to vest in and attach to the Newhaven Council in respect of the parish of Falmer.

Urban powers &c. in excluded part of Falmer.

36. Subject to the provisions of this Act—

Byelaws and regulations.

(1) All byelaws (other than byelaws regulating public walks and pleasure grounds) made under the Public Health Acts and in force within the existing borough or within the added areas immediately before the appointed day shall—

(a) if made before the first day of January nineteen hundred and fourteen continue to apply to the existing borough or to the added areas (as the case may be) for three years after the appointed day (unless previously repealed or altered by the Corporation) but shall on the expiry of those three years cease to be in force within the borough;

(b) if made on or after the first day of January nineteen hundred and fourteen continue to apply to the existing borough or to the added areas (as the case may be) until repealed or altered by the Corporation :

(2) Byelaws regulating public walks and pleasure grounds and all other byelaws made by the Corporation or by the watch committee of the existing borough which immediately

A.D. 1927.

before the appointed day are in force throughout the existing borough shall extend and apply to the borough until such byelaws may be altered or repealed and shall cease to extend to or be in force in the transferred area. All byelaws other than those to which subsection (1) of this section applies made by the county council by the standing joint committee of the county by either of the rural councils or by the Hove Corporation (or their respective predecessors) and in force immediately before the appointed day in any part of the added areas shall on that day cease to be in force therein :

- (3) In their application to the added areas any byelaws continued in force by this section shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein instead of the area to which they now apply :
- (4) Any proceedings which if this Act had not passed might have been taken for any offence against any byelaw committed before the appointed day within the added areas may be taken by the Corporation :
- (5) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "byelaws made under the Public Health Acts" includes all byelaws to which section 184 of the Public Health Act 1875 applies :
- (6) For the purposes of this section and of the article of the Hove Order of which the marginal note is "Byelaws regulations scales of charges &c."—

(i) the added part of Hove shall be deemed to have been immediately before the appointed day part of the existing borough and not part of the existing borough of Hove;

(ii) the transferred area shall be deemed to have been immediately before the appointed day part of the existing borough

of Hove and not part of the existing borough; A.D. 1927.

(iii) all byelaws in force in the existing borough immediately before the appointed day shall be deemed to have been in force in the added part of Hove and not to have been in force in the transferred area;

(iv) all byelaws in force in the existing borough of Hove immediately before the appointed day shall be deemed to have been in force in the transferred area and not to have been in force in the added part of Hove.

37. Nothing in this Act shall in any way invalidate or affect the operation of any byelaws made by the Corporation under section 10 of the Act of 1924 and all such byelaws shall continue to be in force within the areas within which they were in force immediately before the passing of this Act as though this Act had not been passed. Saving for byelaws under Brighton Corporation Water Act 1924.

38. Subject to the provisions of this Act the powers rights privileges authorities and duties of the county council and the standing joint committee of the county respectively shall as from the appointed day cease to be exercisable by or attach to that council and committee so far as regards the added areas but the powers rights privileges authorities and duties of the county council shall extend to and be exercisable by that council in the transferred area. Jurisdiction of county authorities.

39. Any county police station situate in any part of the added areas with any residence for constables or cell connected therewith and the fittings and furniture thereof shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council. County police stations.

40.—(1) All lands easements rights and works acquired or constructed by the county council under or by virtue of the provisions of the East Sussex County Council Act 1909 shall by virtue of this Act be transferred to and vest in the Corporation for all the estate and interest therein of the county council. Transfer of works of sea defence.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

(2) All rights powers and duties of the county council under the said Act shall be transferred to the Corporation and the said Act shall be read and construed as if the Corporation had been named therein instead of the county council.

(3) All expenses incurred by the Corporation in the execution of any of the provisions of the said Act shall be paid out of the general rate fund and general rate.

Insurance
committees.

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

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

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

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

members of the respective insurance committees for the county as altered by this Act and the borough. A.D. 1927.

42. For the purposes and subject to the provisions of the Education Act 1921 all public elementary schools provided by the county council as local education authority and situate in the added areas and the furniture fittings books and apparatus belonging to the county council of any public elementary school in the added areas shall by virtue of this Act be transferred to and vested in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority. In this section "public elementary school" includes the site and school house and also any land acquired and held by the county council as the local education authority for purposes of elementary education. Transfer of public elementary schools to Corporation.

43. Every manager of any elementary school in the added areas who was appointed by the county council or by any parish council or parish meeting shall vacate office at the appointed day. Education managers.

44.—(1) Subject to any agreement which may hereafter be made between the Corporation and the county council to the contrary the portion of the local taxation licences and estate duty grant and of the local taxation (customs and excise) duties payable in respect of the area comprised in the existing county shall after the appointed day be apportioned between the county and the borough on the following basis:— Financial adjustment between Corporation and county council.

- (a) If in any year the amount payable in respect of the area comprised in the existing county out of the local taxation licences and estate duty grant is the sum of sixty-seven thousand and seventy-eight pounds the compulsory payments and transfers shall be deemed to be the sum of thirty-nine thousand eight hundred and sixty pounds and of that sum of thirty-nine thousand eight hundred and sixty pounds the Corporation shall be entitled to receive in respect of the added areas the sum of four hundred and fourteen pounds. Of the balance of twenty-seven thousand two hundred and eighteen pounds remaining of the said sum of sixty-seven

A.D. 1927.

thousand and seventy-eight pounds the Corporation shall be entitled to receive in respect of the added areas the sum of eleven hundred and twenty-four pounds;

- (b) If in any year the amount payable in respect of the area comprised in the existing county out of the local taxation (customs and excise) duties is the sum of five thousand five hundred and seventy-two pounds the Corporation shall be entitled to receive in respect of the added areas the sum of one hundred and fifty-four pounds;
- (c) If in any year the amounts payable under paragraphs (a) or (b) of this subsection are more or less than the sums of sixty-seven thousand and seventy-eight pounds or five thousand five hundred and seventy-two pounds respectively the remaining figures mentioned in paragraphs (a) or (b) hereof (as the case may be) shall be proportionately increased or reduced;
- (d) Subsection (6) of section 32 of the Act of 1888 shall apply to the adjustment made between the Corporation and the county council by the foregoing provisions of this subsection as though it were an adjustment made by agreement under that subsection (6) Provided that as between the Corporation and the county council the total of the two amounts to which the Corporation are entitled in any year under paragraph (a) of this subsection shall not for a period of ten years from the appointed day be reduced below the aggregate sum of fifteen hundred and thirty-eight pounds.

(2) The Corporation shall pay to the county council on the appointed day and the county council shall accept the sum of one hundred and ten thousand four hundred and fifty pounds payable as a lump sum in settlement of all claims of either of them against the other of them in respect of financial adjustments and claims arising out of or consequent upon the extension and alteration of the existing borough as by this Part of this Act provided except in respect of matters dealt

with under subsection (1) of this section and except as provided by subsections (3) (4) and (5) of this section and by the section of this Act of which the marginal note is "Adjustment for purposes of Licensing (Consolidation) Act 1910." A.D. 1927.

(3) As soon as practicable after the appointed day the county council shall ascertain the amount of the balance in hand in each of the revenue accounts of the county council on the appointed day after making due allowance for outstanding current liabilities and if the total of those balances exceeds the equivalent of a rate of a penny in the pound on the assessable value of the existing county the county council shall pay to the Corporation a sum bearing the same proportion to the total of such balances as the assessable value of the added areas bears to the assessable value of the existing county.

(4) So much of the debts incurred by the county council prior to the first day of January nineteen hundred and twenty-seven in respect of the Patcham Elementary Schools and in respect of sea defences in the added areas as are outstanding on the appointed day shall be taken over by the Corporation and all liabilities and obligations of the county council in respect of the said portion of those debts shall be discharged by the Corporation.

(5) The Corporation shall contribute to the county council from time to time such proportion of the costs charges and expenses of the county council of and incidental to the assizes of the county the mental hospital (Haywards Heath) pensions the Sussex Sea Fisheries and the registration of electors as is properly attributable to the added areas.

(6) No member of the police force in the county shall be transferred to or become part of the police force of the borough by reason of the extension and alteration of the existing borough as by this Part of this Act provided.

(7) If the Corporation shall not pay to the county council on the appointed day the sum of one hundred and ten thousand four hundred and fifty pounds mentioned in subsection (2) of this section they shall pay to the county council interest thereon at the rate of six

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. — per centum per annum from the appointed day until the date of payment.

Financial
adjustment
between
Corporation
and
Newhaven
Council.

45.—(1) The Corporation shall pay to the Newhaven Council on the appointed day and the Newhaven Council shall accept the sum of twenty-three thousand pounds payable as a lump sum in settlement of all claims of either of them against the other of them in respect of financial adjustments and claims arising out of or consequent upon the extension and alteration of the existing borough as by this Part of this Act provided except in respect of matters dealt with in the following subsections of this section.

