

[18 & 19 GEO. 5.] *Sheffield Corporation* [Ch. lxxxvii]  
*Act, 1928.*



## CHAPTER lxxxvii.

An Act to extend the boundaries of the city of Sheffield to authorise the Corporation of that city to construct street improvements and additional tramways to confer further powers upon them with respect to their tramways waterworks electricity and markets undertakings to make better provision for the health local government and finance of the city and for other purposes.

A.D. 1928.

[3rd August 1928.]

**W**HEREAS the city of Sheffield (in this Act referred to as "the city") 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 is subject to the jurisdiction of the lord mayor aldermen and citizens of the city (in this Act referred to as "the Corporation"):

And whereas the city now comprises the townships of Sheffield and Ecclesall and the parish of Handsworth in the Sheffield Poor Law Union the township of Tinsley in the Rotherham Poor Law Union and the parish of Bradfield Urban and the township of Ecclesfield Urban in the Wortley Poor Law Union:

And whereas a portion of the townships of Dore and Totley in the rural district of Norton in the Sheffield Poor Law Union certain detached portions of the parish of Derwent in the rural district of Chapel-en-le-Frith and

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A.D. 1928. — the Chapel-en-le-Frith Poor Law Union a detached portion of the parish of Outseats and certain portions of the parish of Hathersage in the rural district of Bakewell and the Bakewell Poor Law Union comprise areas known as Hathersage Moor Burbage Moor and Hound Kirk Moor which belong to the Corporation and certain lands adjoining thereto :

And whereas it is expedient that the boundaries of the city and of the township of Ecclesall should be extended so as to include therein the said portions of townships and parishes and that the said portions of parishes should be transferred to the Sheffield Poor Law Union :

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

And whereas it is expedient that the Corporation should be empowered to construct certain street improvements and to acquire lands for those purposes and for the purposes of works for sewage disposal :

And whereas it is expedient that the Corporation should be empowered to construct certain tramways within and outside the city and that further powers should be conferred upon them with respect to their tramways undertaking :

And whereas it is expedient that further powers should be conferred upon the Corporation in connection with their waterworks electricity and markets undertakings :

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

And whereas estimates have been prepared by the Corporation in relation to the following purposes in

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respect of which they are by this Act authorised to borrow money and such estimates are as follows:— A.D. 1928.

	£
For the purchase of lands and for the construction of the street improvements by this Act authorised - -	296,535
For the construction and equipment of the tramways by this Act authorised or confirmed - - - - -	148,704
For the construction and equipment of certain authorised tramways - -	10,000
For the provision of tramcars - -	185,063
For tramway depôts - - - - -	5,775
For the provision of omnibuses - -	60,348
For the extension of mains and for other purposes of the waterworks undertaking - - - - -	200,000

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

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

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

And whereas the objects of this Act cannot be attained without the authority of Parliament :

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

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A.D. 1928. 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.

Short title. 1. This Act may be cited as the Sheffield Corporation  
Act 1928.

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

- Part I.—Preliminary.
- Part II.—Extension of city.
- Part III.—Street improvements and lands.
- Part IV.—Tramways &c.
- Part V.—Water.
- Part VI.—Electricity.
- Part VII.—Markets and slaughter-houses.
- Part VIII.—Streets and buildings.
- Part IX.—Sewers and drains.
- Part X.—Sanitary provisions.
- Part XI.—Infectious disease.
- Part XII.—Human food.
- Part XIII.—Common lodging-houses.
- Part XIV.—Hackney carriages.
- Part XV.—Police provisions.
- Part XVI.—Employment agencies.
- Part XVII.—Regulations for sale of coke &c.
- Part XVIII.—Finance.
- Part XIX.—Miscellaneous.

Incorporation of Acts. 3. The following Acts and parts of Acts so far as the  
same are applicable to the purposes of and are not incon-  
sistent with the provisions of this Act are hereby incor-  
porated with and form part of this Act (that is to say) :—

- (1) The Lands Clauses Acts except section 127 of  
the Lands Clauses Consolidation Act 1845 :
- (2) Section 3 (Interpretation of terms) section 19  
(Local authority may lease or take tolls) and

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Parts II and III of the Tramways Act 1870 A.D. 1928.  
Provided that the said section 19 shall be read  
and have effect as if the words "but nothing in  
" this Act contained shall authorise any local  
" authority to place and run carriages upon  
" such tramways and to demand and take tolls  
" and charges in respect of the use of such  
" carriages " were omitted from that section.

4. Subject to the provisions of this Act and unless Interpretation.  
the subject or context otherwise requires the several  
words and expressions to which by the Acts wholly or  
partially incorporated with this Act and by the Public  
Health Acts meanings are assigned shall in this Act  
have in relation to the relative subject matter the same  
respective meanings And in this Act—

" The appointed day " means the first day of April  
one thousand nine hundred and twenty-nine;

" The existing city " means the city of Sheffield as  
it exists at the passing of this Act;

" The city " means until the appointed day the  
existing city and thereafter the existing city as  
extended by this Act;

" The township " means the township of Ecclesall as  
extended by this Act;

" The council " means the council of the city;

" The Corporation " means as the context requires  
the lord mayor aldermen and citizens of the  
existing city or of the city acting by the council;

" The town clerk " " the surveyor " " the sanitary  
inspector " " the medical officer " and " the  
treasurer " mean respectively the town clerk  
the surveyor any sanitary inspector the medical  
officer of health and the treasurer of the city  
and respectively include any person duly ap-  
pointed by the Corporation to discharge tem-  
porarily the duties of any such officer;

" The general rate fund " and " the general rate " mean  
respectively the general rate fund and  
the general rate of the city or until the date when  
the first new valuation list made under Part II  
of the Rating and Valuation Act 1925 comes  
into force in the city the city fund and the city  
rate of the city;

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“The city map” means the map marked “Map of the city of Sheffield as extended by the Sheffield Corporation Act 1928” and signed in triplicate by the Right Honourable the Viscount Younger of Leckie the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk at his office;

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

“The Norton district” “the Chapel-en-le-Frith district” and “the Bakewell district” and “the Norton Council” “the Chapel-en-le-Frith Council” and “the Bakewell Council” mean respectively the rural districts of Norton Chapel-en-le-Frith and Bakewell and the rural district councils of those districts;

“The district councils” means the Norton Council the Chapel-en-le-Frith Council and the Bakewell Council;

“The parish councils” means the parish councils of Dore Totley and Hathersage;

“The added part” of each of the townships of Dore and Totley and of each of the parishes of Derwent Outseats and Hathersage means the part or parts of those townships and of those parishes respectively which is or are by this Act added to the city and coloured red on the city map and “the excluded part” of each of those townships and of each of those parishes means the remaining part or parts thereof;

“The added area” means the part or parts of the townships of Dore and Totley and of the parishes of Derwent Outseats and Hathersage by this Act added to the city;

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

“The Minister” means the Minister of Health;

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“Local authority” (where used in Part II (Extension of city) of this Act) 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” means an officer whose remuneration is paid by a local authority;

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

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

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

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

“The Act of 1918” means the Sheffield Corporation (Consolidation) Act 1918;

“The Act of 1920” means the Sheffield Corporation Act 1920;

“The street improvements” means the street widenings and improvements and new streets and works in connection therewith by this Act authorised;

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

“The arbitrator” means the arbitrator to whom any question of disputed compensation is referred under the provisions of this Act;

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

“The tramways” means the tramways by this Act authorised to be constructed;

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

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

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- “The electricity undertaking” means the electricity undertaking of the Corporation as from time to time authorised;
- “The electricity limits” means the limits within which the Corporation are from time to time authorised to supply electricity;
- “The markets undertaking” means the markets undertaking of the Corporation as from time to time authorised;
- “Daily penalty” means a penalty for every day on which any offence is continued after conviction;
- “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the city and includes any other infectious disease which the Minister may by order made under section 60 of the Public Health Act 1925 declare to be a dangerous infectious disease;
- “Child” means a person under the age of sixteen years;
- “Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether on a Sunday or not;
- “Food” includes every article (other than drugs or water) used for food or drink by man;
- “Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;
- “Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money



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or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and

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“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order of the Corporation.

All distances and lengths stated in any description of works or lands shall be read and have effect as if the words “or thereabouts” were inserted after each such distance and length.

## PART II.

### EXTENSION OF CITY.

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

Commence-  
ment of  
Part II.

Provided that for the purposes of all proceedings preliminary or relating to any local government election to be held in the year one thousand nine hundred and twenty-nine for any area affected by this Act this Part of this Act shall operate from the passing of this Act.

6.—(1) The boundary of the existing city shall be altered so as to include the added part of Dore the added part of Totley the added part of Derwent the added part of Outseats and the added part of Hathersage all of which are described in the Second Schedule to this Act.

Extension  
of city.

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(2) The boundary of the city shall be that shown by the outer edge of the green and red lines on the city 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 city and shall be the county borough of Sheffield for the purposes of the Act of 1888.

(3) If there be any discrepancy between the city map and the description in the Second Schedule to this Act of the areas to be added to the city the city map shall prevail.

Alteration  
of town-  
ships  
parishes and  
unions.

7. The added part of Dore the added part of Totley the added part of Derwent the added part of Outseats and the added part of Hathersage shall be added to the existing township of Ecclesall in the Sheffield Poor Law Union and each of the said added parts shall be separated from the existing township or parish and (except the added part of Dore and the added part of Totley) from the existing union of which it now forms part.

Deposit of  
maps.

8.—(1) Copies of the city 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 clerk to the Norton Council to the clerk to the Chapel-en-le-Frith Council to the clerk to the Bakewell Council to the guardians of the poor of the Sheffield Chapel-en-le-Frith and Bakewell Poor Law Unions 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 to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

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

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(3) All fees so received shall be carried to the credit of the general rate fund. A.D. 1928.

9.—(1) The boundaries of the west riding of the county of York and the county shall be altered so that the city shall be wholly situate in the said west riding and shall for the purposes of the Act of 1888 (including the purposes of any commission of assize oyer and terminer or gaol delivery the service of jurors the making of jury lists sheriff lieutenant and militia) and for the purposes of the Yorkshire Registries Act 1884 and any Act amending the same be within the said west riding. Alteration of county boundary &c.

(2) Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connection with any action or proceeding pending or existing at the appointed day and appertaining to any part of the added area shall be delivered turned over or transferred and signed in like manner in all respects so nearly as circumstances admit as is required to be done upon a new sheriff coming into office in like manner as if the sheriff of the said west riding were the new sheriff in succession to the sheriff of the county.

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

For the purposes of the election of councillors of the city the existing Hallam Ward of the city shall be extended so as to include the added area and the councillors representing the said existing ward shall be deemed from and after the appointed day to represent that ward as altered by this Act and shall remain in office until the day on which they would respectively have retired if this Act had not been passed.

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

12. Subject to the provisions of section 54 of the Act of 1888 and section 2 of the Representation of the People Act 1922 the added part of Dore and the added part of Totley shall be separated from the existing County electoral divisions.

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Norton electoral division of the county the added part of Derwent shall be separated from the existing Castleton electoral division of the county and the added part of Outseats and the added part of Hathersage shall be separated from the existing Baslow electoral division of the county and the councillors of the county who immediately before the appointed day represent the said existing Norton Castleton and Baslow electoral divisions respectively shall be deemed to have been elected to represent those divisions as respectively altered by this Act and shall retire on the day on which they would respectively have retired if this Act had not been passed.

Powers and duties of justices &c. extended.

**13.**—(1) The powers rights privileges authorities and duties of the quarter sessions recorder clerk of the peace stipendiary magistrate coroner and justices of the peace for the existing city and of the clerk to those justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city:

Provided that—

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

(2) The added area shall cease to form part of any petty sessional division or coroner's district of the county.

Officers of Corporation continued.

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

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**15.** Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing city (not being property held for any charitable trust) shall by virtue of this Act be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and exercise for the benefit of the city all the powers which on the day aforesaid are exercisable by or vested in the Corporation for the benefit of the existing city and all liabilities which on the day aforesaid attach to the Corporation in respect of the existing city shall from and after that day attach to them in respect of the city.

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Corporation  
property &c.

**16.** 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 area.

Jurisdiction  
of county  
authorities  
to cease.

**17.**—(1) The Norton Council the Chapel-en-le-Frith Council and the Bakewell Council shall cease to exercise any powers or discharge any duties within any part of the added area and subject to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attach to the Norton Council the Chapel-en-le-Frith Council or the Bakewell Council in relation exclusively to any part of the added area shall by virtue of this Act be transferred to vest in and attach to the Corporation.

Powers  
property &c.  
of district  
councils.

(2) Any property or liabilities vested in or attaching to any of the district councils in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

**18.**—(1) The liability for repayment of so much of any moneys borrowed by the district councils respectively or the county council or their respective predecessors for a purpose relating exclusively to any part of the added area as will be owing at the appointed day and for the payment of the interest thereon shall by virtue of this Act be transferred to and attach to the Corporation subject to any adjustment which may hereafter be made.

Mortgage  
debts of  
district  
councils  
county  
council and  
Corporation.