(2) As soon as practicable after the appointed day the Newhaven Council shall ascertain the amount of the balance in hand in each of the revenue accounts of the Newhaven Council on the appointed day after making due allowance for outstanding current liabilities and if the total result of those balances (whether credit or debit) exceeds the equivalent of a rate of a penny in the pound on the assessable value of the existing Newhaven District the Newhaven Council shall pay to the Corporation if the total of the balances results in a credit balance and the Corporation shall pay to the Newhaven Council if the said total results in a debit balance a sum bearing the same proportion to such balance as the total of the assessable value of the added part of Falmer and of the existing parishes of Ovingdean and Rottingdean bears to the assessable value of the existing Newhaven District.

(3) So much of the loan of one hundred and fifty pounds borrowed by the Newhaven Council from the Good Intent Lodge of Oddfellows on the second day of June nineteen hundred and eleven and so much of the loans of one thousand five hundred pounds and three hundred pounds respectively borrowed by the Newhaven Council from the county council under an agreement dated the twenty-third day of September nineteen hundred and nine as are outstanding on the appointed day shall be taken over by the Corporation and all liabilities and obligations of the Newhaven Council in respect of the said portions of those loans shall be discharged by the Corporation.

A.D. 1927.

(4) The loans borrowed by the Newhaven Council from the county council referred to in subsection (3) of this section shall be discharged by the Corporation paying, to the county council on the appointed day any balance then outstanding in respect of those loans.

(5) Notwithstanding anything in this Act to the contrary the twenty-three houses erected by the Newhaven Council in Park Terrace Rottingdean shall not be transferred to the Corporation but shall remain the property of the Newhaven Council and no liability in respect of any outstanding debt on those houses shall be transferred to the Corporation.

(6) In any case in which prior to the appointed day the Newhaven Council have made grants to any person under subsection (3) of section 2 of the Housing &c. Act 1923 as amended by subsection (1) of section 2 of the Housing (Financial Provisions) Act 1924 or any other amending Act for the purpose of the construction of houses the Newhaven Council shall be entitled to receive and retain any contributions payable by the Minister of Health in respect of such grants or any other payments or allowances in substitution for such contributions as if this Act had not been passed.

(7) If the Corporation shall not pay to the Newhaven Council on the appointed day the sum of twenty-three thousand pounds mentioned in subsection (1) of this section they shall pay to the Newhaven Council interest thereon at the rate of six per centum per annum from the appointed day until the date of payment.

46. The Corporation shall within three months after the passing of this Act produce to the Commissioners of Inland Revenue a King's Printer's copy of this Act stamped with the ad valorem duties which would be payable on—

As to pay-
ment of
stamp
duties.

- (1) a deed executed under the respective seals of the Corporation and the county council on the day of the passing of this Act containing the provisions of the section of this Act of which the marginal note is "Financial adjustment between Corporation and county council"; and
- (2) a deed executed under the respective seals of the Corporation and the Newhaven Council on the

A.D. 1927.

day of the passing of this Act containing the provisions of the section of this Act of which the marginal note is "Financial adjustment between Corporation and Newhaven Council."

In default of such production the amount of the said duties with interest thereon at the rate of five per centum per annum from the time hereinbefore fixed for production until payment shall be a debt due to His Majesty by the Corporation.

Adjustment
for purposes
of Licensing
(Consolidation)
Act
1910.

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

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

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 (Adjustment of property and liabilities) of the Act of 1888 and the provisions of that Act shall apply accordingly.

Rural
district
councillors.

48.—(1) At the appointed day the three rural district councillors representing the existing parish of Patcham shall go out of office as rural district councillors and the number of elected members of the Steyning East Council shall be reduced by three.

(2) At the appointed day the rural district councillor representing the existing parish of Ovingdean and the three rural district councillors representing the existing parish of Rottingdean shall go out of office as rural district councillors and the number of elected members of the Newhaven Council shall be reduced by four.

(3) At the appointed day the rural district councillor representing the existing parish of Falmer shall be

deemed to have been elected for and to represent the parish of Falmer and shall retire from office on the date on which he would have retired if this Act had not been passed. A.D. 1927.

49.—(1) Save as otherwise provided in the section of this Act of which the marginal note is “Financial adjustment between Corporation and Newhaven Council” the Steyning East Council and the Newhaven Council shall cease to exercise any powers or discharge any duties within any part of the added areas. Powers
properties
&c. of rural
district
councils.

(2) Save as otherwise provided in the said section of this Act and subject in the case of the Steyning East Council to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attaching to either of the rural councils in relation exclusively to any part of the added areas shall by virtue of this Act be transferred to and vest in or attach to the Corporation.

(3) Any property or liabilities vested in or attaching to the Steyning East Council in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment.

50.—(1) The local registrars for the county the borough of Hove the Steyning East District and the Newhaven District under the Land Charges Act 1925 and the rules made thereunder shall within one month after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules. As to Land
Charges Act
1925.

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

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

A.D. 1927.

- (a) The local registrar for the borough shall give notice to any persons desiring to make a personal search that an additional search should be made in the register of the borough of Hove or the rural district affected and the register for the county;
- (b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the borough of Hove or the rural district affected the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application;
- (c) The local registrar for the borough of Hove or any rural district affected and the local registrar for the county shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;
- (d) The fees in respect to searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;
- (e) Where a local land charge duly registered in the local land charges register of the county council the Hove Corporation or either of the rural councils is in pursuance of this Act transferred from the county council the Hove Corporation or a rural council to the Corporation such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the local land charges register of the borough.

Parish
councils.

51.—(1) As on and from the appointed day the Patcham Council the Rottingdean Council and the parish meetings of the existing parishes of Patcham Rottingdean and Ovingdean shall cease to exist.

(2) As on and from the appointed day the Falmer Council shall be deemed to have been elected as and shall be the parish council of the parish of Falmer. A.D. 1927.

52. Subject to the provisions of this Act—

Powers
properties,
&c. of
parish
councils.

(1) Any powers and duties transferred by or under the Act of 1894 to the Rottingdean Council or to the Patcham Council so far as regards the added part of Patcham or to the Falmer Council so far as regards the added part of Falmer or to the parish meeting of the existing parish of West Blatchington so far as regards the added part of West Blatchington or to the parish meeting of the existing parish of Ovingdean shall be vested and imposed on the Corporation:

(2) All property and liabilities held or incurred by the Rottingdean Council or by the Patcham Council in relation exclusively to the added part of Patcham or by the Falmer Council in relation exclusively to the added part of Falmer or by the parish meeting of the existing parish of West Blatchington or the representative body of that parish constituted by article 7 of the Overseers Orders 1927 in relation exclusively to the added part of West Blatchington or by the parish meeting of the existing parish of Ovingdean or the representative body of that parish constituted by the said article 7 shall by virtue of this Act be transferred to and vest in or attach to the Corporation:

(3) Any property or liabilities held or incurred by the Patcham Council in relation to the added part of Patcham or any portion thereof conjointly with any other area shall by virtue of this Act be transferred to and vest in or attach to the Corporation but shall be a matter for adjustment:

(4) Any property or liabilities held or incurred by the Falmer Council in relation to the added part of Falmer or any portion thereof conjointly with any other area shall be a matter for adjustment.

A.D. 1927.

Liquidation
of current
debts and
liabilities of
parish
councils.

53.—(1) The Patcham Council the Rottingdean Council and the parish meeting of the existing parish of Ovingdean shall liquidate so far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) If default is made by either of the said parish councils or the said parish meeting in complying with the requirements of subsection (1) of this section—

(a) The Corporation may in accordance with section 2 (5) of the Rating Act make and levy over the area of such portion of the borough as is co-terminous with the added part of Patcham the existing parish of Rottingdean and the existing parish of Ovingdean (as the case may require) as an additional item of the general rate such amount in the pound as will be sufficient to defray the liability of that area in respect of the current debts and liabilities of the parish council or parish meeting in default;

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

Apportion-
ment of
balances
and sums
received
under
precept.

54.—(1) The rural councils shall (save as otherwise provided in the section of this Act of which the marginal note is "Financial adjustment between Corporation and Newhaven Council") as soon as practicable after the appointed day estimate as regards any cash balance in their hands at the appointed day the proportion thereof derived from contributions paid by each of the added areas (other than the added part of Hove) and subject to a deduction on account of undischarged liabilities (if any) in respect of each such added area accruing up to the appointed day transfer such amount to the Corporation.

(2) Any sum received after the appointed day by either of the rural councils under a precept issued before that day in respect of any area comprising one of the added areas (other than the added part of Hove) shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Act. A.D. 1927.

55. The agreement made the twenty-seventh day of January nineteen hundred and twenty-seven between the Corporation and the Hove Corporation as set forth in the Third Schedule to this Act is hereby confirmed and made valid and binding on the parties thereto. Confirmation of agreement with Hove Corporation.

56. Notwithstanding anything in this Part of this Act the Hove Corporation may at all times and from time to time construct lay down renew repair maintain and remove such sewers and drains as they may consider necessary for effectually draining any part of the borough of Hove in or under so much of Dyke Road as is by this Act included within the borough in all respects as if so much of Dyke Road as aforesaid formed part of the borough of Hove. As to sewers &c. in Dyke Road.

57. Where in the opinion of the Minister the circumstances so require the Minister may make such order as appears to him to be necessary for the purpose of giving effect to or of removing any difficulty in carrying into effect such of the provisions of this Part of this Act as relate to or are consequent on the transfer to the borough of the added part of Hove and the transfer to the borough of Hove of the transferred area or of giving effect to or of removing any difficulty in carrying into effect the provisions of the agreement set forth in the Third Schedule to this Act and any such order when made shall have effect as if enacted in this Act Provided that the Secretary of State in relation to any matter within his jurisdiction shall be substituted in this subsection for the Minister. Further provision as to alteration of boundary between Brighton and Hove.

58. Subject to the provisions of Part III of this Act the following provisions shall have effect :— Guardians.

(1) The persons who immediately before the appointed day are holding office as the guardians of the poor for the existing parish of Brighton shall be deemed on the appointed day to be the guardians of the poor for the parish of Brighton :

(2) The persons who immediately before the appointed day are holding office as the rural district councillors for the existing parish of

A.D. 1927.

Patcham in the Steyning Union shall be deemed on the appointed day to be the guardians of the poor for the parish of Patcham :

- (3) The person who immediately before the appointed day is holding office as rural district councillor for the existing parish of Ovingdean in the Newhaven Union shall be deemed on the appointed day to be the guardian of the poor for the parish of Ovingdean.

Repeal of sections of Act of 1903.

59. The following provisions of the Act of 1903 are hereby repealed (namely) :—

Section 11 (Provisions as to tramways in borough of Hove and parish of Preston Rural) :

Section 12 (For protection of Hove Corporation) except subsection (4) :

Section 13 (For protection of Steyning East Rural District Council) except subsections (1) (3) and (7).

PART III.

ALTERATIONS OF UNIONS AND CONSOLIDATION OF PARISHES.

Commencement of Part III.

60. This Part of this Act shall come into force on the appointed day but immediately after Part II of this Act has come into force.

Consolidation of parishes.

61. On the appointed day—

(1) The parish of Patcham and the parish of Preston shall cease to form part of the Steyning Union;

(2) The parish of Ovingdean and the parish of Rottingdean shall cease to form part of the Newhaven Union;

(3) The parish of Brighton shall be extended by the inclusion therein of the parish of Preston the parish of Patcham the parish of Ovingdean and the parish of Rottingdean. The parish of Brighton as so extended shall continue to be called "the parish of Brighton" but is in this Act referred to as "the new parish of Brighton."

62.—(1) Subject to the provisions of the Act of 1894 A.D. 1927.
the new parish of Brighton shall for the purpose of the election of a board of guardians for that parish be divided into nineteen wards which shall respectively be co-terminous with and bear the same names as the municipal wards of the borough. Wards for election of guardians and number of guardians.

(2) Three guardians shall be assigned to each of the wards of the new parish of Brighton.

63. Notwithstanding any enactment to the contrary the following provisions shall have effect with regard to the persons who by virtue of the section of Part II of this Act of which the marginal note is "Guardians" are deemed on the appointed day to be the guardians of the poor for the parish of Brighton and the chairman of those guardians (*viz.*) :— Continuanee in office of guardians of existing parish of Brighton.

(a) The chairman shall continue in office as chairman of the guardians of the new parish of Brighton until a successor shall have been appointed after the fifteenth day of April nineteen hundred and twenty-eight :

(b) Such of those persons as are guardians representing the ten existing wards of the existing parish of Brighton which will become wards of the new parish of Brighton without alteration and are designated in the Second Schedule to this Act by the numbers 1 to 6 (inclusive) and 8 to 11 (inclusive) shall continue in office as guardians representing the same respective wards in the new parish of Brighton until the day on which they would have retired if this Act had not been passed and shall then go out of office :

(c) Such of those persons as are guardians representing respectively the existing Montpelier Ward and the existing Lewes Road Ward of the existing parish of Brighton shall continue in office as guardians representing respectively the wards of the new parish of Brighton constituted by this Act which bear the same respective names (such wards being designated in the said Second Schedule by the numbers 7 and 13) and shall remain in office until the

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

day on which they would have retired if this Act had not been passed and shall then go out of office.

Retirement
of other
guardians
and first
election of
new
guardians.

64.—(1) The persons who by virtue of the section of Part II of this Act of which the marginal note is "Guardians" are deemed on the appointed day to be the guardians of the poor for the parish of Patcham and the parish of Ovingdean respectively and the persons holding office immediately before the appointed day as guardians of the poor for the existing parishes of Preston and Rottingdean respectively shall go out of office on the appointed day which day shall be deemed to be the ordinary day of retirement from office of each guardian and thereupon the number of guardians of the Steyning Union and the Newhaven Union shall be reduced by nine and four respectively.

(2) An election of the guardians of the poor for the several wards of the new parish of Brighton designated in the Second Schedule to this Act by the numbers 12 and 14 to 19 (inclusive) shall be held in the month of March in the year nineteen hundred and twenty-eight and the guardians so elected shall come into office on the appointed day.

(3) Subject as hereinafter provided and to any directions which may be given by the Secretary of State the said elections shall be conducted in conformity with the rules contained in the Guardians (Outside London) Election Order 1898 as amended by the Local Elections (Alteration of Rules) Order 1925 as if they were elections to fill ordinary vacancies in the office of guardian :

Provided that Part A of the First Schedule to the said election order of 1898 shall have effect as if it required the notice of the election to be published not later than the twenty-fourth day of February nineteen hundred and twenty-eight and as if it fixed the nineteenth day of March in that year as the day of election.

(4) For the purposes of the election of guardians for the said wards the clerk to the guardians of the existing parish of Brighton or if he is unable to act such other person as the mayor of the existing borough

may appoint shall be the returning officer and the board room of the guardians of that parish shall be deemed to be the board room of the guardians of the new parish of Brighton. A.D. 1927.

(5) For the purposes of the provisions of the Act of 1894 relating to the qualification of guardians the new parish of Brighton shall be deemed to have been constituted on the first day of January nineteen hundred and twenty-seven.

(6) The guardians of the new parish of Brighton elected in pursuance of this section for the said several wards designated in the Second Schedule to this Act by the numbers 12 and 14 to 19 (inclusive) shall (subject to any Orders which may be made under the Act of 1888 or the Act of 1894) retire as follows:—

- (a) The guardian for each such ward who is elected by the smallest number of votes on the fifteenth day of April nineteen hundred and twenty-nine;
- (b) The guardian for each such ward who is elected by the largest number of votes on the fifteenth day of April nineteen hundred and thirty-one;
- (c) The other guardian for each such ward on the fifteenth day of April nineteen hundred and thirty.

(7) If by reason of there having been no contested election for any of the said wards or if for any other reason it is doubtful which of the guardians ought to retire on the dates above specified the guardians of the new parish of Brighton shall at their first meeting or at the next following meeting and not later by a majority of votes or if there is an equality of votes by the casting vote of the chairman determine the question.

65.—(1) Save as may be otherwise agreed between the Steyning Guardians or the Newhaven Guardians on the one hand and the Brighton Guardians on the other hand any balances standing at the appointed day in the books of the Steyning Guardians to the credit or debit of the parish of Preston and in the books of the Newhaven Guardians to the credit or debit of the existing parishes of Ovingdean and Rottingdean shall be carried to the credit or debit of the guardians of the new parish of Brighton. Balances in accounts of guardians.

A.D. 1927.

(2) Any balances existing at the appointed day in the books of the Steyning Guardians to the credit or debit of the existing parishes of Patcham and West Blatchington and in the books of the Newhaven Guardians to the credit or debit of the existing parish of Falmer shall be matters for adjustment.

(3) Any balances standing at the appointed day in the books of the Steyning Guardians to the credit or debit of the existing parish of Hove or in the books of the guardians for the existing parish of Brighton to the credit or debit of that parish shall with reference to the added part of Hove and the transferred area respectively be matters for adjustment.

Officers of
Brighton
Guardians
continued.

66. The clerk to and all other officers of the guardians of the existing parish of Brighton who shall be holding office immediately before the appointed day shall continue to be the clerk to and officers of the guardians of the new parish of Brighton and shall hold their offices by the same tenure as on the appointed day.

As to
existing
poor law
orders.

67. All poor law orders in force immediately before the appointed day in and applicable to the existing parish of Brighton shall extend and apply to the new parish of Brighton.

PART IV.

PROVISIONS COMMON TO PARTS II AND III.

Settlement
and removal
of poor.