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(2) So much as will at the appointed day be owing in respect of any moneys borrowed as aforesaid together with so much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon the revenues general rate fund and general rate of the existing city shall by virtue of this Act be charged upon the revenues of the Corporation and the general rate fund and general rate.

(3) 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 sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

(4) Nothing in this Act shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by subsection (1) of this section or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Act had not been passed and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Act the power may continue to be exercised as if this Act had not been passed and the general rate shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Act had not been passed.

Local Acts  
and Orders.

**19.**—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts and Orders specified in the First Schedule to this Act and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any other Order confirmed by or having the effect of an Act of Parliament and affecting the existing city or the Corporation as the same respectively are in force within the existing city at the appointed day shall extend and apply to the city and any reference therein to the existing city and the Corporation shall be deemed to refer to the city and the Corporation:

Provided that nothing in this Act shall extend the operation of section 397 (Differential rating in Bradfield

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Urban parish) of the Act of 1918 or section 33 (Relief from contributions to the city rate) of the Sheffield (Extension) Order 1921 : A.D. 1928.

Provided also that any reference to the township or parish of Ecclesall in the Sheffield Corporation Act 1925 or any order of the Minister made thereunder shall be deemed to refer to the township of Ecclesall as extended by this Act.

(2) Any provisions in any local Act or any Order duly confirmed or having effect as if enacted by Parliament for the benefit or protection of any of the parish councils or district councils or of the county council or of the standing joint committee of the county or their respective predecessors shall so far as they relate to or affect any part of the added area from and after the appointed day enure for the benefit and protection of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to any such council or committee or their predecessors as the case may be.

**20.** The limits for the supply of water by the Corporation shall be extended so as to include the added part of Derwent the added part of Outseats and the added part of Hathersage. Water limits.

**21.** The electricity limits shall be extended so as to include the added part of Derwent the added part of Outseats and the added part of Hathersage. Electricity limits.

**22.—**(1) The provisions of— Adoptive Acts.  
The Baths and Washhouses Acts 1846 to 1925;  
The Infectious Disease (Prevention) Act 1890;  
Parts II III and IV of the Public Health Acts Amendment Act 1890;  
The Notification of Births Act 1907;  
The Public Libraries Acts 1892 to 1919; and  
Part II (except sections 13 16 to 19 23 and 34)  
Part III (except section 44) Part IV and  
Part V (except sections 51 and 54) of the  
Public Health Act 1925;

as in force in the existing city shall be in force in and apply to the city as if the same had been adopted for the city.

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(2) The provisions of any adoptive Act other than of Acts in force in the existing city shall cease to be in force in the added area.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which may be in force at the appointed day throughout the existing city shall extend and apply to the added area and any such order in force at the appointed day in the added area shall cease to be in force therein.

Powers  
under Act  
of 1907.

**23.** Subject to the provisions of any order which the Minister or the Secretary of State may make after the appointed day the following provisions shall have effect as regards orders under the Act of 1907 or the Public Health Act 1925:—

- (a) The provisions of any order made before the appointed day whereby any parts or sections of either of the said Acts are in force immediately before the appointed day in the existing city shall have effect as if any reference in those provisions to the existing city extended and applied to the city and as if the said parts or sections were accordingly in force in the city;
- (b) Any other order under either of the said Acts which is in force at the appointed day throughout the existing city shall extend and apply to the added area;
- (c) The provisions of any order made before the appointed day and declaring to be in force in any part of the added area any parts or sections of either of the said Acts 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.

Corporation  
to be burial  
board.

**24.** The added area shall be included within the limits for which the Corporation act as a burial board Provided that nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet.



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gravestone or inscription which any person may have acquired prior to the appointed day or prejudicially affect any right privilege or authority which immediately prior thereto is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906. A.D. 1928.  
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**25.**—(1) The provisions of any order under section 33 of the Act of 1894 in force at the appointed day in the whole of the existing city (so far as such provisions still have effect) shall have effect as if any reference in that order applicable to the existing city extended and applied to the city. Orders under section 33 of Act of 1894.

(2) 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 township parish or liberty affected by this Act as if this Act had not been passed.

**26.** Any order in force under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day. Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1920.

**27.** Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of those Acts remain in force and apply to the area to which it applies immediately before the appointed day. Orders under Wild Birds Protection Acts.

**28.**—(1) All byelaws made under the Public Health Acts and in force within the existing city or within any part of the added area immediately before the appointed day shall continue to apply to the existing city or such part of the added area as the case may be until repealed or altered by the Corporation. Byelaws.

(2) Any such byelaws in force in the existing city may by a byelaw made in accordance with sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority be extended with or without modification to the added area.

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(3) All other byelaws made by the Corporation or by the watch committee of the city and in force immediately before the appointed day shall apply to the city until repealed or altered and all byelaws made by the county council or the standing joint committee shall on that day cease to apply within the added area.

(4) In their application to the added area 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 area were referred to therein instead of the area to which they now apply.

(5) 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 area may be taken by the Corporation.

(6) 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" means byelaws which under the Ministry of Health Act 1919 are subject to confirmation by the Minister whether made before or after the passing of that Act.

Education  
byelaws and  
managers  
&c.

**29.**—(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing city immediately before the appointed day shall apply to the city until revoked or altered by the Corporation and from and after that day any byelaws then in force in the added area shall cease to be in force therein.

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

County  
police.

**30.**—(1) At the appointed day such number of the members of the police force of the county as shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the city or in default of any such agreement as shall be determined by the Secretary of State shall be transferred to and become part of the police force of the city :

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Provided that no member of the police force of the county shall be so transferred without his consent. A.D. 1928.

(2) Every member of the county police force so transferred shall hold office in the police force of the city upon the same tenure and subject to the same terms and conditions as the other serving members of that police force of the same rank as such member and any period of service which he was entitled to reckon before such transfer for purposes of pay promotion or pension in the county police force shall be reckoned for the same purposes in the police force of the city :

Provided that where the scale of ordinary pensions applicable to a member of the county police force who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of the county police force transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer such member may not have completed one year's approved service in the county police force.

**31.**—(1) The local registrars for the county for the Norton district the Chapel-en-le-Frith district and for the Bakewell 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 city an office copy of every entry in the local land charges registers relating to any premises situate within the parts of the added area which are situate within the county and the said districts respectively as the case may be and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules. Provisions in reference to Land Charges Act 1925.

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

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A.D. 1928.

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

- (a) The local registrar for the city shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the county and in the register for the Norton district the Chapel-en-le-Frith district or the Bakewell district as the case may be;
- (b) Where application is made for an official search the local registrar for the city shall issue free of charge a certificate of official search in the register of the city and shall forward to the local registrar for the county the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the district affected a copy of the application;
- (c) The local registrar for the county and the local registrars for the said districts respectively shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;
- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrars for the said districts respectively in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;
- (e) Where a local land charge duly registered in the local land charges register of the county council or of a district council is in pursuance of this Act transferred from the county council or such district 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 city.

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**32.** Any resolution passed or other proceeding taken by the district councils respectively under the Town Planning Act 1925 or any enactment thereby repealed (including agreements orders and consents entered into made or given under that Act or repealed enactment) shall in so far as they relate to lands within the added area have effect as if they had been passed or taken by the Corporation in respect of those lands.

A.D. 1928.

—  
As to resolutions &c. of district councils under Town Planning Act 1925.

**33.** Subject to the provisions of section 60 of the Act of 1894 the following provisions shall have effect:—

As to district councillors and guardians.

(1) For the purposes of the election of guardians of the poor the existing Hallam Ward of the township shall be extended so as to include the added area and the guardians of the poor representing the said ward on the board of guardians of the Sheffield Union shall be deemed from and after the appointed day to represent that ward as altered by this Part of this Act until the day upon which they would have retired from office if this Act had not been passed:

(2) The persons who immediately before the appointed day are the rural district councillors and guardians for the townships of Dore and Totley and the parishes of Derwent Outseats and Hathersage respectively shall continue to represent those townships and parishes as altered by this Part of this Act on the council of the district and on the board of guardians of the union in which the said townships and parishes respectively are situate until the day upon which they would respectively have retired from office if this Act had not been passed.

**34.**—(1) The parish councils of Dore Totley and Hathersage and the parish meetings of the parishes of Derwent and Outseats shall cease to exercise any powers or discharge any duties within any part of the added area.

As to parish councils and parish meetings.

(2) The parish councillors elected for and representing the township of Dore the township of Totley and the parish of Hathersage respectively at the appointed day shall be deemed to have been elected for and to represent those townships and that parish respectively as altered by this Part of this Act.

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*Act, 1928.*

A.D. 1928.

—  
Powers pro-  
perty &c. of  
parish  
councils.

**35.**—(1) Subject to the provisions of this Act any powers and duties transferred by or under the Act of 1894 to the parish councils of Dore Totley and Hathersage so far as regards the added part of those townships and that parish respectively shall be vested in and imposed on the Corporation.

(2) Any property or liabilities held or incurred by the parish councils of Dore Totley and Hathersage in relation exclusively to the added part of those townships and that parish respectively or any portion thereof 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 parish councils of Dore Totley and Hathersage in relation to the added part of those townships and that parish respectively or any portion thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Powers pro-  
perty &c. of  
parish meet-  
ings.

**36.**—(1) Subject to the provisions of this Act any powers and duties transferred by or under the Act of 1894 to the parish meetings of the parishes of Derwent and Outseats so far as regards the added parts of those parishes shall be vested in and imposed on the Corporation.

(2) Any property or liabilities held or incurred by the said parish meetings respectively or by the representative body constituted by article 7 of the Overseers Order 1927 in relation exclusively to the added parts of the said parishes respectively or any portion thereof 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 said parish meetings or by the representative body constituted as aforesaid for the added parts of the said parishes respectively or any portion thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

As to supply  
of water to  
Bakewell  
Rural Dis-  
trict Coun-  
cil.

**37.**—(1) From and after the passing of this Act the Corporation if and when required so to do by the rural district council of Bakewell (in this section referred to as "the Bakewell Council") shall supply water in bulk to the Bakewell Council for use in the parishes of

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Hathersage and Outseats in such quantity not exceeding fifty thousand gallons in any one day as the Bakewell Council may from time to time require. A.D. 1928.

(2) The said supply of water shall until the happening of the event mentioned in subsection (3) of this section be afforded from the Burbage spring situate two hundred yards or thereabouts south-east of Burbage Bridge in the added area and shall be delivered into a pipe to be provided and laid by the Bakewell Council at their own expense at a point near the said spring to be agreed between the Corporation and the Bakewell Council or in default of agreement determined as in this section provided.

(3) If at any time after the passing of this Act the Corporation shall construct waterworks and a reservoir (upon the property of the Corporation or upon land adjacent thereto) and shall collect and store the waters of the Burbage spring by means of the said waterworks and reservoir the supply of water to be afforded under this section shall as from the date of the completion of such waterworks and reservoir be afforded from the said waterworks and reservoir and shall be delivered into a pipe to be provided and laid by the Bakewell Council at their own expense at such point as may be agreed or determined as aforesaid.

(4) During the period prior to the completion of construction of the waterworks and reservoir referred to in subsection (3) of this section the said supply of water shall be collected from the said Burbage spring by means of works to be constructed by the Bakewell Council at their own expense such works to be reasonably approved by the general manager of the waterworks undertaking and shall be delivered into the said pipe of the Bakewell Council referred to in subsection (2) of this section at such pressure as may be afforded by gravitation. After the construction of the said waterworks and reservoir of the Corporation the said supply of water shall be delivered into the said pipe of the Bakewell Council referred to in subsection (3) of this section at such pressure as may be afforded by gravitation.

(5) Forthwith upon the commencement of the said supply of water from the said waterworks the Bakewell Council shall at their own expense and to the reasonable

A.D. 1928. satisfaction of the said general manager remove the works constructed by them as aforesaid for the purpose of collecting the waters of the said Burbage spring and shall restore the site thereof as nearly as may be possible to its original condition.

(6) The Bakewell Council shall pay to the Corporation for water supplied to them by the Corporation under this section a sum calculated at the rate of three-pence per thousand gallons. Provided that in respect of any day on which the quantity of water taken by the Bakewell Council shall be less than thirty thousand gallons the Bakewell Council shall pay for that quantity as if the same had been taken.

(7) The amounts payable by the Bakewell Council to the Corporation for water supplied to them under this section shall be payable on the usual quarter days in respect of the quarter then terminating and the moneys payable for such supply shall be recoverable in the same manner as water rates.

(8) For the purpose of measuring the quantities of water supplied in pursuance of this section the Corporation shall at their own expense erect and maintain a proper and suitable self-recording measuring gauge or meter over or through which the water shall flow. The said gauge or meter shall be the property of the Corporation and together with the records thereof shall be open to the inspection and examination of the Bakewell Council or any duly authorised officer or representative of the Bakewell Council. The Bakewell Council shall pay to the Corporation an annual rent for the said gauge or meter equal to ten per centum of the actual cost thereof such payments to be made by quarterly instalments on the usual quarter days and to be recoverable in the same manner as water rates.