68.—(1) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring—

(a) a settlement in the existing parish of Brighton (other than the transferred area) the added part of Hove the parish of Preston the existing parishes of Ovingdean and Rottingdean the added part of Patcham the added part of West Blatchington or the added part of Falmer by reason of residence birth or other qualification therein shall be deemed to have acquired or to be in the course of acquiring a settlement in the new parish of Brighton;

(b) a settlement in the transferred area by reason of residence birth or other qualification therein shall be deemed to have acquired or to be in the course of acquiring a settlement in the parish of Hove in the Steyning Union; A.D. 1927.

(c) a settlement in the portion of the existing parish of Falmer which does not form part of the added part of Falmer by reason of residence birth or other qualification therein shall be deemed to have acquired or to be in the course of acquiring a settlement in the parish of Falmer as if such portion of the existing parish of Falmer had always been the parish of Falmer.

(2) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring—

(a) a status of irremovability from the existing parish of Brighton or the Steyning Union or the Newhaven Union by reason of residence in the existing parish of Brighton (other than the transferred area) the added part of Hove the parish of Preston the existing parishes of Ovingdean and Rottingdean the added part of Patcham the added part of West Blatchington or the added part of Falmer shall be deemed to have acquired or be in course of acquiring a status of irremovability from the new parish of Brighton;

(b) a status of irremovability from the existing parish of Brighton by reason of residence in the transferred area shall be deemed to have acquired or be in course of acquiring a status of irremovability from the Steyning Union.

(3) For the purposes of this section consecutive periods of residence in any portions of an existing parish divided by this Act shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the appointed day.

69.—(1) Subject to the provisions of subsection (2) of this section the powers duties and liabilities of a Order under section 33 of Act of 1894.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. — parish council transferred to or conferred upon the Corporation by the order of the Local Government Board under section 33 of the Act of 1894 dated the twenty-eighth day of February nineteen hundred and one in relation to matters in the said order specified (so far as such powers duties and liabilities are still in force or still have effect) shall be deemed to have been transferred to or conferred on the Corporation in respect of the borough and of the new parish of Brighton and the said order shall have effect accordingly.

(2) The powers duties and liabilities of a parish council under section 14 of the Act of 1894 conferred upon the Corporation by the above mentioned Order shall be deemed to have been conferred upon the Corporation in respect of the existing parishes of Brighton and Preston as if those parishes had not been altered by this Act and the Order shall have effect accordingly.

(3) An Order may be made by the Minister under section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of any existing parish or portion of an existing parish included in the new parish of Brighton.

Adaptation
of provisions
as to ad-
justment.

70. Section 62 (Adjustment of property and liabilities) of the Act of 1888 shall (except as by this Act otherwise provided) apply to any adjustment which may become necessary under or in consequence of this Act and for the purposes of such application that section shall have effect—

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

(b) as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject

to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction; A.D. 1927.

- (c) as if the fund or rate specified in any agreement or award for an adjustment were substituted for any fund mentioned in the section; and
- (d) as if the following subsection were added to the section:—

“(8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the poor rate or general rate as the case may be”:

Provided that where the authority affected by this Act or by anything done in pursuance of this Act are the board of guardians of a poor law union or of the parish of Brighton section 62 of the Act of 1888 shall apply in respect to any necessary adjustment with the modifications specified in the First Schedule to the Poor Law (Dissolution of School Districts and Adjustments) Act 1903.

71.—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to and all documents directed by law to be kept with the public books writings and papers of any of the existing parishes of Preston Patcham Ovingdean or Rottingdean or belonging to or of the existing parishes of West Blatchington or Falmer in relation exclusively to the added part of West Blatchington or the added part of Falmer respectively except any book or document relating to ecclesiastical matters shall be deposited in such custody as the Corporation may direct. Parish books and documents.

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

72.—(1) The registration officer of the parliamentary county of East Sussex on publication of the electors lists for each registration unit comprising any part of the Duplicate entries in electors lists.

A.D. 1927. added areas which is within that parliamentary county shall supply the registration officer of the parliamentary borough of Brighton with a sufficient number of copies of those lists.

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

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

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

Provisions
as to
registers of
electors.

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

(a) the town clerk in the case of an election for any voting area within the borough or the borough of Hove; and

(b) the registration officer of the parliamentary county of East Sussex in the case of an election or parish meeting for any voting area outside the said boroughs

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

(2) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors. A:D. 1927.

(3) For the purposes of the registers prepared in the years nineteen hundred and twenty-seven and nineteen hundred and twenty-eight so far as relates to the local government electors of the borough and of all matters connected with incidental to or consequent on those purposes the added areas shall be deemed to have formed part of the borough as from the first day of the qualifying period for the register prepared in the year nineteen hundred and twenty-seven.

(4) In the preparation of the register in the year nineteen hundred and twenty-seven so far as it relates to any area affected by this Act it shall be competent to the registration officer to frame the register in separate parts for each area which will constitute a registration unit from and after the appointed day instead of in separate parts for each area constituting a registration unit before the appointed day.

74.—(1) With the object of making a new valuation list for the borough to come into force on the appointed day the provisions of Parts II and III of this Act shall (subject as in this section hereinafter provided) for the purposes of Part II (Valuation) of the Rating Act be deemed to come into operation as from the date of the passing of this Act and as from the said date the council shall have as the rating authority of the borough in respect of the borough to the exclusion of any other rating authority all the powers conferred upon a rating authority by Part II of the Rating Act. Valuation list for borough.

(2) As soon as may be after the said date the Council shall appoint an assessment committee for the borough in conformity with the provisions of section 17 (Assessment committees) of the Rating Act and such committee when appointed shall have in respect of the borough to the exclusion of any other assessment committee all the powers conferred upon an assessment committee by Part II of the Rating Act.

A.D. 1927.

(3) From and after the said date all rating authorities assessment committees boards of guardians overseers and other local authorities shall give to the council as the rating authority of the borough any assistance and information which the council may require for the purpose of enabling them to discharge their functions under Part II of the Rating Act.

(4) The provisions of this section so far as they affect the added part of Hove and the transferred area shall not come into operation prior to the date of confirmation by Parliament of the Hove Order.

(5) As from the appointed day the valuation list for the borough shall (subject to the provisions of the Rating Act with reference to the amendment or correction of valuation lists and the making of second or subsequent valuation lists) be the first new valuation list for the borough made under the Rating Act in accordance with the provisions of this section.

County
rate basis.

75.—(1) Subject to any future revision the basis of the county rate of the county shall be altered as follows:—

(a) The net annual value of the hereditaments in the existing parishes of Ovingdean and Rottingdean shall be omitted therefrom;

(b) From the amount appearing therein as the net annual value of the hereditaments in the existing parish of Hove there shall be deducted such sum as will represent the net annual value of the hereditaments in the added part of Hove;

(c) There shall be added thereto a sum equal to the net annual value of the hereditaments in the transferred area according to the valuation list in force in the transferred area immediately prior to the appointed day;

(d) From the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in the existing parishes of Patcham West Blatchington and Falmer respectively there shall be deducted such sums as will represent the net annual values of the agricultural land and of other hereditaments in the added part of Patcham the added part of West Blatchington and the added part of Falmer respectively.

A.D. 1927.

(2) For the purposes of this section the net annual value of the agricultural land in the added part of Patcham the added part of West Blatchington and the added part of Falmer respectively shall be the amount which bears the same proportion to the net annual value of agricultural land in the existing parishes of Patcham West Blatchington and Falmer respectively as the total rateable value of the agricultural land in the added part bears to the total rateable value of the agricultural land in the existing parish.

(3) For the purpose of ascertaining the net annual value of other hereditaments (not being agricultural land) in the added part of Patcham the added part of West Blatchington and the added part of Falmer respectively the preceding subsection of this section shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) In this section "net annual value" means the net annual value according to the basis of the county rate which is being altered in pursuance of this section and "total rateable value" means the total rateable value according to the valuation list of the existing parish last in force before the appointed day.

(5) For the purpose of the preparation of any order for county contributions to be issued by the county council after the appointed day this section shall operate from the passing of this Act.

76. For the purpose of summoning jurors and of jury service each of the parishes affected by this Act shall be deemed to continue unaltered until a new jurors' book for the parish as altered comes into force.

77.—(1) Every officer employed by any local authority (other than a board of guardians) at the passing of this Act exclusively for the purposes of any of the existing parishes of Patcham Ovingdean and Rottingdean shall on the appointed day be transferred to and become an officer of the Corporation.

Existing parish and guardian officers.

(2) Every officer employed by any board of guardians at the passing of this Act exclusively for the purposes of any of the existing parishes of Preston Patcham Ovingdean and Rottingdean shall on the appointed day be transferred to and become an officer of the Brighton guardians.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.
—
Transferred
officers.

78.—(1) In the succeeding provisions of this Act any officer transferred by the immediately preceding section of this Act and the office or duties in respect of which he is so transferred are respectively referred to as a “transferred officer” and a “transferred office.”

(2) Every transferred officer shall hold his office by the same tenure and on the same conditions as if this Act had not been passed and while performing similar duties shall in respect of a transferred office receive not less salary or remuneration and be entitled to not less pension (if any) than the salary remuneration or pension to which he would have been entitled if this Act had not been passed.

(3) The Corporation or the Brighton Guardians (as the case may require) may distribute the business to be performed by the transferred officers in such manner as the Corporation or the Brighton Guardians may think just and every officer shall perform such duties in relation to that business as may be directed by the Corporation or the Brighton Guardians and the Corporation or the Brighton Guardians may abolish the office of any such officer.

(4) If at any time within five years after the appointed day any transferred officer is required to perform duties which are not analogous to or which are an unreasonable addition to those which he was required to perform in respect of the transferred office immediately before the appointed day the officer may relinquish his office.

(5) If the annual contributions required by the Poor Law Officers Superannuation Act 1896 have been made by any officer transferred to the Corporation the provisions of that Act shall as regards such officer continue to apply to that officer subject to the following modifications :—

(a) References to the Corporation shall be substituted in the provisions of the Act for references to guardians and the said provisions shall in other respects apply and have effect as if the Corporation were within the meaning of those provisions an authority to which the Act applies;

A.D. 1927.

(b) The contributions of any such officer shall after the appointed day be carried to and form part of the general rate fund or shall be applied in aid of the general rate and any superannuation allowance or gratuity under the provisions of the Act shall be paid by the Corporation out of the general rate fund or general rate.

(6) If any transferred officer by whom the annual contributions required by the Poor Law Officers Superannuation Act 1896 have been made becomes entitled to compensation by reason of the relinquishment or abolition of his office or determination of his appointment he shall be deemed to lose his office within the meaning of section 8 of that Act and the amount which he shall be entitled to receive in pursuance of that section shall include every payment made to the Corporation or the Brighton Guardians in respect of his contributions in pursuance of this Act but he shall not be entitled to claim any gratuity under or pursuant to the said section 8.

(7) The contributions which have been made by any transferred officer under the Poor Law Officers Superannuation Act 1896 shall in so far as such contributions have been received by any local authority or board of guardians from whom the officer is transferred be paid to the Corporation or the Brighton Guardians by that local authority or board of guardians.

79.—(1) Every officer in office at the passing of this Act who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by determination of his appointment or by diminution or loss of salary fees or emoluments (and for whose compensation for that loss provision is not made by any other enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Compensation to existing officers.

(2) For the purposes of this section any transferred officer—

(a) who relinquishes under the provisions of this Act a transferred office; or

(b) whose services are dispensed with or whose salary fees or emoluments are reduced within five years after the appointed day because his

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927..

A.D. 1927.

services are not required or his duties are diminished and not on the ground of misconduct;

shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Act.

(3) If by the Hove Order the Steyning East District shall be reduced in area on the appointed day or if by an order or orders of the county council made under section 57 of the Act of 1888 and confirmed by the Minister the Steyning East Council shall on the appointed day or within twelve months thereafter be dissolved then—

(a) Subsection (1) of this section shall extend and apply to every officer of the Steyning East Council in office at the passing of this Act who by virtue of this Act or the Hove Order or the order or orders of the county council suffers any such pecuniary loss as is mentioned in that subsection;

(b) Any application for compensation under this subsection shall be made to the Corporation and any compensation payable hereunder shall be defrayed by the Corporation but shall if necessary be a matter for adjustment under section 62 of the Act of 1888 between the Corporation the Hove Corporation and the Council of any district to which any portion of the Steyning East district is transferred and for that purpose the expression "council" in subsections (5) (6) and (7) of the said section 62 shall be deemed to include the council of any such district as aforesaid;

(c) References in subsection (2) of this section to this Act shall be read as including a reference to the Hove Order and any such order or orders of the county council. Provided that nothing in this subsection shall entitle any such officer of the Steyning East Council to claim or receive compensation for the same pecuniary loss under this Act and also under the Hove Order or any such order or orders of the county council.

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

A.D. 1927.
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Determination of compensation.

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

- (a) Any reference in that section to the county council shall be construed as a reference to the Corporation and any references in that section to the Treasury shall be construed as a reference to the Minister;
- (b) References in that section to “the passing of this Act” shall be construed as references to the appointed day;
- (c) The expression in subsection (1) of that section “the Acts and rules relating to Her Majesty’s Civil Service” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888; and
- (d) In subsection (7) of that section for the words “under the same or any other county council” there shall be substituted the words “under any local authority as defined by the Local Government and other Officers’ Superannuation Act 1922.”

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

For the purposes of this subsection the offices of clerk to an assessment committee constituted under the Rating Act superintendent registrar registrar of births

A.D. 1927. and deaths and registrar of marriages shall be deemed to be offices under a local authority.

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

(5) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or of the register of electors under the Representation of the People Acts 1918 to 1926 shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

(6) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces or the forces of the allied or associated powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the armistice voluntarily extended his term of service in the forces no period of absence during such extension shall be reckoned.

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

Compensation and superannuation.

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

82. The provisions of the three immediately preceding sections of this Act shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority :

A.D. 1927.

As to
teachers in
public
elementary
schools.

Provided that—

- (a) in the case of a teacher employed in a public elementary school maintained but not provided by the authority the provisions with respect to an officer whose services are dispensed with shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day ;
- (b) in the application of subsection (7) of section 120 of the Act of 1888 in the case of a teacher to whom a compensation allowance has been granted in pursuance of this section service in a public elementary school maintained but not provided by a local authority shall be deemed to be service in an office under that authority.

83. Subject to any adjustment all rates not collected at the appointed day and levied by any rating authority (as defined in the Rating Act) or their predecessors upon any hereditament situate in any rating area or parish affected by this Act shall be collected and recovered by the rating authority of the area in which the hereditaments will be situate by virtue of this Act or by officers duly authorised by such last mentioned rating authority.

Arrears of
rates made
by rating
authorities.

84. For the purpose of determining the rateable value of any hereditament within the borough which belongs to class (3) specified in the first column of the table contained in Part II of the Second Schedule to the Rating Act a deduction of thirty per centum shall be made from the net annual value of the hereditament.

As to
rateable
value of
special
properties.

85. The total amount in the pound of the general rate or rates to be made and levied by the Corporation upon any rateable hereditament (other than a hereditament to which the immediately preceding section of

Differential
rates.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. this Act applies) situate in the part of the borough which comprises an area described in column 1 of the Fourth Schedule to this Act shall in each of the years specified in column 2 of that schedule be less than the total amount in the pound of the general rate or rates to be made and levied by the Corporation in the same year upon any hereditament (other than as aforesaid) within the part of the borough which comprises the existing parish of Brighton by the sum stated under the year in question opposite to the description of the area.

Repeal of certain provisions relating to rates.

86. The proviso to section 10 (Power to make rates for raising funds for the purposes of this Act) of the Brighton Pavilion Act 1850 and article 3 of the Provisional Order relating to the borough of Brighton which was confirmed by the Local Government Supplemental Act 1861 are hereby repealed except so far as the said proviso and article applied immediately before the appointed day to lands buildings or other hereditaments then belonging to the most Honourable Frederic William Fane Hervey Marquis of Bristol.

Audit of accounts of dissolved authorities.

87.—(1) The accounts of the Patcham Council of the Rottingdean Council and of the parish meeting of the existing parish of Ovingdean shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not passed.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer of the borough and shall if necessary be a matter for adjustment.

(3) This section shall extend to the accounts of any committee or officer of any authority mentioned in this section as it applies to the accounts of the authority.

Savings for actions contracts &c.

88. No alteration of area effected by this Act shall cause to abate prejudicially affect or prevent any action cause of action or proceeding which at the appointed day is pending or existing by or against any local authority parish council or board of guardians affected by this Act or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such authority council or board or their predecessors :

Provided that—

A.D. 1927.

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

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

Saving for qualification of aldermen councillors &c.

90. Notwithstanding the alterations in the areas of any parish district or borough effected by this Act all contribution orders issued and precepts made before the appointed day shall be as valid in law as if this Act had not been passed.

Saving for contribution orders and precepts.

A.D. 1927.

Saving
provisions.

91.—(1) Nothing in this Act shall except as otherwise expressly provided by this Act—

(a) be construed as restricting the powers of the Minister under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister the county council or the Corporation under the Act of 1888 or the Act of 1894;

(b) affect the limits of the parliamentary borough of Brighton or of the parliamentary county of East Sussex or of any division thereof or the powers of the county council under section 31 (Division of constituency into polling districts and appointment of polling places) of the Representation of the People Act 1918 or any order or scheme made by the county council for the division of the parliamentary county of East Sussex into polling districts and the appointment of polling places for parliamentary elections;

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

(d) affect the provisions of the Rating Act.