(9) The Corporation shall grant to the Bakewell Council without payment all such easements and rights of access over any land acquired by or belonging to the Corporation as may reasonably be required by the Bakewell Council from time to time for the purposes of enabling them—

(i) to construct maintain and repair the works to be constructed by them in accordance with subsection (4) of this section for the purpose of



collecting the waters of the said Burbage spring; A.D. 1928.

- (ii) to construct maintain and repair the necessary pipes for conveying the water supplied to them under this section from the point of delivery thereof across the said land; and
- (iii) to inspect the said gauge or meter.

(10) Any difference which may arise between the Corporation and the Bakewell Council under this section shall be referred to a single arbitrator to be appointed by the Minister upon the application of either party and subject thereto the provisions of the Arbitration Act 1889 or any modification thereof for the time being in force shall apply to any such arbitration.

**38.** For the protection of the Bakewell and Chapel-en-le-Frith Rural District Councils (in this section respectively referred to as "the Bakewell Council" and "the Chapel-en-le-Frith Council") the following provisions shall unless otherwise agreed between the Corporation and the said councils respectively apply and have effect (that is to say):—

For protec-  
tion of  
Bakewell  
and Chapel-  
en-le-Frith  
Rural Dis-  
trict Coun-  
cils.

- (1) If and whenever the Corporation shall use the road leading in a north-easterly direction from Higger Lodge to the existing boundary of the city and situate in the districts of the said councils and contiguous to the north-western boundary of the added area (in this section referred to as "the said road") for the purpose of the carriage of plant or material in connection with the construction by the Corporation of any waterworks within the added area the Corporation shall so long as the Bakewell Council and the Chapel-en-le-Frith Council respectively are financially responsible for the maintenance repair and upkeep of the said road make to the said councils respectively in respect of such user such contribution in money towards the cost of such maintenance repair and upkeep as may be reasonable having regard to the extent of such user and as shall either be agreed between the Corporation on the one hand and the Bakewell Council and the Chapel-en-le-Frith Council respectively on the other hand or as in case of

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difference shall be determined as hereinafter in this section provided :

- (2) Any difference which may arise between the Corporation on the one hand and the Bakewell Council or the Chapel-en-le-Frith Council on the other hand under this section shall be referred to a single arbitrator to be appointed by the Minister upon the application of either of the said parties and subject thereto the provisions of the Arbitration Act 1889 or any statutory modification thereof for the time being in force shall apply to any such arbitration :
- (3) The provisions of this section shall be in substitution for and not in addition to any other right of the Bakewell Council and/or the Chapel-en-le-Frith Council to make any claim against the Corporation in respect of extraordinary traffic by reason of the user of the said road by the Corporation for the purpose aforesaid and neither of the said councils shall make any such claim against the Corporation accordingly.

Adjustment  
of financial  
relations  
between  
county and  
county  
boroughs.

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

(2) Any such adjustment as is authorised by subsection (1) of this section may be made by agreement between the councils affected or by an arbitrator appointed by those councils and unless such adjustment has been made or an arbitrator has been so appointed before the thirty-first day of December one thousand nine hundred and twenty-nine then on the application of any of the councils interested the Minister may if he

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think fit make or appoint an arbitrator to make the adjustment. A.D. 1928.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made or so far as any such agreement does not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed under subsection (2) of this section as the case may be shall be substituted in those provisions for the commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed under subsection (2) of this section shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided that—

- (a) in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries ; and
- (b) subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

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

(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 city 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.

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(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 of the Act of 1888 and the provisions of that Act shall apply accordingly.

Apportionment of balances and sums received under precepts.

41.—(1) As soon as practicable after the appointed day the county council the Norton Council the Chapel-en-le-Frith Council and the Bakewell Council shall as regards any cash balance in their hands at the appointed day estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of the added area accruing up to the appointed day shall transfer such amount to the Corporation.

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

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

As to adjustments between Corporation and other authorities.

42. In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Act regard shall be had to the interest or share (if any) of the added area or any part thereof in any property—

(a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or

(b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added area or any part thereof; or

(c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation in respect of such interest or share (if any) except to the extent to which the property will remain or become a burden on the council or other authority by whom it is retained or to whom it is transferred.

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

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—  
Insurance  
committees.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirty-first day of December one thousand nine hundred and twenty-eight as may be specified in the order and may for that purpose postpone the operation of this Part of this Act so far as relates to the rights and duties of the respective insurance committees for the county and the city 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 made under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing city shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county and the city as altered by this Act for the remainder of the period for which they were appointed or elected.

**44.** The added parts of Dore and Totley shall cease to form part of the North Derbyshire Joint Hospital District and the North Derbyshire Hospital (County of Derby) Order 1896 and the North Derbyshire Hospital (County of Derby) Order 1896 Amendment Order 1900 shall be altered accordingly.

North  
Derbyshire  
Hospital  
District.

**45.**—(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 settlement in any existing township or parish affected by this Act or a status of irremovability from the poor law union in which such township or parish is comprised by reason

Settlement  
and removal  
of poor.

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A.D. 1928. of residence birth or other qualification in any area specified in the first column of the following table shall be deemed to have acquired or to be in the course of acquiring thereby a settlement in the township or parish denoted by the corresponding number in the second column of the said table or a status of irremovability from the poor law union in which such township or parish is comprised as if in each case the area specified in the first column had always been the township or parish denoted by the corresponding number in the second column of the table or a part of that township or parish (that is to say):—

Area.	Township or parish in which a settlement is to be acquired.
1. The existing township of Ecclesall and the added area.	1. The township of Ecclesall.
2. The excluded part of Dore -	2. The township of Dore.
3. The excluded part of Totley -	3. The township of Totley.
4. The excluded part of Derwent -	4. The parish of Derwent.
5. The excluded part of Outseats -	5. The parish of Outseats.
6. The excluded part of Hathersage	6. The parish of Hathersage.

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

As to exist-  
ing poor law  
orders. **46.** All poor law orders in force in the Sheffield Poor Law Union immediately before the appointed day and applicable to the existing township of Ecclesall shall extend and apply to the township.

Jury ser-  
vice. **47.** For the purposes of summoning jurors and jury service any township or parish affected by this Part of this Act shall be deemed to continue unaltered until a new jurors' book comes into force.

Parish  
books and  
documents. **48.—(1)** All rate books books of account minutes of proceedings deeds papers and writings belonging to the townships of Dore and Totley and to the parishes of Derwent Outseats and Hathersage in relation exclusively to the added part of those townships and parishes respectively or belonging to any other parish or township

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affected by this Part of this Act and all documents directed by law to be kept with the public books writings and papers thereof respectively except any book or document relating to ecclesiastical matters shall be deposited in such custody as the Corporation may direct. A.D. 1928.  
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(2) Any ratepayer of any township or parish in the added area 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.

**49.**—(1) The registration officer of the parliamentary county of Derby shall supply the registration officer of the parliamentary borough of Sheffield on publication with a sufficient number of copies of the electors' lists the lists of objections to the electors' lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added area and shall forthwith notify the registration officer of the said parliamentary borough of his decisions on any objections or claims in respect of any such registration unit. Duplicate entries in electors' lists.

(2) It shall be the duty of the registration officer of the parliamentary borough to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the 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 city for the purpose of city council elections or in any ward of the township of Ecclesall for the purpose of guardians' elections.

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

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

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Provision as  
to register  
of electors.

50.—(1) For the purposes of the register of local government electors of the city prepared in the years one thousand nine hundred and twenty-eight and one thousand nine hundred and twenty-nine and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the city as from the first day of the qualifying period for the register in the year one thousand nine hundred and twenty-eight.

(2) In the preparation of the said register for the year one thousand nine hundred and twenty-eight so far as it relates to any area affected by this Part of this Act it shall be competent to the registration officer of the parliamentary county of Derby 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.

(3) If the register of local government electors for any area affected by this Part of 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 ward or other voting area the town clerk in the case of an election for a voting area within the city and the registration officer of the parliamentary county of Derby in the case of an election or parish meeting for any other voting area shall make such alteration or rearrangement of the register as may be necessary for the purposes of such election.

(4) It shall be the duty of the town clerk and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the district councils for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by any registration officer for the purpose of any alteration or rearrangement authorised by subsection (3) of this section.

(5) 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.



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**51.** Subject to any adjustment all rates not collected at the appointed day and levied upon any hereditament situate in any parish township or liberty affected by this Act shall be collected and recovered by the rating authority under the Rating and Valuation Act 1925 in respect of the rating area in which the hereditaments will be situate by virtue of this Act or by officers of such rating area competent in that behalf.

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Arrears of rates made by rating authorities.

**52.** Section 62 of the Act of 1888 shall apply to any adjustment which may become necessary in consequence of this Act and that section shall have effect—

Adaptation of provisions as to adjustment.

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

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

**53.** For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act so far as it relates to the alteration of the area or the abolition of any existing township or parish that section shall have effect—

Parochial adjustments.

(a) as if the general rate leviable under the Rating and Valuation Act 1925 in pursuance of the said section as applied by this Act were substituted for any fund mentioned in the section; and

(b) as if for subsections (6) and (7) of the said section there were substituted the subsections hereunder appended (that is to say):—

" (6) If it is necessary for the purpose of giving effect to any agreement or award

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“ for an adjustment that any amount shall  
“ be charged separately on a part only of a  
“ rating area the agreement or award may  
“ authorise the levying of that amount on  
“ that part of the rating area together with  
“ and as an additional item of the general  
“ rate;

“ (7) Any capital sum paid for the purposes  
“ of any adjustment or in pursuance of any  
“ order or award of an arbitrator shall be  
“ applied by such person in such manner and  
“ for such purpose as the Minister of Health  
“ may authorise or direct.”

Poor law  
adjust-  
ments.

**54.** Where the authority affected by or by anything done in pursuance of this Part of this Act are the board of guardians of a poor law union section 62 of the Act of 1888 shall apply with 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.

Balances in  
guardians'  
accounts.

**55.** Any balances standing in the books of the guardians of the poor of the Chapel-en-le-Frith or Bakewell Unions to the credit of the existing parishes of Derwent Outseats and Hathersage respectively at the appointed day and any balances owing by those parishes at that day shall be a matter of adjustment under section 62 of the Act of 1888.

Urban  
powers &c.  
in excluded  
parts of  
parishes.

**56.** 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 Norton Council the Chapel-en-le-Frith Council or the Bakewell Council are vested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts 1875 to 1925 in respect of the existing contributory places of Dore Totley Derwent Hathersage and Outseats shall be deemed to vest in and attach to the Norton Council the Chapel-en-le-Frith Council or the Bakewell Council in respect of the contributory place as altered by this Act.

Existing  
officers &c.  
in added  
area.

**57.—(1)** All persons who at the passing of this Act are officers or servants employed whole time by the county council exclusively in the added area shall be

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transferred to and become officers or servants of the Corporation. A.D. 1928.

(2) Every officer or servant so transferred shall hold his office or employment by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing similar duties to those which he was required to perform immediately before the appointed day shall receive not less salary wages or remuneration and shall be entitled to not less pension (if any) than the salary wages remuneration or pension to which he would have been entitled if this Act had not been passed.

(3) The Corporation may distribute their business among the transferred officers and servants and other officers and servants of the Corporation in such manner as they may think proper and every officer and servant shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office of any officer.

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

**58.**—(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 fees salary or emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation. Compensation to existing officers.

(2) Any transferred officer who relinquishes his office under subsection (4) of the section of this Act of which the marginal note is "Existing officers &c. in added area" or any officer whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Act and not on the ground of misconduct shall be deemed unless the contrary is shown to have

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(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Act regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Act or of anything done in pursuance or in consequence of this Act or if the compensation is payable otherwise than by way of an annual sum two-thirds of the capital value of such annual pecuniary loss.

(4) 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 Treasury and to the county council shall be construed as a reference to the Minister and to the Corporation respectively and in subsection (7) of that section for the words “the same or any other county council” there shall be substituted the words “any local authority as defined in the “Local Government and other Officers’ Super-annuation Act 1922”;
- (b) References in that section to “the passing of this Act” shall be construed as references to the date on which the abolition or relinquishment of office or determination of appointment takes effect or the direct pecuniary loss commences as the case may be; and
- (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.

(5) The compensation payable under this Act to an officer who at the passing of this Act shall hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason

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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 superintendent registrar registrar of births and deaths and registrar of marriages shall be deemed to be offices under a local authority. A.D. 1928.

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

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

(8) 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 with the forces no period of absence during such extension shall be so reckoned.

(9) 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.

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

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Minister  
may order  
differential  
rating.

**60.**—(1) The Minister may on the application of the local authority of any part of the added area or any railway company owning property therein (such application to be made in writing before the expiration of a period of two months after the passing of this Act) order that the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in such part of the added area shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within that part of the city which comprises the existing township of Ecclesall by such sum or sums and for such period as may seem equitable to the Minister after considering any representations that may be made to him by the Corporation.