(2) Nothing in this Act shall affect land tax and for the purposes of income tax the provisions of the sections of this Act of which the marginal notes respectively are "Alterations of parishes and unions" "Further provisions as to alteration of boundary between Brighton and Hove" and "Consolidation of parishes" shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purpose of income tax under Schedules A and B for the preceding year is taken as the annual value of that property for the same purpose for that year.

PART V.

FINANCE AND MISCELLANEOUS.

Power to
borrow.

92.—(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 sums requisite for such purposes and they shall repay all moneys so borrowed within the respective periods mentioned in the second column thereof:—

A.D. 1927.

(1)	(2)
Purpose.	Period for repayment.
(a) For the purpose of making any payment to the county council or the Newhaven Council under the sections of this Act of which the marginal notes respectively are "Financial adjustment between Corporation and county council" and "Financial adjustment between Corporation and Newhaven Council."	Thirty years from the date or dates of borrowing.
(b) For the purpose of making any payment under the provisions of the sections of this Act of which the marginal notes respectively are "Compensation to existing officers" and "As to teachers in public elementary schools."	Twenty years from the date or dates of borrowing.
(c) For the payment of the costs charges and expenses referred to in the final section of this Act.	Five years from the passing of this Act.

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

(b) Any moneys borrowed under the powers of this subsection shall be repaid within such periods not exceeding sixty years as the Minister may prescribe.

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

93. When under the provisions of this Act or of any other Act of Parliament or of any Order confirmed by or

Investment
of and pay-
ments into

A.D. 1927.

sinking
fund.

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 the accumulations thereof (if any) 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):—

- (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 the Corporation being at liberty from time to time to vary and transpose such investments;
- (2) The appropriate yearly sums and the accumulations of the said yearly sums shall be paid and provided out of the general rate fund and general rate and any interest dividends and annual proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such yearly sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the general rate fund.

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

94.—(1) The town clerk shall if and when he is requested by the Minister so to do send to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation in pursuance of 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 sent 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.

(4) The following enactments are hereby repealed (namely):—

The Brighton Corporation Waterworks Act 1883 section 17 (Annual return to Local Government Board with respect to sinking fund);

The Act of 1884 section 162 (Annual return to Local Government Board with respect to sinking fund in respect of moneys borrowed on mortgage);

The Brighton Corporation Loans Act 1886 section 46 (Annual return to Local Government Board);

The Brighton Pavilion Order 1891 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1891 Article IV subdivisions (8) and (9);

So much of Article II of the Brighton Pavilion Order 1894 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1894 as applies to or for the purposes of that Order the provisions of subdivisions (8) and (9) of Article IV of the Brighton Pavilion Order 1891;

The Brighton Corporation Act, 1896 section 51 (Annual return to Local Government Board with respect to repayment of moneys borrowed on mortgage);

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

- A.D. 1927.
- The Brighton Corporation Water Act 1896 section 41 (Annual return to Local Government Board with respect to repayment of moneys borrowed on mortgage);
 - The Brighton Corporation Act 1900 section 76 (Annual return to Local Government Board with respect to repayment of moneys borrowed on mortgage);
 - The Brighton Corporation Act 1901 section 71 (Annual return to Local Government Board with respect to repayment of moneys borrowed on mortgage);
 - The Act of 1903 section 51 (Annual return to Local Government Board with respect to repayment of moneys borrowed on mortgage);
 - So much of section 45 of the Brighton Corporation Act 1912 and of section 28 of the Brighton Corporation Act 1913 and of section 27 of the Act of 1924 as extend or apply to or for the purposes of those respective Acts the provisions of the said section 51 of the Act of 1903;
 - The East Sussex County Council Act 1909 section 24;
 - So much of section 51 of the West Sussex County Council (Bridges) Act 1918 as relates to the Corporation.

Incorporation of certain financial provisions.

95. The following provisions of the Acts in this section mentioned shall so far as applicable extend and apply to and in respect of moneys borrowed by the Corporation under this Act as if they were re-enacted herein with any necessary modifications (that is to say):—

The Act of 1903—

- Section 48 (Protection of lenders from inquiry);
- Section 52 (Proceeds of sale of surplus lands to be treated as capital);
- Section 53 (Power to re-borrow);
- Section 54 (Power to borrow under Local Loans Act);
- Section 57 (Application of money borrowed);
- Section 58 (Saving for existing charges);
- Section 66 (Corporation not to regard trusts).

The Act of 1924—

A.D. 1927.

Section 23 (Provisions of Public Health Act as to mortgages to apply);

Section 24 (Mode of payment off of money borrowed);

Section 25 (Sinking fund (with the omission of the words "of the water undertaking" in subsection (11) of that section));

Section 28 (Inquiries by Minister of Health).

96. The Corporation with the consent of the owners of the lands abutting on so much of the roadway in the borough known as Farm Yard as is situate between the eastern end thereof and a point thirty-six feet westwards from that end may stop up and discontinue for traffic of every description the said portion of roadway and on the stopping up thereof all public and private rights of way and all other rights in over or affecting the said portion of roadway shall be by virtue of this Act extinguished and the soil thereof shall vest in the owners of the adjoining lands.

Power to stop up part of Farm Yard.

97.—(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 purpose as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under any general or local Act from time to time in force in the borough and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposal of such lands or interests in lands and may do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposal and on any exchange may give or take any money for equality of exchange:

Retention and disposal of lands.

Provided that the Corporation shall not unless the Minister otherwise directs sell lease or dispose of any lands under the powers of this section except at the best price or on the best terms which can reasonably

A.D. 1927.

be obtained but a purchaser or lessee shall not be concerned to inquire whether the direction 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 exchange or other disposal 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 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.

Power to
develop
lands &c.

98.—(1) The Corporation may with respect to any lands for the time being belonging to them and not required for the purpose for which they were acquired exercise all or any of the following powers (viz.) :—

(a) they may with the consent of the Minister lay out and develop any such lands and on any such lands may erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways;

(b) they may grant any easements rights or privileges in under or over any such lands and may pull down and remove any house or other building situate on any such lands and use or dispose of the materials thereof.

(2) The Corporation may also sell lease (for any period not exceeding 99 years) exchange or otherwise dispose of any houses shops offices warehouses or buildings erected or situate on any such lands and subject to such

terms conditions and restrictions as they may think fit including conditions and restrictions as to the buildings to be erected and the use to which such buildings may be put. A.D. 1927.

(3) The provisions of this section shall be in addition to and not in derogation of any other powers vested in or exerciseable by the Corporation.

(4) Notwithstanding the foregoing provisions of this section the Corporation shall not under the powers of this section—

(a) lay out or develop any lands or erect on any lands any houses shops offices warehouses or other buildings in any manner which infringes any then existing legal right of any owner lessee or occupier of adjoining lands; or

(b) except with the consent of the Minister sell lease or dispose of any such houses or other buildings except at the best price or on the best terms which can reasonably be obtained but nothing in this subsection shall require a purchaser or lessee from the Corporation to inquire whether the consent of the Minister is necessary or has been obtained.

99. The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired by the Corporation under the provisions of any general or local Act from time to time in force in the borough with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange. Power to reinstate owners of property.

100.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under Further powers for acquisition of land.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the general district fund and general district rate of the existing borough until the appointed day and thereafter out of the general rate fund and general rate.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister any capital moneys received by them on the resale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

(a) in or towards the extinguishment of any loan raised by them under the powers of this section such application being 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; or

(b) in such other manner as may be approved by the Minister.

Expenses of execution of Act. **101.** All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the general rate fund and general rate.

Repeal. **102.** Section 82 (No old building to be altered or new building to be erected without notice to surveyor) of the Local Act 6 Geo. IV. c. 179 and section 101 (Height of rooms) of the Act of 1884 are hereby repealed.

Crown rights. **103.** 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. A.D. 1927.

104. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and general rate or out of such other funds and revenues and in such proportions as the Corporation may by resolution determine or out of moneys to be borrowed under this Act for that purpose. Costs of Act.

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

The SCHEDULES referred to in the
foregoing Act.

FIRST SCHEDULE.

PART I.

LOCAL ACTS.