(2) For the purpose of this section the expression “local authority” includes a parish council and where there is no parish council a parish meeting in addition to any other local authority as defined by section 4 (Interpretation) of this Act.

Orders of  
Minister  
&c.

**61.** 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 the provisions of this Part of this Act or for the removal of any difficulty in carrying those provisions into effect. Provided that the Secretary of State in relation to any matter within his jurisdiction shall be substituted in this section for the Minister.

Application  
of Rating  
and Valua-  
tion Act  
1925.

**62.**—(1) As from the passing of this Act the added area shall for all purposes connected with the making and approval of the first new valuation list under Part II of the Rating and Valuation Act 1925 be deemed to form part of the rating area and of the assessment area of the existing city and shall for such purposes be deemed to be within the jurisdiction of the court of quarter sessions of the existing city.

(2) As from the appointed day any scheme made under the said Act of 1925 for the constitution of an assessment area which includes any part of the added area shall be varied by excluding such part from such assessment area and any person who immediately before that day is the representative of any part of the added area on any assessment committee shall cease to represent

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the same and the parts of the added area so excluded shall be added to and form part of the assessment area of the city. A.D. 1928.

(3) Except as expressly provided by this Act nothing in this Act shall affect the provisions of the said Act of 1925.

**63.** Any 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 &c.

**64.**—(1) No alteration effected by this Act in the area of any local authority shall cause to abate prejudicially affect or prevent the continuance of any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such authority or their predecessors : Saving for actions contracts &c.

Provided that—

(a) any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added area may be continued prosecuted and enforced by or against the Corporation ;

(b) all contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by any such authority or their predecessors in relation exclusively to any part of the added area may be continued and enforced as fully and effectually as if instead of such authority or their predecessors the Corporation had been a party thereto.

(2) All legal proceedings pending at the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

**65.** Notwithstanding the alteration of any area 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.

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Saving for powers of Minister &c.

**66.** Nothing in this Act shall 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 or the Poor Law Act 1927.

Saving for parliamentary divisions.

**67.** Nothing in this Act shall alter the area of any parliamentary borough or parliamentary county or any division thereof or affect the powers of a county council under section 31 of the Representation of the People Act 1918 or any order or scheme for the division of a constituency into polling districts for parliamentary elections and the appointment of polling places for parliamentary elections.

Saving for ecclesiastical divisions.

**68.** Nothing in this Act shall affect the ecclesiastical divisions of any parish.

Saving for charities.

**69.** Nothing in this Act shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Saving as to land tax and income tax.

**70.** Nothing in this Act shall affect land tax and for the purposes of Imperial taxes or duties other than land tax the provisions of the section of this Act of which the marginal note is "Alteration of townships parishes and unions" 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 III.

STREET IMPROVEMENTS AND LANDS.

Power to construct street improvements.

**71.** Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown on the deposited plans and sections make and maintain in the city the street improvements hereinafter described together with all proper works and conveniences connected therewith and for the purposes thereof or for the purpose of recoupment or exchange or for rehousing persons displaced under the provisions of this Act may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited



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book of reference in relation to the street improvements A.D. 1928.  
(that is to say) :—

Improvement No. 1 (Holly Lane) A widening of Holly Lane on the east side thereof between points respectively 19 yards and 48 yards north of Division Street ;

Improvement No. 2 (Cambridge Street and Barker's Pool) A widening of Cambridge Street on the east side thereof and of Barker's Pool on the south side thereof between a point in Cambridge Street 64 yards south of the war memorial and a point in Barker's Pool at the north-west corner of the Albert Hall cinema ;

Improvement No. 3 (Pinstone Street) A widening of Pinstone Street on the east side thereof between Cheney Row and St. Paul's Parade ;

Improvement No. 4 (Attercliffe Common and Broughton Lane) A widening of Attercliffe Common on the south-east side thereof and of Broughton Lane on the north-east side thereof between a point in Attercliffe Common 28 yards north-east of Broughton Lane and a point in Broughton Lane 27 yards south-east of Attercliffe Common ;

Also a widening of Attercliffe Common on the south-east side thereof and of Broughton Lane on the south-west side thereof between a point in Attercliffe Common 28 yards south-west of Broughton Lane and a point in Broughton Lane 62 yards south-east of Attercliffe Common ;

Improvement No. 5 (Attercliffe Road) A widening of Attercliffe Road on the south-east side thereof and of Staniforth Road on the north-east side thereof between a point in Attercliffe Road 27 yards north-east of Staniforth Road and a point in Staniforth Road 27 yards south-east of Attercliffe Road ;

Improvement No. 6 (Greenland Road) A new street commencing at the south end of Greenland Road and terminating at the junction of Main Road and Prince of Wales Road ;

Improvement No. 8 (West Bar Green and Queen Street) A widening of West Bar Green on the south-east side thereof and of Queen Street on

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the south-west side thereof between Silver Street Head and Silver Street;

Also a widening of West Bar Green on the south-east side thereof between Queen Street and West Bar;

Improvement No. 9 (Coldstream Place) A new street commencing by a junction with Chesterfield Road at a point 38 yards south-west of Coldstream Place and terminating on the north side of Coldstream Place 21 yards west of Chesterfield Road;

Improvement No. 10 (Shirland Lane) Widenings of Shirland Lane on the south-west side thereof (a) between points respectively 139 yards and 82 yards north-west of Chippingham Street and (b) between a point 32 yards south-east of Chippingham Street and a point 20 yards north-west of Swarcliffe Road;

Also widenings of Shirland Lane on the north-east side thereof between points respectively (a) 39 yards and 100 yards south-east of Chippingham Street and (b) 66 yards and 17 yards north-west of Ardmore Street;

Improvement No. 11 (Shude Hill) Widenings of Shude Hill on the east side thereof (a) between Shude Lane and a point 29 yards north thereof and (b) between a point 42 yards south of Broad Street and Broad Street;

Improvement No. 12 (Coleridge Road) A widening of Coleridge Road on the south-west side thereof between points respectively 10 yards north-west of the north-west abutment and 9 yards south-east of the south-east abutment of the bridge carrying that road over the London and North Eastern Railway;

Improvement No. 13 (Abbeydale Road South) A widening of Abbeydale Road South on the south-east side thereof between a point 29 yards south-west of Archer Road and Archer Road;

Improvement No. 14 (Abbey Lane) A widening of Abbey Lane on the south side thereof commencing at Abbeydale Road South and terminating at the eastern side of the bridge carrying

Abbey Lane over the London Midland and Scottish Railway; A.D. 1928.

Also a widening on the north side of Abbey Lane between a point 12 yards east of Abbeydale Road South and the western end of the bridge carrying Abbey Lane over the river Sheaf;

Improvement No. 15 (Ben Lane and Far Lane)  
A widening of Ben Lane on the south side thereof and of Dykes Lane on the west side thereof between a point in Ben Lane 47 yards west and a point in Dykes Lane 27 yards south of the junction of those lanes;

Also a widening of Ben Lane and Far Lane on the north side thereof respectively between a point in Ben Lane 30 yards west and a point in Far Lane 92 yards east of the south-west corner of Dial House;

Also a widening of Far Lane on the north-west side thereof between points respectively 65 yards west and 51 yards north of the junction of that lane and Dykes Hall Road;

Improvement No. 16 (Chapel Street Cross Street and Market Square) A widening of Chapel Street on the south side thereof between points respectively 45 yards and 121 yards east of Tannery Street;

Also a widening of Chapel Street on the south side thereof and of Cross Street on the west side thereof between a point in Chapel Street 7 yards east of the north-east corner of the Primitive Methodist Chapel and a point in Cross Street 15 yards south of the junction of that street and Chapel Street;

Also a widening of Cross Street and Market Square on the south-west side thereof between points respectively 62 yards and 12 yards north-west of Tannery Street;

Also a widening of Cross Street and Market Square on the north-east side thereof between points respectively 66 yards and 125 yards south-east of Church Lane;

Improvement No. 17 (Fulwood Road) A widening of Fulwood Road on the north-west side thereof

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between a point 107 yards south-west of Manchester Road and Manchester Road;

Improvement No. 18 (Sharroo Lane) A widening of Sharroo Lane on the north side thereof between Grange Crescent and a point 125 yards east thereof;

Improvement No. 19 (Penistone Road) A widening of Penistone Road on the west side thereof between a point 151 yards north of Wood Street and Wood Street.

Easements for constructing certain street improvements.

72. Notwithstanding anything contained in this Act the Corporation may purchase and acquire an easement or right of constructing maintaining and using in accordance with the provisions of this Act—

- (a) Improvement No. 10 in and over the bed and banks of the Sheffield and South Yorkshire Navigation and in and over the London and North Eastern Railway;
- (b) Improvement No. 12 in and over the London and North Eastern Railway; and
- (c) Improvement No. 14 in and over the bed and banks of the river Sheaf and in and over the London Midland and Scottish Railway;

without the Corporation being obliged or compellable to purchase any greater interest in or over the same respectively and they may give notice to treat in respect of any such easement or right describing the nature thereof and (subject to the foregoing provisions of this section and to the other provisions of this Act) the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easement or right as fully as if the same were lands within the meaning of those Acts.

Power to stop up Coldstream Place.

73. The Corporation may stop up and discontinue as a public street so much of the street in the city known as Coldstream Place as extends for a distance of 21 yards west of Chesterfield Road and on the stopping up of the same all rights of way thereover shall be extinguished and the site and soil thereof shall vest in the Corporation but such portion of street shall not be stopped up unless the Corporation are owners in possession of all houses and lands on both sides thereof except so

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far as the owners lessees and occupiers of those houses and lands may otherwise agree Provided that the site of the portion of Coldstream Place so stopped up shall thereafter form part of Chesterfield Road :

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Provided also that the Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

74. In the construction of the street improvements the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans thereof respectively and may deviate vertically from the levels shown on the deposited sections thereof respectively to any extent not exceeding two feet upwards and two feet downwards.

Limits of deviation for street improvements.

75. If the street improvements be not completed within a period expiring on the first day of October one thousand nine hundred and thirty-five then on the expiration of that period the powers of the Corporation under this Act for the execution of the same shall cease except so far as the same shall have then been completed.

Period for completion of street improvements.

76. Subject to the provisions of this Act the Corporation may for the purposes of sewage disposal works and purposes connected therewith enter upon take use and hold the lands hereinafter described in the parish of Aston-cum-Aughton in the rural district of Rotherham and in the city which are delineated on the deposited plans and described in the deposited book of reference (that is to say) :—

Power to acquire lands and provide sewage disposal works.

Certain lands lying between the west side of the London Midland and Scottish Railway and the centre of the river Rother and extending for a distance of 470 yards north of lands belonging or reputed to belong to the London Midland and Scottish Railway Company adjoining the Retford Road at Woodhouse Mill Station and bounded on the north by land belonging or reputed to belong to Edgar Moody Batty and on the south by a line drawn along the centre of the river Rother the north side of Retford Road

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and the northern boundary of the said lands belonging or reputed to belong to the said railway company;

and the Corporation may erect make provide lay down and maintain on such lands such bacteria-beds screens filter-beds tanks embankments buildings junctions sewers drains outfalls overflows weirs sluices culverts conduits channels engines pumps works conveniences and other sewerage works as they think requisite for the purposes aforesaid.

Application of certain provisions of Act of 1918.

**77.** The provisions contained in the sections of the Act of 1918 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if the said provisions were re-enacted in this Act (that is to say) :—

Section 253 (Correction of errors in deposited plans &c.);

Section 254 (Power to persons under disability to grant easements &c.);

Section 255 (As to private rights of way over lands taken compulsorily);

Section 264 (Power to make subsidiary works);

Section 265 (Alteration of position of mains and pipes);

Section 266 (Alteration of position of overhead wires &c);

Section 268 (As to materials excavated in executing works); and

Section 269 (Land laid into streets to form part thereof).

Period for compulsory purchase of lands.

**78.** The powers granted by this Act for the compulsory purchase of lands for the street improvements shall cease on the first day of October one thousand nine hundred and thirty-three and for the other purposes of this Act shall cease on the first day of October one thousand nine hundred and thirty-one.

Removal of human remains.

**79.**—(1) If and when the Corporation shall acquire any portion of the burial ground of Saint Paul's Church they shall before applying or using any part thereof for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred in the said burial ground.

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(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the city to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section. A.D. 1928.

(3) Any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said burial ground may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty without any faculty for the purpose but subject as hereinafter mentioned to any regulations made by the bishop of the diocese of Sheffield to cause such remains to be removed to and re-interred in any consecrated burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of Sheffield who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of fifteen pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section and with any regulation of the bishop the Corporation may without any faculty for that purpose remove the remains of the deceased person and cause them to be interred in such other consecrated burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose subject to the consent of the bishop.

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(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the city as the bishop may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation and the Corporation shall cause to be made a record of such monuments and tombstones and of their situation when re-erected showing the particulars respecting each monument and tombstone as a separate entry and such record shall be deposited at the General Register Office Somerset House London with the miscellaneous records in the custody of the Registrar-General.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer.

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

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

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

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



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portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

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

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

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

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

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Compensation in case of recently altered buildings.