Session and Chapter.	Title or Short Title.
6 Geo. 4. c. clxxix. -	An Act for the better regulating paving and improving and managing the town of Brighthelmston in the county of Sussex and the poor thereof.
13 Vict. c. v. -	The Brighton Pavilion Act 1850.
18 Vict. c. vi. -	The Brighton Commissioners Transfer Act 1855.
18 Vict. c. xxxi. -	An Act to confirm the incorporation of the Borough of Brighton.
30 Vict. c. xxii. -	The Brighton Pavilion Act 1867.
35 & 36 Vict. c. lxxxvi. -	The Brighton Corporation Waterworks Act 1872.
36 & 37 Vict. c. cxxv. -	The Brighton Borough Extension Act 1873.
39 Vict. c. xxxiv. -	The Brighton Pavilion Acts Amendment Act 1876.
46 Vict. c. vi. -	The Preston Park Act 1883.
46 & 47 Vict. c. ciii. -	The Brighton Corporation Waterworks Act 1883.
47 & 48 Vict. c. cclxii. -	The Brighton Improvement Act 1884.
49 & 50 Vict. c. lxiv. -	The Brighton Corporation Loans Act 1886.
59 & 60 Vict. c. cxxxvii. -	The Brighton Corporation Water Act 1896.
59 & 60 Vict. c. ccxxi. -	The Brighton Corporation Act 1896.
63 & 64 Vict. c. xcix. -	The Brighton Corporation Act 1900.
1 Edw. 7. c. ccxxiv. -	The Brighton Corporation Act 1901.
3 Edw. 7. c. ccxxv. -	The Brighton Corporation Act 1903.
2 & 3 Geo. 5. c. lvii. -	The Brighton Corporation Act 1912.
3 & 4 Geo. 5. c. xlvi. -	The Brighton Corporation Act 1913.
14 & 15 Geo. 5. c. lxiii. -	The Brighton Corporation Water Act 1924.

PART II.

A.D. 1927.

CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
24 & 25 Vict. c. 39.	The Local Government Supplemental Act 1861.	The Order relating to Brighton dated 24th April 1861.
39 & 40 Vict. c. cxcviii.	The Local Government Board's Provisional Orders Confirmation (Bingley &c.) Act 1876.	The Order relating to Brighton dated 22nd June 1876.
46 & 47 Vict. c. ccxx.	The Electric Lighting Orders Confirmation (No. 8) Act 1883.	The Brighton Electric Lighting Order 1883.
54 & 55 Vict. c. lxx.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1891.	The Brighton Pavilion Order 1891.
56 & 57 Vict. c. cxvii.	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1893.	The Order relating to Brighton dated 27th April 1893.
57 & 58 Vict. c. cxxiii.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1894.	The Brighton Pavilion Order 1894.
2 Edw. 7. c. ccii.	The Tramways Orders Confirmation (No. 1) Act 1902.	The Brighton Corporation Tramways Order 1902.
4 Edw. 7. c. lxii.	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1904.	The Brighton Pavilion Order 1904.
10 Edw. 7. & 1 Geo. 5. c. lxxxv.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1910.	The Brighton Order 1910.
7 & 8 Geo. 5. c. xxxv.	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1917.	The Brighton Order 1917.
10 & 11 Geo. 5. c. cxiii.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1920.	The Brighton Order 1920.
13 & 14 Geo. 5. c. xlvi.	The Ministry of Health Provisional Order Confirmation (Brighton Extension) Act 1923.	The Brighton (Extension) Order 1923.
14 & 15 Geo. 5. c. lxxxi.	The Ministry of Health Provisional Orders Confirmation (No. 9) Act 1924.	The Brighton Order 1924.
15 & 16 Geo. 5. c. lxxviii.	The Ministry of Health Provisional Orders Confirmation (No. 3) Act 1925.	The Brighton (Poor Law) Order 1925.
15 & 16 Geo. 5. c. lxxxii.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1925.	The Brighton Order 1925.

A.D. 1927.

SECOND SCHEDULE.

WARDS FOR THE ELECTION OF COUNCILLORS OF THE
BOROUGH AND OF GUARDIANS FOR THE PARISH OF
BRIGHTON.

	Column 1. No. of each Ward.	Column 2. Name of each Ward.
1	- - - - -	- King's Cliff.
2	- - - - -	- Queen's Park.
3	- - - - -	- Pier.
4	- - - - -	- Pavilion.
5	- - - - -	- Regency.
6	- - - - -	- West.
7	- - - - -	- Montpelier.
8	- - - - -	- St. Nicholas.
9	- - - - -	- St. John's.
10	- - - - -	- Hanover.
11	- - - - -	- St. Peter's.
12	- - - - -	- Elm Grove.
13	- - - - -	- Lewes Road.
14	- - - - -	- Moulescoomb.
15	- - - - -	- Preston Park.
16	- - - - -	- Hollingbury.
17	- - - - -	- Preston.
18	- - - - -	- Patcham.
19	- - - - -	- Rottingdean.

THIRD SCHEDULE.

AGREEMENT WITH HOVE CORPORATION.

Stamp.



AN AGREEMENT made the twenty-seventh day of January 1927 between the MAYOR ALDERMEN AND BURGESSSES OF THE COUNTY BOROUGH OF BRIGHTON (hereinafter called "the Brighton Corporation") of the one part and the MAYOR ALDERMEN AND BURGESSSES OF THE BOROUGH OF HOVE (hereinafter called "the Hove Corporation") of the other part.

WHEREAS the Brighton Corporation in the ensuing session of Parliament intend to promote a Bill for an Act the short title whereof is "The Brighton Corporation Act 1927" (hereinafter

called "the Bill") and by clause 5 thereof it is provided inter alia A.D. 1927.
(a) that the portion of the borough of Hove coloured blue on the plan annexed hereto (hereinafter called "the added part of Hove") shall cease to form part of the borough of Hove and shall be transferred to and form part of the county borough of Brighton
(b) that the portion of the county borough of Brighton coloured green and hatched green on the said plan (hereinafter called "the transferred area") shall cease to form part of the county borough of Brighton and shall be transferred to and form part of the Goldsmid Ward of the borough of Hove :

And whereas by a memorial addressed to the Minister of Health dated the 30th day of August 1926 and under the common seal of the Hove Corporation the Hove Corporation prayed the Minister of Health to cause a local inquiry to be made with regard to the therein foregoing representation as to the alteration of the boundaries of the borough of Hove and to make an order for giving effect to the proposals contained in that behalf in such representation with such additions and alterations as might be deemed expedient and to cause to be introduced into Parliament a Bill to confirm such order :

And whereas by the said representation it was submitted (inter alia) (a) that in that portion of Dyke Road which runs from the Seven Dials to The Drove the boundary between the county borough of Brighton and the borough of Hove should run along the inside edge of the south-westerly pavement so that the entire area of the roadway and footways should be in the county borough of Brighton and that from The Drove to the north-west boundary at the Redhill Reservoir the entire area of the road and footways should be included in the borough of Hove (b) that the boundaries of the borough of Hove should be altered so as to include therein (1) the parish of Preston Rural (2) that part of the parish of Patcham lying to the south-west of the Dyke Road together with that part of the Dyke Road upon which the same abuts (3) that part of the county borough of Brighton lying on the south-westerly side of Dyke Road (being the portion of the county borough of Brighton coloured green on the said plan and hereinbefore referred to) :

And whereas since the date of the said memorial it has been agreed between the parties hereto that the suggested boundary between the county borough of Brighton and the borough of Hove shall be varied as hereinafter mentioned and that the transferred area be enlarged by the inclusion of so much of Goldsmid Road as is now in the county borough of Brighton and is hatched green on the said plan :

And whereas on the 18th day of October 1900 the Brighton Corporation in pursuance of the powers conferred upon them by section 69 of the Brighton Improvement Act 1884 ordered that the line shown by a brown line on the said plan annexed hereto

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927. — should be the prescribed line of frontage to be thereafter observed for buildings on the west side of Dyke Road :

And whereas by a conveyance dated the 28th day of August 1925 and made between the Brighton Corporation of the one part and John Reginald Brown of the other part (whereby the Brighton Corporation conveyed to the said John Reginald Brown a plot of land within the transferred area) the Brighton Corporation covenanted with the said John Reginald Brown as follows (namely) (1) that the Brighton Corporation would set back the fence shown with a green line on the plan drawn on the said conveyance and re-erect the same on the eastern boundary of the piece of land thereby conveyed within one calendar month after building operations should have been commenced on the said piece of land by the said John Reginald Brown (2) that the Brighton Corporation would make up and form as part of the highway (including laying paving kerbing and channelling) the strip of land lying to the east of the said last-mentioned boundary within one calendar month after completion of such building operations as aforesaid and afterwards maintain and keep the same as part of the highway known as Dyke Road :

And whereas it has been agreed between the parties hereto that this agreement shall contain the supplemental and consequential provisions hereinafter set forth :

Now therefore it is hereby agreed by and between the parties hereto that if and when the boundaries of the county borough of Brighton and the borough of Hove are extended as hereinbefore mentioned the following provisions shall have effect :—

1. The boundary between the county borough of Brighton and the borough of Hove shall be that shown by a red ticked line on the said plan annexed hereto and Dyke Road for the whole of its width (including the land lying between the brown line on such plan and the existing westerly boundary of Dyke Road as when and to the extent that such land is added to the road) from Seven Dials to the point where it crosses the existing boundary between the county borough of Brighton and the parish of Patcham shall be a highway repairable by the inhabitants at large of the county borough of Brighton and to this extent the agreement dated the nineteenth day of January 1893 and made between the Brighton Corporation of the first part the Hove Commissioners of the second part and the guardians of the poor of the Steyning Union of the third part Sir Julian Goldsmid of the fourth part Edward Beves and Francis Tooth of the fifth part Ellen Benett Stanford of the sixth part and Henry Arthur Fane Marmaduke Darell Jeffreys Percy Mansfield Morris Marmaduke Robert Jeffreys and the Rev. Horace Chapman of the seventh part (whereby some portion of Dyke Road is repairable at the joint expense of the Brighton Corporation and the Hove Corporation) shall be deemed to be varied to provide accordingly.