**81.** In settling any question of disputed purchase money or compensation for lands acquired by the Corporation under this Act the arbitrator shall not award any sum of money for or in respect of any improvement or alteration made or any building erected after the first day of November one thousand nine hundred and twenty-seven if in the opinion of the arbitrator the improvement alteration or building in respect of which the claim is made was made or erected with a view to obtaining or increasing compensation nor in the case of any

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estate or interest in the lands created after the said date which in the opinion of the arbitrator was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition of such lands.

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

Benefits to be set off against compensation.

**83.** The Corporation and their surveyors officers contractors and workmen may at all reasonable hours in the daytime upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and premises by this Act authorised to be taken and used by them for the purpose of surveying and valuing the same without being deemed trespassers and without being subject or liable to any fine penalty or punishment for entering or continuing upon any part of the said lands and premises.

Power to enter upon property for survey and valuation.

**84.** The following provisions for the protection of the London and North Eastern Railway Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company apply and have effect:—

For protection of London and North Eastern Railway Company.

(1) The expression "bridges" in this section shall include all works from back to back of the abutments of the existing bridges but shall not include any portion of the approaches to such bridges:

(2) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the Corporation shall not except by agreement

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enter upon take or use any lands of the company but they may purchase and take such right easement or privilege over upon across or under the railway works or property of the company delineated on the deposited plans as shall be necessary for the purposes of constructing and maintaining Improvement No. 10 (Shirland Lane) and Improvement No. 12 (Coleridge Road) by this Act authorised and any works connected therewith and the Corporation shall not either temporarily or permanently enter upon use or interfere with any railway works or property of the company save only as far as may be necessary for the said purposes :

- (3) If the company shall hereafter obtain powers to increase or shall by agreement increase the headroom between the upper surface of their rails and the underside of the bridge carrying Shirland Lane over the railway of the company any additional expense incurred in carrying out such works owing to the widening of the bridge in connection with Improvement No. 10 authorised by this Act shall be borne by the Corporation :
- (4) The Corporation shall not in constructing the said Improvement No. 12 carry out the structural work of widening the bridge carrying Coleridge Road over the railway of the company but such work shall be carried out by the company at the cost of the Corporation in accordance with plans and estimates submitted to and approved and agreed by the Corporation but notwithstanding anything shown on the deposited plans and sections such headroom between the upper surface of the rails and the underside of the bridge as the company may reasonably require shall be provided but so that the north-western approach to the bridge shall not thereby be made steeper than a gradient of 1 in 14 :
- (5) The company shall commence the works mentioned in the preceding subsection as soon as reasonably possible after receipt of notice from the Corporation under the hand of the town

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clerk requiring them to execute such works and shall complete the same with all dispatch : A.D. 1928.

- (6) The Corporation shall at their own expense and according to plans and sections to be previously submitted to and reasonably approved by the principal engineer of the company (in this section referred to as "the engineer") construct retaining walls in place of the existing embankments on the south side of Shirland Lane and on the south-west side of Coleridge Road and shall at the like expense and to the reasonable satisfaction of the engineer at all times thereafter maintain and repair the said retaining walls or any portion thereof :
- (7) The Corporation shall at all times maintain the whole surface of the roadway of the bridges and the approaches thereto :
- (8) The company shall at all times maintain the structure of the bridges when so widened as aforesaid in substantial repair and good order and condition and the Corporation shall pay to the company such annual or commuted lump sum as may be agreed or determined by arbitration as in this section provided in respect of the extra cost occasioned to the company in repairing the widened portions of the bridges :
- (9) If the company shall hereafter require to widen lengthen strengthen alter or repair the bridges or the approaches thereto or to widen or alter their line under the bridges or approaches thereto the Corporation shall afford to the company all reasonable and proper facilities for those purposes or any of them Provided that in any such event the gradients of the roadways shall not be made steeper :
- (10) The Corporation shall bear and on demand pay to the company all reasonable costs arising out of or in connection with the superintendence by the engineer of the execution of the said Improvements Nos. 10 and 12 and of watching lighting and protecting the railway of the company with reference to and during the execution of any of the said works :

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(11) If by reason of the construction of the said Improvements Nos. 10 and 12 it shall become necessary to alter any of the signals signal posts or signalling works or apparatus of the company the company may effect such alterations and the Corporation shall repay to them the reasonable expense incurred by them in connection with such alterations :

(12) Any difference which may arise between the Corporation and the company under this section (other than any difference as to the proper interpretation thereof) shall be referred to an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protec-  
tion of  
London  
Midland and  
Scottish  
Railway  
Company.

**85.** The following provisions for the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") shall unless otherwise agreed in writing between the company and the Corporation apply and have effect in relation to the exercise of the powers of this Part of this Act (that is to say) :—

(1) The Corporation shall not under the powers of this Act without the previous consent of the company purchase or acquire by compulsion any lands or property of the company but the corporation may purchase and acquire and the company shall sell and grant accordingly an easement or right of using so much of the lands property and works of the company as may be required for the construction and maintenance of Improvement No. 14 by this Act authorised :

(2) The Corporation shall before they commence the construction of so much of the said Improvement No. 14 as shall or may pass over adjoin or in any way affect the railway works and property of the company (in this section referred to as "the street works") submit to the principal engineer of the company (in this section referred to as "the principal engineer") plans sections and specifications of the street works proposed to

be carried out by the Corporation for the reasonable approval of the principal engineer and on such plans shall show the stages by which it is intended to carry out the street works. Provided that if within twenty-one days from the submission of such plans sections and specifications the principal engineer does not signify to the Corporation his disapproval thereof and his requirements in regard thereto he shall be deemed to have approved thereof :

- (3) The street works shall be constructed only according to such plans sections and specifications as shall be approved or deemed as aforesaid to be approved by the principal engineer or determined by arbitration and shall be constructed under the superintendence (if given) and to the reasonable satisfaction of the principal engineer :
- (4) The Corporation shall before carrying out so much of the street works as will be below the existing level of the ground construct such retaining walls or other works as may be reasonably necessary to support the railway works and property of the company :
- (5) If it shall be reasonably necessary at any time (either before or during the construction or within five years after the completion of the street works or any part thereof and in consequence of such construction) that any further or other works or appliances be constructed or measures of precaution taken either by way of addition to the existing works of the company or in connection with the street works or in relation to the method of construction of the street works so as to prevent the subsidence of or injury to any of the railways works or property of the company the Corporation shall on being thereunto reasonably required in writing under the hand of the principal engineer make and execute at their own expense and according to plans sections and specifications to be prepared by him and reasonably approved by the surveyor such works or take such measures of precaution including the temporary cessation

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- of the construction of the street works as the principal engineer shall reasonably require and except as aforesaid the construction of the street works when commenced shall proceed without cessation and with all reasonable dispatch :
- (6) Notwithstanding the approval of plans sections and specifications or supervision by or completion to the satisfaction of the principal engineer as aforesaid and notwithstanding the compliance by the Corporation with the provisions of this section if during and in consequence of the execution of the street works the railway of the company or any of the works connected therewith or any property of the company shall be injured or damaged the company shall be entitled forthwith to make good such injury or damage and shall recover the amount reasonably expended in so doing from the Corporation :
- (7) The Corporation shall not in executing the street works in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the railway and property of the company or any traffic thereon and if at any time or times hereafter the free and uninterrupted user of the railway of the company or any traffic thereon shall be obstructed hindered or interfered with by the Corporation contrary to this enactment the Corporation shall notwithstanding any approval as aforesaid pay to the company all reasonable costs and expenses to which the company may be put and compensation for the loss sustained by the company by reason of any such interruption or interference :
- (8) Notwithstanding anything contained in this Act the Corporation shall be responsible for and make good to the company all costs charges losses damages and expenses which may be occasioned to their railway works or property or to any person using the same by reason of the construction alteration or maintenance of the street works or of the failure of any part thereof repairable by the Corporation or of any act or omission of the Corporation or of any of the persons in their employment or of their



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contractors and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such construction alteration maintenance failure or omission :

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- (9) During the construction of the street works and of any of the further works mentioned in this section the Corporation shall bear and on demand pay to the company the reasonable expense of the employment by them of such inspectors and watchmen (if any) to be appointed by the company as may be reasonably necessary for inspecting the street works and further works as aforesaid and for watching their railway and the works and conveniences connected therewith in order to prevent as far as may be all interference obstruction danger and accident arising from any of the operations of the Corporation or from the acts or defaults of their contractors or of any person in their employment and the Corporation shall at all times give ample facilities to the principal engineer and his assistants or inspectors for full and free access to the street works during or after construction and shall also furnish him or them with every information he or they may reasonably require with regard to the street works or the method of construction thereof :
- (10) If by reason of the construction of the street works it shall become necessary in the opinion of the principal engineer to add to or alter any signal or signal apparatus or telegraphs on the railway of the company the same shall be so added to or altered by the company and the reasonable expense thereof shall be repaid by the Corporation to the company :
- (11) If the company shall at any time after the construction of the street works desire to widen alter or extend their railway or any of the works or conveniences connected therewith the Corporation shall give to the company every reasonable facility for the execution of such widening alteration or extension :
- (12) Any difference which shall arise between the Corporation and the company or their respective

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engineers under this section other than subsection (1) thereof shall be referred to and determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

Revival of powers for construction of Improvements Nos. 2 and 7 authorised by Act of 1920.

**86.** The time now limited for the completion of Improvement No. 2 and Improvement No. 7 described in section 5 (Power to construct street improvements) of the Act of 1920 is hereby revived and extended for a period expiring on the first day of October one thousand nine hundred and thirty. If the said works be not completed within the said period then at the expiration of that period the powers granted to the Corporation for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Power to develop lands &c.

**87.—(1)** The Corporation may lay out and develop any lands acquired or held by them under the powers of any general or local Act from time to time in force and not required for the purposes for which they were acquired and erect and maintain flats shops offices warehouses and other like buildings and construct pave flag channel and kerb streets roads and ways on any such lands and may sell lease exchange or otherwise dispose of any such flats shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit. Provided that the Corporation shall not under the powers of this section lay out and develop any lands acquired or held by them under any general Act or any existing local Act without the consent of the Minister.

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

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

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

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

(6) The Corporation shall not (unless the Minister otherwise direct) sell lease exchange or otherwise dispose of any of the lands to which this section applies except at the best price or on the best terms which can be obtained for the same but a purchaser or lessee shall not be concerned to inquire whether the direction of the Minister is necessary or has been obtained.

#### PART IV.

##### TRAMWAYS &C.

**88.** Subject to the provisions of this Act the Corporation may make form lay down renew work use and maintain in the lines and according to the levels shown on the deposited plans and sections the tramways hereinafter described with all proper rails plates works sidings and conveniences connected therewith or necessary for the purposes thereof and may take up remove and alter the position of any existing tramway of the Corporation and the rails and other works connected therewith which may be necessary for the purpose of laying down the tramways (that is to say) :—

Power to  
construct  
tramways.

In the city and in the parish of Orgreave in the rural district of Rotherham—

Tramway No. 1 (double line 2 miles 9.5 chains in length) commencing in Handsworth Road by a junction with the existing

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—

tramway therein at a point eight yards west of the south-east corner of Finchwell Road passing thence along Handsworth Road and Retford Road and terminating therein at the city boundary at a point one hundred and thirty-three yards east of the east side of Coalbrook Crescent :

In the city—

Tramway No. 2 (double line 1 mile 7·8 chains in length) commencing in Barnsley Road by a junction with the existing tramway therein at a point twenty yards south-west of the junction of that road with Crabtree Road passing thence into and along Crabtree Road Norwood Road and Herries Road and terminating therein at a point seventy yards south-west of the south-west side of Moonshine Lane ;

Tramway No. 2A (double line 2·7 chains in length) commencing in Barnsley Road by a junction with the existing tramway therein at a point thirty-five yards north-east of its junction with Crabtree Road and terminating in Crabtree Road by a junction with Tramway No. 2 at a point twenty-six yards north-west of the junction of that road with Barnsley Road ;

Tramway No. 3 (double line 4 furlongs 2·7 chains in length) commencing in Firth Park Road by a junction with the existing tramway therein at a point opposite the west side of Sicey Avenue passing thence into and along Stubbin Lane and Barnsley Road and terminating therein at Sheffield Lane Top at a point fifty yards north of Hatfield House Lane ;

Tramway No. 4 (double line 3 furlongs 5·8 chains in length) commencing in Mansfield Road by a junction with the existing tramway therein at a point fifty yards south-east of the south side of Woodhouse Road and terminating in Mansfield Road opposite the north-west side of Hollinsend Road ;

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Tramway No. 5 (5·9 chains in length whereof 3·8 chains will be double line and 2·1 chains single line) commencing in Pinstone Street by a junction with the existing tramway therein opposite the north side of Cheney Row passing along Pinstone Street as intended to be widened in pursuance of this Act and terminating in that street by a junction with the existing tramway at a point opposite the south side of Cross Burgess Street; A.D. 1928.

Tramway No. 6 (double line 2·3 chains in length) commencing in Firth Park Road by a junction with the existing tramway therein at a point forty-five yards south-west of the north-east side of Idsworth Road passing thence into and terminating in Page Hall Road by a junction with the existing tramway therein at a point fifty yards south of the said side of Idsworth Road :

Provided that notwithstanding anything shown on the deposited plans no portion of Tramways Nos. 1 2 3 and 4 shall except with the approval of the Minister of Transport be constructed in such a position that a space of less than nine feet six inches shall intervene between the outside of the footpath and the nearest rail of the tramway.

**89.** The Sheffield Corporation Tramways Order 1925 is hereby repealed. Repeal of  
Tramways  
Order of 1925.

**90.** Subject to the provisions of this Act the Corporation may renew work use and maintain the tramways in the city hereinafter described (which have already been constructed by the Corporation) with all proper rails plates works sidings and conveniences connected therewith and the construction thereof and the expenditure of money thereon by the Corporation is hereby sanctioned and confirmed (that is to say) :— Confirma-  
tion of con-  
struction of  
tramways.

Tramway No. 7 (single line 8 chains in length) commencing in Abbeydale Road South by a junction with the existing tramway therein at a point seventy-nine yards south-west of the north-east side of Hartington Avenue passing thence into and across land belonging or reputed to belong to the Corporation and terminating in

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Abbeydale Road South by a junction with the existing tramway at a point thirteen yards east of the said side of Hartington Avenue;

Tramway No. 8 (4·5 chains in length whereof 3·5 chains is double line and 1 chain is single line) commencing in Fulwood Road by a junction with the existing tramway therein at a point fifty yards west of the west side of Stumperlowe Hall Road passing thence into and along Canterbury Lane and terminating therein at a point seventy-four yards north-west of the junction of Fulwood Road and Canterbury Lane;

Tramway No. 9 (4·7 chains in length whereof 3·6 chains is double line and 1·1 chains is single line) commencing in Halifax Road by a junction with the existing tramway therein at a point one hundred yards north-east of the north-east side of Southey Green Road and terminating in Halifax Road at a point one hundred and eighty yards north-east of the said side of Southey Green Road;

Tramway No. 10 (double line 1 furlong 3·1 chains in length) commencing in Waingate by a junction with the existing tramway therein at a point twenty-six yards north of the north side of Castle Street passing thence into and along Exchange Street and Blonk Street and terminating therein at a point one hundred and ten yards north of the north-east corner of Castle-folds Market;

Tramway No. 11 (single line 6·5 chains in length) commencing in Sheffield Road by a junction with the existing tramway therein at a point forty yards north-east of the east side of Ferrars Road and terminating in Sheffield Road at a point one hundred and eighty-two yards north-east of the said side of Ferrars Road;

Tramway No. 12 (double line 2·8 chains in length) commencing in Snig Hill by a junction with the existing tramway therein at a point fifty-eight yards south-east of the junction of Spring Street and Coulston Street passing thence into Bridge Street and terminating therein at a point fifty yards north-east of the said junction of streets;

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Tramway No. 13 (8·6 chains in length whereof 5·6 chains is double line and 3 chains is single line) commencing in Sheffield Road by a junction with the existing tramway therein at a point thirty-four yards north-east of the railway crossing of Edgar Allen and Company Limited in that road passing thence into and along Vulcan Road and terminating therein at a point one hundred and sixty-seven yards north-west of the west side of Sheffield Road.

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**91.** Subject to the provisions of this Act the tramways and the tramways the construction of which is by this Act confirmed shall for all purposes form part of "the Corporation tramways" and "the tramways undertaking" within the meaning of the Act of 1918 and the provisions of that Act (as amended by this Act) shall so far as applicable apply to and in respect of the tramways as if they had been described in Part III of the Second Schedule thereto and to and in respect of the tramways the construction of which is by this Act confirmed as if they had been described in Part I of the Second Schedule thereto.

Certain tramways to form part of tramways undertaking.

**92.** Subsection (4) of section 136 (For protection of Post Office telegraph lines) of the Act of 1918 shall be read and have effect as if the words "generated or used by or supplied to" were inserted in that subsection in substitution for the words "generated by."

Amendment of section 136 (4) of Act of 1918.

**93.—(1)** No post or other apparatus in connection with the tramways shall be erected on the carriageway except with the consent of the Minister of Transport.

Mode of construction to be approved by Minister of Transport.

(2) In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation shall lay before the Minister of Transport a plan showing the proposed mode of constructing laying down and renewing the tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down and renewal of any of the tramways or part of any of the tramways respectively until such plan and statement have been approved by the Minister of Transport and after such approval the works shall be executed in accordance in all respects with such plan and statement.

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—  
Inspection  
by Minister  
of Trans-  
port.

Period for  
completion  
of tram-  
ways.

For further  
protection  
of London  
and North  
Eastern  
Railway  
Company.

**94.** No part of the tramways shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by an officer appointed by the Minister of Transport.

**95.** The tramways shall be completed within the period expiring on the first day of October one thousand nine hundred and thirty-five and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

**96.** The following provisions for the protection of the London and North Eastern Railway Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company apply and have effect:—

- (1) In this section the word "apparatus" includes posts brackets electric wires conductors apparatus and any similar appliances to be used for the purposes of the tramways of the Corporation:
- (2) In constructing Tramway No. 1 by this Act authorised where the same will pass under the railway and works of the company the Corporation shall not affix any apparatus to any bridge or other work of the company without the consent in writing of the company:
- (3) If and when the company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed in pursuance of the powers of this Act the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required (having regard to the needs of the company and of the tramway service of the Corporation) by the engineer of the company unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer:
- (4) If having regard to the proposed position of the said Tramway No. 1 when considered in relation



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to the position of the railway and works of the company it is agreed that it is necessary that the electric telegraphic telephonic or signal wires or apparatus of the company shall be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Corporation.

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**97.** The tramway hereinafter referred to which was constructed under the powers of Part II of the Rotherham Corporation Act 1900 (which is by the Rotherham Corporation Bill 1928 sought to be repealed) and which tramway owing to an alteration of the boundary of the city is now situate in the city and has been acquired by the Corporation and is one of the Corporation tramways as defined in the Act of 1918 shall continue vested in the Corporation and be held used and enjoyed by them and the provisions of the Act of 1918 shall so far as applicable apply to and in respect of such tramway as if it had been described in Part I of the Second Schedule to that Act.

As to certain tramway at Tinsley.

The said tramway is situate in Sheffield Road between its junction with Weedon Street and the boundary of the city and the county borough of Rotherham.

**98.** For the protection of the Sheffield and South Yorkshire Navigation Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the Corporation apply and have effect (that is to say) :—

For protection of Sheffield and South Yorkshire Navigation Company.

(1) In this section—

"the canal" means the Sheffield and Tinsley Canal and the river Don Navigation and the towing-paths and banks thereof respectively ;

"the bridge" means and includes the bridge carrying the road leading from Sheffield to Rotherham over the canal at Tinsley :

(2) The Corporation shall so maintain and use their tramway on or over the bridge as not to cut the stone arch masonry or other the permanent structure of such bridge or injuriously to affect the same or the approaches thereto and in the

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event of any injury being occasioned to the bridge or approaches by the construction maintenance or user of the tramway on or over the same the company may make good the injury and recover the expense of so doing from the Corporation :

- (3) If by reason of the additional traffic carried on the said tramway or of the character of the motive power or of the weight of the carriages engines or other rolling stock used by the Corporation on the said tramway or of any additional material placed on the bridge the bridge though otherwise of sufficient strength and having been kept in proper repair is or is in danger of becoming too weak for such additional traffic upon it and it is therefore reasonably necessary to strengthen or restore or entirely rebuild the same then and in every such case the company may at the expense of the Corporation strengthen or restore or entirely rebuild the bridge as in each case may be necessary Provided that before commencing such strengthening or restoring or entirely rebuilding the company shall give reasonable notice thereof to the Corporation :
- (4) The Corporation shall at all times maintain the whole of the existing roadway and footpaths on the bridge and the approaches to the same and other works for crossing the canal in good and substantial repair and condition to the reasonable satisfaction of the company and so as not to cause any obstruction to the canal and in default thereof the company may as well on the lands of the Corporation as on their own lands do all such works and things as they may think reasonably requisite in that behalf and the reasonable costs thereof shall on demand be paid by the Corporation to the company and in default of such payment may be recovered by the company from the Corporation with full costs in any court of competent jurisdiction :
- (5) The bridge and any works in connection therewith affecting the canal shall be maintained so that the traffic on the canal shall not be in any

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way obstructed impeded or interfered with and such maintenance shall be effected under the superintendence and to the reasonable satisfaction of the company but in all things at the expense of the Corporation :

- (6) If by reason of the maintenance of the bridge or any proceedings of the Corporation or any act or omission of the Corporation or their contractors or of any officer servant or workman or other person employed by the Corporation or such contractors in connection with the maintenance of the bridge the canal or any of the works thereof be injured or damaged such injury or damage shall forthwith be made good by the Corporation at their own cost and in default thereof the company may make good the same and recover the reasonable cost thereof with full costs from the Corporation in any court of competent jurisdiction :
- (7) The Corporation shall indemnify the company for any loss or damage they may suffer and for any compensation they may be required to pay for any such obstruction interruption or interference with the traffic of the canal or any accident which shall have been occasioned by any such act or default as in this section is mentioned :
- (8) Nothing in this section shall extend to prevent the company or any owner of vessels boats keels or barges using the canal from recovering from the Corporation any special damage that shall be sustained by them or him for or in consequence of any such act or default as in this section is specified :
- (9) No stays posts wires or other appliances or apparatus to be used in connection with electric traction on the tramways shall be attached or fastened to any bridge crossing the canal or to any other works or property of the company without the previous consent in writing of the company :
- (10) If any difference arise between the Corporation and the company as to anything to be done or not to be done under this section or any money

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to be paid thereunder such difference shall be referred to and determined by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference :

- (11) The Corporation and the company may agree for any variation or alteration of the works in this section provided for or of the manner in which the same shall be executed.

Separate track of Tramway No. 2 authorised by Order of 1927 not to form part of highway.

**99.** Notwithstanding anything contained in the Tramways Act 1870 the separate track on which any part of Tramway No. 2 authorised by the Sheffield Corporation Tramways Order 1927 is constructed shall not for any purpose form part of the highway and the provisions of the Tramways Act 1870 relating to roads shall not apply thereto or to the construction of the said tramway thereon. Provided that subsection (3) of section 6 (Separate track not to form part of carriageway) of the said Order shall extend to the provisions of this section.

Removal of obstructions.

**100.** If any obstruction to the traffic on any of the tramways of the Corporation is caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fail to do so the Corporation may so remove the vehicle or load and may remove any other obstruction of the like character to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and may recover the reasonable cost of so doing from the owner of the vehicle.

For prevention of trespass on separate track.

**101.**—(1) Any person who shall trespass upon any portion of a tramway now or hereafter belonging to the Corporation which is constructed on a track separated from the carriageway (except at public ways across the separate track) by a fence shall on summary conviction be liable to a penalty not exceeding forty shillings.

(2) No person shall be subject to any penalty under this section unless it shall be proved to the satisfaction of the court before whom complaint is laid that public

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warning has been given to persons not to trespass upon the separate track by notices painted on boards or printed on paper and pasted on boards or enamelled on metal or otherwise as the Corporation may think fit and clearly exhibited and that one or more of such notices has been affixed at the public way across such separate track nearest to the spot where such trespass is alleged to have been committed and such warning shall be renewed as often as the same shall be obliterated or destroyed and no penalty shall be recoverable unless such warning is so placed and renewed.

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**102.**—(1) Any property found in any tramcar omnibus or trolley vehicle of the Corporation shall forthwith be handed to the conductor thereof and be taken by him to a place to be appointed for the purpose by the Corporation and if the same be not claimed within three months after the finding thereof it shall vest in the Corporation and may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof shall be treated as part of the revenue of the tramways undertaking.

Property found in Corporation vehicles.

(2) Section 163 (Lost property) of the Act of 1918 is hereby repealed.

**103.** The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of the tramways undertaking.

Tramways accounts to be furnished to Minister of Transport.

PART V.

WATER.

**104.**—(1) The water limits for the purposes of Part IV (Water) of the Act of 1918 shall include so much of the parish of Tankersley in the rural district of Wortley in the west riding of the county of York as is bounded on the south-east and south-west by the parish of Ecclesfield on the north-east by the Woodbourn Junction to Aldham Junction Branch of the London and North Eastern Railway Company and on the north-west by a line drawn along the western side of Greaves Lane from Westwood Bridge to the junction of that lane with the

Extension of water limits.

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A.D. 1928. occupation road leading to Westwood Station and thence in a north-easterly direction to the junction of the private railways leading from the Westwood Coke Ovens to Westwood Station and the Thorncliffe Ironworks respectively and the provisions of the Act of 1918 as altered by the Sheffield Water &c. Order 1923 shall subject to the provisions of this Act and of the Sheffield Order 1925 apply as if the said part of the said parish had been included within the water limits as defined by section 42 (Water limits) of that Act.