A.D. 1927.

2. Subject to the terms of this agreement—

- (a) the area lying between the existing boundary of the county borough of Brighton (shown by a black dotted line on the said plan) and the said red ticked line shall be deemed to be included in the expression "the added areas" as defined in clause 3 of the Bill;
- (b) the area comprising Goldsmid Road and hatched green on the said plan shall be deemed to be included in the expression "the transferred area" as defined in clause 3 of the Bill and the Hove Corporation shall use their best endeavours to secure that the area of Goldsmid Road is transferred from the county borough of Brighton to the borough of Hove along with the remainder of the transferred area.

3. Without prejudice to the general operation of clause 6 hereof the Brighton Corporation may continue to supply electricity in the parish of Preston Rural and in that part of the parish of Patcham lying to the south-west of Dyke Road and may do all such works as may be necessary to enable them to afford such supply. The charges to be made to consumers in the parish of Preston Rural and the said part of the parish of Patcham shall not exceed by more than $12\frac{1}{2}$ per cent. the charges made for the time being to consumers of the corresponding class within the county borough of Brighton. The Hove Corporation may if they so desire continue to supply electricity to the twenty houses in the parish of Preston Rural to which they are at the date of this agreement affording supplies under special orders in that behalf.

4. The following financial provisions consequent on this agreement or on the addition to the county borough of Brighton of the added part of Hove or on the addition to the borough of Hove of the transferred area shall have effect:—

- (1) In respect of the surplus assessable value transferred to the borough of Hove from the county borough of Brighton over and above the assessable value transferred to the county borough of Brighton from the borough of Hove and in full settlement of all financial adjustments arising under or pursuant to this agreement or under or pursuant to the Local Government Act 1888 the Local Government (Adjustments) Act 1913 or any other Act or Acts upon which financial questions arise there shall be paid by the Hove Corporation to the Brighton Corporation on the 1st day of April 1928 the capital sum of £5,750:
- (2) At any time after the giving of Royal Assent to the Bill and before the expiration of a period of fourteen days from the 1st day of April 1928 (the date upon which the first new valuation made under the Rating and Valua-

[Ch. lxxxi.] *Brighton Corporation* [17 & 18 GEO. 5.]
Act, 1927.

A.D. 1927.

tion Act 1925 will come into operation in respect of the existing county borough of Brighton) the Brighton Corporation and the Hove Corporation shall make application to the Minister of Health to consider and determine after considering any representations which may be made to him by the Brighton Corporation the Hove Corporation or any ratepayer in the added part of Hove or the transferred area—

(a) the amount in the £ (if any) by which the rate to be made and levied upon rateable hereditaments situate in the added part of Hove shall vary from year to year from the rate to be made and levied upon rateable hereditaments situate in the remainder of the county borough of Brighton;

(b) the amount in the £ by which the rate to be made and levied upon rateable hereditaments situate in the transferred area shall vary from year to year from the rate to be made and levied upon rateable hereditaments situate in the remainder of the borough of Hove; and

(c) the period during which the differential rates (if any) referred to in paragraphs (a) and (b) of this sub-clause shall be made and levied.

5.—(1) Notwithstanding the transfer to the borough of Hove of the transferred area the Brighton Corporation may in connection with the line of frontage shown by a brown line on the said plan exercise all such powers and shall have all such rights and remedies as they now have or may in future obtain relating to the prescription and definition of lines of frontage and the purchase and addition to streets of land and other consequences of such prescription and definition.

(2) As and when and to the extent that the Brighton Corporation exercise such powers rights and remedies as aforesaid the Hove Corporation shall repay to the Brighton Corporation one half the cost incurred by the Brighton Corporation in connection therewith (including compensation paid to any person for loss damage or injury sustained by him by reason or in consequence of the exercise of such powers rights and remedies by the Corporation) as certified by the borough surveyor for the time being of the Brighton Corporation.

(3) As and when and to the extent that the land lying between the brown line on the said plan and the existing westerly boundary of Dyke Road shall be added to the said road such land shall for all purposes be deemed to be within the county borough of Brighton.

6. Nothing herein contained shall affect the rights or obligations at present subsisting in the added part of Hove the trans-

ferred area or the area lying between the existing boundary of the county borough of Brighton and the red ticked line on the plan annexed hereto with regard to the laying maintenance or use of sewers or the supply of electricity and the laying maintenance and use of electrical supply cables or apparatus. A.D. 1927.

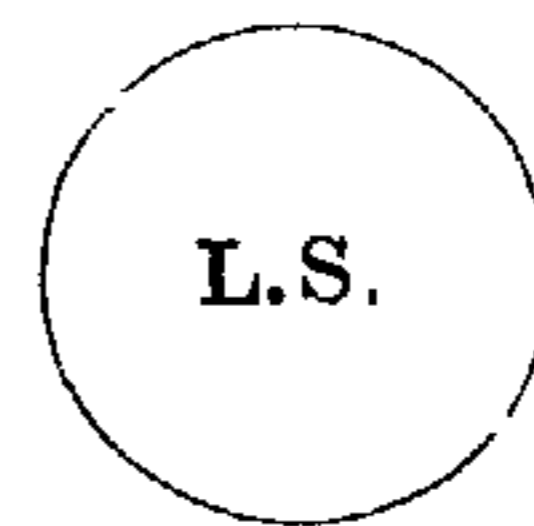
7. In any Provisional Order or Act of Parliament providing for the extension of the borough of Hove there shall be inserted a provision requiring the Hove Corporation so far as may be reasonably practicable to secure that all surface water and storm water from any area added to the borough of Hove by such Provisional Order or Act of Parliament shall be excluded from any sewer for draining any such area which communicates directly or indirectly with a sewer of the Brighton Intercepting and Outfall Sewers Board.

8. This agreement shall be scheduled to the Bill and the Brighton Corporation shall use their best endeavours to procure the insertion in the Bill of such provisions as may be required for the purpose of giving effect to this agreement and the Hove Corporation shall use their best endeavours to procure the insertion in any such Provisional Order or Act of Parliament as in the last clause mentioned of such provisions as may be required for the purpose of giving effect to this agreement.

9. This agreement is subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein either party may withdraw from the agreement.

In witness whereof the said parties to these presents have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the mayor aldermen and burgesses of the county borough of Brighton }
was hereunto affixed in the presence of

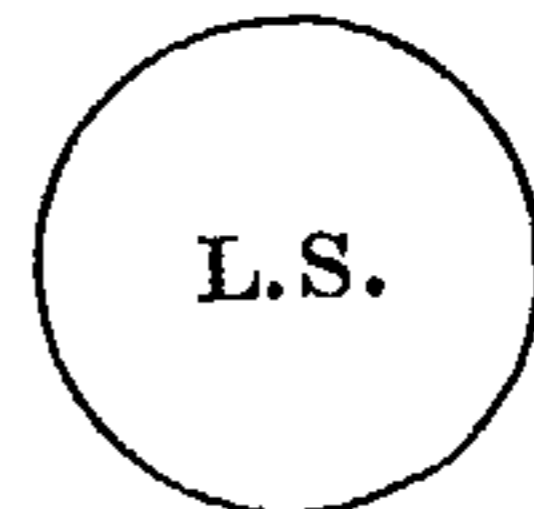


(Signed) R. MAJOR Mayor.

(Signed) G. D. HELLIWELL

Deputy Town Clerk.

The common seal of the mayor aldermen and burgesses of the borough of Hove was here- }
unto affixed in the presence of



(Signed) W. JERMYN HARRISON

Town Clerk.

A.D. 1927.

FOURTH SCHEDULE.

RELIEF FROM THE GENERAL RATE.

Column 1. Description of areas.	Column 2. Year commencing the 1st day of April											
	1928	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
The existing parish of Preston.	1 8	1 6	1 4	1 2	1 0	0 10	0 8	0 6	0 4	0 2	Nil	Nil
The added part of Patcham the added part of West Blatchington and the existing parish of Ovingdean.	3 0	2 9	2 6	2 3	2 0	1 9	1 6	1 3	1 0	0 9	0 6	0 3
The added part of Falmer.	2 6	2 3	2 0	1 9	1 6	1 3	1 0	0 9	0 6	0 3	Nil	Nil
The existing parish of Rottingdean.	1 6	1 4	1 2	1 0	0 10	0 8	0 6	0 4	0 2	Nil	Nil	Nil

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