(2) The said portion of the parish of Tankersley (which is within the limits for the supply of water by the mayor aldermen and burgesses of the borough of Barnsley in pursuance of the provisions of section 36 (Extension of water limits of Corporation) of the Barnsley Corporation (Water) Act 1896) shall cease to be within those limits and the said mayor aldermen and burgesses shall cease to exercise any powers in relation to the supply of water within the said portion of the parish of Tankersley.

Rates payable by owners of small houses.

**105.** Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Corporation so determine pay the rate for the supply but the rate may be recovered from the occupier and may if the occupier be not himself liable therefor under any lease or agreement be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Application of section 35 of Waterworks Clauses Act 1847.

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

Maintenance of common pipe.

**107.** When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by

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the Corporation in the maintenance and repair of such pipe and their respective proportions of contribution shall be settled by the general manager of the water department of the Corporation or other officer duly authorised in that behalf by the Corporation. A.D. 1928.

**108.**—(1) Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Corporation. Provided that if the Corporation and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of competent jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties. As to register of water meter.

(2) In the event of any meter used by a consumer of water being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as rates for water are recoverable by the Corporation.

**109.** Every person who shall wilfully (without the consent of the Corporation) or negligently close or shut off or interfere with any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on summary conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe. Penalty for closing &c. valves and apparatus.

**110.** Any person being the owner or occupier of any house or building or part of a house or building or Penalty for opening &c.

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valves and  
apparatus.

premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Corporation who shall without the authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Corporation and provided or available for the purposes of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

## PART VI.

### ELECTRICITY.

Use for  
lighting pur-  
poses of  
electricity  
supplied for  
power.

111.—(1) No consumer to whom electricity is supplied by the Corporation for power purposes shall without the consent in writing of the Corporation use such electricity for lighting purposes or suffer it to be so used.

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

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

(4) The provisions of section 18 of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.



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**112.**—(1) The Corporation may subject to the provisions of the Act of 1918 and this Act and of the Electricity (Supply) Acts 1882 to 1926 construct and maintain in or under any street repairable by the inhabitants at large or dedicated to public use within the electricity limits sub-stations transforming stations transformer-kiosks and other works in connection with the electricity undertaking and may in any such street provide and maintain all such means of access and approach to such sub-stations transforming stations transformer-kiosks and other works as may be necessary or convenient.

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Power to construct electrical sub-stations in or under streets.

(2) No sub-station transforming station transformer-kiosk or other work shall be constructed so as to interfere with or render less convenient the access to or exit from any station or depôt of any railway company or upon or under any bridge of a railway company or the approaches thereto except with the consent in writing of such company.

**113.** Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electrical energy to any consumer the Corporation may use such transformer for the purpose of affording a supply of electrical energy to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided.

As to use of transformers.

**114.** The Corporation may if they think fit make an allowance by way of discount not exceeding the rate of five per centum on the amount due in respect of any charges for electrical energy supplied by them from every person who pays the same within such time after demand thereof as the Corporation think fit to prescribe in that behalf and if and so soon as the Corporation decide to allow any such discount notice to that effect shall be contained in every demand note in respect of such charges Provided that all discounts shall be of equal amount under like circumstances to all consumers.

Discount on electrical charges.

**115.** A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation or be given by the consumer personally at such office.

Notice to discontinue supply of electricity.

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Period of  
error in de-  
fective elec-  
tricity  
meter.

**116.** In the event of a meter of a construction and pattern approved by the Board of Trade or Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it is proved to have first arisen during the then current quarter. The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Entry upon  
premises  
and penalty  
for obstruc-  
tion.

**117.**—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 of the Electric Lighting Act 1882 or of that section as extended by section 16 of the Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding five pounds.

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

(3) Section 215 (Penalty on persons refusing entry) of the Act of 1918 is hereby repealed.

Byelaws as  
to apparatus  
and fittings.

**118.** The Corporation for the purpose of preventing fire in or injury to any building or premises supplied with electricity by the Corporation or injury to any person may make byelaws with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section. Provided that nothing contained in this section or in any byelaw to be made thereunder shall apply to or in respect of any building or premises (other than a dwelling-house) belonging to a railway company.

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**119.** Any expenses incurred by the Corporation in carrying into effect the provisions of Part VI (Electricity) of the Act of 1918 and of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and the provisions of sections 7 and 8 of that Act shall extend and apply accordingly to such expenses and any moneys received by the Corporation under the said Part VI and this Part of this Act shall be deemed to be moneys received in respect of the electricity undertaking and shall be applicable accordingly.

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Receipts  
and ex-  
penses of  
electricity  
under-  
taking.

PART VII.

MARKETS AND SLAUGHTER-HOUSES.

**120.** The construction by the Corporation of the railways at the abattoir of the Corporation at Cricket Inn Road in the city is hereby sanctioned and confirmed and the provisions of the Act of 1918 shall apply to the said railways as if they were the Railways (Nos. 1 and 2) authorised by section 226 (Power to make railways) of that Act.

Confirma-  
tion of rail-  
ways at  
abattoirs.

**121.**—(1) Any animal brought to any market of the Corporation at which animals intended for the food of man are in fact sold shall (unless the contrary be proved) be deemed to be deposited for the purpose of sale and intended for the food of man within the meaning of sections 116 to 119 of the Public Health Act 1875 or of any enactment relating to the city and the provisions of those sections and enactments shall respectively apply to any such animal. The provisions of section 348 (Extension of powers of veterinary inspector to section 116 of Public Health Act 1875) of the Act of 1918 shall extend and apply accordingly.

Extension of  
sections 116  
to 119 of  
Public  
Health Act  
1875.

(2) Any person knowingly causing directing or permitting any animal which is diseased or unsound or unwholesome or unfit for the food of man to be brought to any such market and any person (including any auctioneer) who offers for sale or sells any such animal knowing it to be diseased or unsound or unwholesome or unfit for the food of man as well as the persons mentioned in section 117 of the Public Health Act 1875 or in any such enactment (as the case may be) shall be liable to a penalty as mentioned in the said section 117 or in any such enactment as the case may be.

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(3) The veterinary inspector the market keeper the slaughter-house superintendent any officer of the market the sanitary inspector or any constable may detain for a reasonable period not exceeding twelve hours any emaciated or diseased animal brought to any market of the Corporation and any person wilfully obstructing or impeding any officer in so doing shall be liable to a penalty not exceeding five pounds.

Removal  
and exclu-  
sion from  
market of  
certain  
animals.

**122.** The market inspector or any officer of the market the sanitary inspector or any constable may remove and exclude from any market of the Corporation any old emaciated or diseased animal which in the opinion of a duly registered veterinary surgeon or of the medical officer is unfit for human food and any animal which after inspection by a duly registered veterinary surgeon is suspected by such surgeon to be affected with tubercular disease.

PART VIII.

STREETS AND BUILDINGS.

Building  
line in new  
streets &c.

**123.**—(1) Every person who intends to form a new street shall in addition to the information required to be supplied to the Corporation by virtue of any enactments or byelaws with respect to streets and buildings from time to time in force distinctly define and mark on a plan drawn to such scale as the Corporation may require and to be prepared and submitted by such person to the Corporation for their approval the proposed line of frontage of any house or building to be erected in or fronting such street (in this section called "the building line") and the Corporation shall be deemed to have approved any building line unless within four weeks after the date of submission thereof they shall have signified to the person submitting the same their disapproval thereof.

(2) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof or any addition to any house or building if the building line for such street has been disapproved by the Corporation or before the expiration of the four weeks aforesaid without their approval nor beyond or in front of the building line approved by the Corporation and any person offending against this enactment shall be liable

to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings. A.D. 1928.

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

(4) In the event of the Corporation requiring as a condition of their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of a new street than one-half of the width of the street and ten feet in addition the Corporation shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set back for any damage sustained by him by reason of his being unable to build upon such land.

(5) For the purposes of this section the surveyor shall by a certificate under his hand at or before the time of the approval of the building line by the Corporation determine the centre of any street or intended street.

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

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

**125.**—(1) The Corporation may on the deposit of a plan and sections of a new street in pursuance of any byelaw in force in the city by order prohibit the erection or retention on land belonging to the owner of the land upon which such new street is proposed to be constructed or laid out of any wall or fence at either end of such new As to terminations of new streets.

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A.D. 1928. — street in order to secure means of communication between such new street or any other street or intended street or for the purpose of securing an adequate opening at either end of the new street :

Provided that the Corporation shall not prohibit the erection or retention of any such wall or fence until the streets on both sides of such wall or fence shall become highways repairable by the inhabitants at large.

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

Temporary  
stoppage of  
streets.

**126.**—(1) The Corporation during and for the purpose of the execution by them of any work which they may lawfully execute in any street may temporarily stop up divert and interfere with any street and may for any reasonable time by the erection of barriers or posts or otherwise prevent all persons other than those bonâ fide going to or from any house or building in the street from passing along and using the same and the Corporation shall provide reasonable access for foot passengers bonâ fide going to or from any such house or building. Provided that the Corporation shall at all times during the execution of any such work maintain a reasonably sufficient access both for vehicular and pedestrian traffic to or from any railway station or depôt.

(2) Any person who shall take down alter or remove any such barrier or post or extinguish or remove any light used in connection therewith shall be liable to a penalty not exceeding five pounds.

Crossings  
over foot-  
ways.

**127.**—(1) Every owner or occupier of premises desirous of forming or using a communication for horses or vehicles across any footway so as to afford access to his premises from any street shall give at least seven days' notice in writing to the Corporation of his intention so to do and shall before permitting the use of such communication construct a carriage crossing over the footway of the street of such materials and in such manner as shall be satisfactory to the surveyor or shall comply with such other conditions as the Corporation in any case require. Any owner or occupier who makes default in

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complying with the provisions of this subsection shall be liable to a penalty not exceeding five pounds. A.D. 1928.

(2) The Corporation may within seven days after receipt of a notice under this section intimate that they themselves desire to execute the necessary works in which case the works shall be executed by the Corporation who may recover summarily as a civil debt the cost of so doing from the person desiring to form the communication across the footway.

(3) Nothing in this section shall in the case of any street repairable by the inhabitants at large impose on any such owner or occupier any obligation to maintain any crossing constructed in pursuance of this section.

(4) Section 296 (Crossings for horses or vehicles over footways) of the Act of 1918 and article 3 (Crossings for horses or vehicles over footways) of the Sheffield Order 1924 are hereby repealed.

**128.**—(1) If the Corporation shall by resolution determine that any stall structure or other erection on any forecourt within the city is by reason of its character injurious to the amenities of the street in which such forecourt is situate they may by notice in writing require the owner of or person responsible for such stall structure or other erection within such period not being less than seven days as may be specified in the notice to make such alterations to such stall structure or other erection as may be necessary to prevent the same from being injurious to the amenities of such street. Provisions as to forecourts.

(2) Any person neglecting or refusing to comply with the requirement of any such notice shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

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

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Police tele-  
phone call  
boxes and  
fire alarms.

**129.** The Corporation may (a) erect or fix police telephone call boxes in such positions in any street road or public place as they think fit and (b) with the consent of the road authority and with the consent and at the cost of the local authority (which cost the local authority are hereby authorised to incur) erect or fix street fire alarms in such positions as may be agreed in any street road or public place in the district of any local authority with whom the Corporation have entered into an agreement for the use of their fire brigade. Provided that nothing in this section shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 :

Provided also that the Corporation shall not under the powers of this section erect or fix any such police telephone call box or street fire alarm (a) in or upon any bridge carrying a street over a railway of a railway company or the approaches thereto or under any bridge carrying a railway of a railway company over a street or (b) in any street belonging to and repairable by a railway company and forming the approach to any station or depôt of a railway company or (c) so as to obstruct the access to or exit from any station or depôt of a railway company constructed and maintained under statutory authority except in each case with the consent in writing of such railway company but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be referred to the arbitration of a single arbitrator to be appointed failing agreement by the Minister of Transport :

Provided further that any person the use or enjoyment of whose property is interfered with by the erection or fixing of any such police telephone call box may appeal to a court of summary jurisdiction within one month after the erection or fixing thereof and the court shall have power to make such order for the removal or alteration of the position thereof as the court may think fit and to award costs.

Fire plugs.

**130.** Any person who shall cover over or wilfully or negligently obstruct or interfere with the convenient access to any fire alarm fire plug or hydrant or who shall remove or efface any plate or mark indicating the position



of such alarm plug or hydrant shall be liable to a penalty not exceeding five pounds. A.D. 1928.

**131.**—(1) (a) No fence hoarding or other similar structure (in this section referred to as “structure”) of a greater height than seven feet above the level of the ground at the nearest boundary of the street shall be erected or brought forward on any land in any street—

As to hoardings and similar structures.

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

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

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

(b) Any person who shall neglect or refuse to comply with a notice from the Corporation given in pursuance of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may at their own

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A.D. 1928. expense take down or remove any structure erected or maintained in contravention of the said provisions.

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

As to erection of hoardings &c. at street corners.

**132.**—(1) Before placing or erecting any hoarding or fence at or within a distance of ten yards from the corner of any street the person proposing to place or erect such hoarding or fence shall give notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding or fence proposed to be so placed or erected.

(2) If the placing or erection of such hoarding or fence would constitute a danger to the traffic in the streets upon adjoining or near to which the same is proposed to be placed or erected by obstructing the view of any foot passenger or the driver of any vehicle in a street of vehicular or pedestrian traffic the Corporation may within one month of the receipt of the said notice prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. If within one month of the receipt of the said notice the Corporation shall not have prohibited such placing or erection or allowed the same subject to a condition or to a modification of such plans or particulars they shall be deemed to have allowed such placing or erection.

(3) Any person who places or erects any hoarding or fence in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding or fence so placed or erected and may recover the expense incurred by them in so doing from such person.

(4) Any person deeming himself aggrieved by any requirement or prohibition or by the withholding of any approval of or by the Corporation under this section may within fourteen days from the date of such requirement

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prohibition or refusal of approval appeal to a court of summary jurisdiction and the court shall have power to make such order as the court may think fit and to award costs. A.D. 1928.

**133.**—(1) For the purpose of preserving the amenities of the city it is hereby enacted that it shall not be lawful to erect any hoarding or similar structure in or abutting on or adjoining any street to be used either partly or wholly for advertising purposes to a greater height than twelve feet above the level of such street without the consent of the Corporation and such consent may be given subject to such terms and conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoarding as the Corporation may determine. Restrictions on advertisement hoardings &c.

(2) The owner or other person using any hoarding wall or similar structure for advertising purposes whether erected before or after the passing of this Act shall at all times keep and maintain the same in proper and safe repair and condition and if any papers affixed for advertising purposes to such hoarding wall or other structure fall away become detached or are stripped off shall forthwith remove and clear away such papers.

(3) A person shall not be liable to any penalty in respect of an offence under subsection (2) of this section unless he shall have failed to comply with a notice in writing from the Corporation requiring him to keep or maintain a hoarding wall or structure of which he is the owner or user in proper and safe repair and condition or to remove and clear away paper in accordance with the provisions of subsection (2) of this section.

(4) Any person acting in contravention of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5) Any person aggrieved by the refusal of the Corporation to grant such consent or by the conditions attached to such consent may appeal to a court of summary jurisdiction within seven days after service upon him of notice of such refusal provided he give twenty-four hours' written notice of such appeal and the grounds thereof to the town clerk and the court

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A.D. 1928. — shall have power to make such order as the court may think fit and to award costs.

Byelaws as to alterations of buildings.

**134.** The power given by subsection (4) of section 23 of the Public Health Acts Amendment Act 1890 to make byelaws with respect to the alteration of buildings shall be extended so as to authorise byelaws with respect to the alteration of buildings whether or not erected in accordance with byelaws.

Height of chimneys.

**135.**—(1) Every chimney hereafter erected for carrying smoke or steam or for the conveying away of any noisome or deleterious gases or effluvia from any building used for manufacturing or other purposes shall be raised to such height measured from the level of the centre of the street nearest thereto as the Corporation shall reasonably approve having regard to the use of such chimney the position of dwelling-houses or other buildings near thereto the description of such buildings the levels of the neighbouring ground and any other condition requisite for consideration in determining such height.

(2) Any person who shall offend against any provision of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Means of escape from buildings in case of fire.

**136.**—(1) Every new building which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is above twenty feet from the street level and which is used or intended to be used as flats or offices or as a tavern hotel hospital boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant shall be provided on each of the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in case of fire for the persons dwelling sleeping or employed in each such upper storey or resorting thereto as may be reasonably required by the Corporation under the circumstances of the case and the owner shall not permit such building to be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

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(2) The Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as flats or offices or as a tavern hotel hospital boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant if in their opinion such building is not provided with proper and sufficient means of escape from each storey the upper surface of the floor whereof is above twenty feet from the street level in case of fire for the persons dwelling sleeping or employed therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

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(3) Where the means of escape in case of fire provided in connection with any such building as aforesaid shall become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner of the building shall upon the requirement of the Corporation make such alterations in the said means of escape as may be reasonably necessary and shall if so required by the Corporation provide further or other means of escape.

(4) (a) Any person aggrieved by any requirement of the Corporation under subsection (2) or subsection (3) of this section may appeal to a court of summary jurisdiction within seven days after the receipt of the requirement provided he give twenty-four hours' notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(b) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections.

(5) The owner of the building shall notwithstanding any agreement with the occupier have power to take such steps as are necessary for complying with any requirement of the Corporation under this section.

(6) If the owner alleges that the occupier of the building ought to bear or contribute to the expenses of

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complying with any requirement of the Corporation under this section he may apply to the county court and thereupon the county court after hearing the occupier may make such order as appears to the court just and equitable under all the circumstances of the case.

(7) The means of escape in case of fire provided in connection with any such building as aforesaid shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the building in good and efficient condition and free from obstruction.

(8) This section shall not apply to premises to which section 14 and section 15 of the Factory and Workshop Act 1901 or any enactment amending those sections apply.

(9) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(10) Where an existing building is newly converted after the passing of this Act into flats it shall be deemed to be a new building within the meaning of this section.

Means of  
ingress to  
and egress  
from large  
shops &c.

**137.**—(1) The provisions of section 36 of the Public Health Acts Amendment Act 1890 shall extend and apply to shops and departmental stores where more than twenty-five persons are employed and to any club registered under the provisions of section 91 of the Licensing (Consolidation) Act 1910 in the city whether existing before or after the passing of this Act:

Provided that in the application of the provisions of the said section 36 to any club the said section shall be read and have effect as if the words "for the use of the public" were omitted from subsection (1) thereof.

(2) Any person aggrieved by a requirement of the Corporation under the said section 36 in its application to shops departmental stores or clubs in pursuance of the powers of this section may within fourteen days after the date on which the Corporation give notice of their requirement to such person appeal to a court of summary jurisdiction provided he give twenty-four hours' written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

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(3) Notice of the right to appeal shall be endorsed on every notice of the Corporation under this section. A.D. 1928.

(4) For the purposes of this section section 7 of the Public Health Acts Amendment Act 1890 shall not apply.

**138.**—(1) (a) Where any part of an existing building which is used or adapted to be used as a shop projects for a distance of seven feet or more beyond the main front of any building of which it forms part and in which any persons are employed or sleep the projecting portion of such shop shall be provided by the owner with a roof constructed of fire-resisting materials not less than five inches thick. Construction of shops.

(b) It shall be lawful to construct or place in or upon the roof of the portion of any shop so projecting beyond the main front of the building as aforesaid lantern lights or ventilating cowls Provided that no such lantern light or ventilating cowl shall be constructed or placed so that any part thereof will be at a less distance than six feet from the main front of the building from which the shop projects or within such distance as may be reasonable in the circumstances of the case from any other external or party wall Provided also that the sides of such lantern light or ventilating cowl (except the side facing away from the main building) shall be carried up in fire-resisting materials for two feet above the roof in or upon which it is constructed or placed Provided further that no part of any such lantern light or ventilating cowl shall project above the roof in or upon which the same is constructed or placed to a greater extent than five feet.

(2) The Corporation may if they think fit contribute towards the cost of any alterations which may be necessary to comply with the requirements of this section.

(3) The Corporation may in any case where it is reasonable so to do sanction subject to such conditions (if any) as the Corporation may impose in giving such sanction the exemption of any building from all or any of the provisions of this section If in any case the Corporation refuse to give their sanction under the provisions of this section such refusal shall be deemed to be the withholding of a consent within the meaning of the section of this Act of which the marginal note is "Appeal."

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(4) Any person who occupies or (being the owner thereof) permits to be occupied any existing building that does not comply with the provisions of this section after the expiration of one calendar month's notice in writing requiring him to execute such works in connection therewith as may be necessary to cause such building to comply with such provisions shall (without prejudice to any other proceedings that may be taken against him) be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding ten pounds.

Food stor-  
age accom-  
modation to  
be provided.

**139.**—(1) Every dwelling-house erected after the passing of this Act shall be provided with sufficient larder or other food storage accommodation which shall where reasonably practicable be properly ventilated by direct communication with the open air and any owner who shall occupy or allow to be occupied any dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

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

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

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

(d) If the owner of the dwelling-house alleges that any occupier should bear or contribute to the expenses of complying with any requirements of the Corporation



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under this section he may apply to the county court and thereupon the county court after giving the occupier an opportunity of being heard may make such order as appears to the court just and equitable under all the circumstances of the case. A.D. 1928.  
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**140.** Section 23 of the Public Health Acts Amendment Act 1890 in its application to the city shall have effect as if the words "and floor area" had been inserted therein after the word "height" in subsection (1) of that section and as if the words "The provision and structure of projecting hoods over openings in garages" were added at the end of that subsection. Area of habitable rooms.

**141.** Section 157 of the Public Health Act 1875 in its application to the city shall extend to empower the Corporation to make byelaws with respect to— Byelaws as to erection of dwelling-houses under continuous roof.

(a) the number of dwelling-houses which may be erected in one block or in one continuous row; and

(b) the provision of an open space for separating blocks or rows of dwelling-houses and the width of such space.

**142.—**(1) Section 157 of the Public Health Act 1875 in its application to the city shall extend to empower the Corporation to make byelaws with respect to— Byelaws as to materials and construction of buildings &c.

(a) the manner in which and the materials with which grates stoves and fireplaces shall be newly set or reset in existing buildings and the thickness and construction of walls of and near garages ovens and furnaces;

(b) the uniting of buildings and the making and stopping up of openings in party-walls of buildings and the provision of fire-resisting doors in connection therewith and as to the occupation of buildings when united;

(c) the adequate lighting of buildings;

(d) the testing of drains of new buildings;

(e) requiring the plans and sections deposited in pursuance of any provision in any local Act for the time being in force to be drawn on such materials and in such manner as may be prescribed in such byelaws.

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(2) Any byelaws under the said section 157 as above extended with respect to the matters dealt with in paragraphs (a) (b) and (c) of this section may be made so as to affect buildings erected before the times mentioned in the said section 157.

As to dangerous buildings.

**143.**—(1) In the case of any building which may appear to the Corporation on the report of any duly qualified officer to be dangerous to the inmates or to persons working therein the Corporation may order a complete external and internal inspection and examination of any such building to be made by a competent person and for that purpose such person may on giving not less than twenty-four hours' notice to the occupier of the building and on producing written authority from the town clerk at any hour of the day between nine o'clock in the morning and six o'clock in the afternoon with such other persons as he may deem necessary enter upon such building and examine and inspect the same.

(2) If upon such examination and inspection it shall appear necessary that any works should be executed or alterations made for the purpose of putting such premises into a safe and proper condition for the purposes for which the same are used the Corporation in respect of such building and the works to be carried out therein shall have and may exercise all or any of the powers vested in the Corporation with respect to dangerous structures.

Restriction on erection of temporary stands &c.

**144.**—(1) Every person intending to erect any stand or structure for affording sitting or standing accommodation for a number of persons shall not less than fourteen days prior to the commencement of the erection thereof submit to the Corporation a plan and section thereof and shall comply with such regulations as the Corporation may prescribe for securing the stability of such stand or structure and for securing the safety of persons to be accommodated thereon.

(2) Any person acting in contravention of this section or offending against any such regulation shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any person who is a roundabout proprietor or travelling showman.

**145.**—(1) The contractor or builder engaged in or upon the construction reconstruction or alteration of any building or of any works shall where practicable provide to the reasonable satisfaction of the Corporation and until the completion of any such construction reconstruction or alteration such water or other closets and urinals in or in connection with such building or works as may be sufficient for the accommodation of the workmen employed.

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Sanitary conveniences for workmen engaged on buildings.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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

Elevations of buildings.

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

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

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

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A.D. 1928. of the advisory committee such reasonable fees and expenses as the Corporation think fit.

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

(a) approve the elevations ; or

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

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

(6) (a) The person by whom the elevations were deposited shall within fourteen days of his receiving notice of the reference to the advisory committee be entitled to send to the advisory committee a statement of his answers to the objections of the Corporation and if he does so he shall at the same time send a copy thereof to the town clerk.

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

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(ii) If the elevations are disapproved the decision of the advisory committee shall contain a statement of the grounds on which the proposed building is considered to be objectionable : A.D. 1928.

(iii) In arriving at their decision the advisory committee may subject to the provisions elsewhere in this section contained adopt such procedure as they think fit.

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

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

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

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

**147.** Any person who shall refuse the use and assistance of ladders scaffolding and plant referred to in section 320 (Powers on inspection) of the Act of 1918 or shall obstruct the surveyor or his assistants in the use thereof shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings. Penalty for refusing use of plant.

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Saving for  
railway  
companies.

**148.** Nothing in this Part of this Act or any byelaw to be made thereunder shall apply to any building (not being a dwelling-house) walls or works belonging to any railway company and used by such railway company as a part of or in connection with their railway under any Act of Parliament.

## PART IX.

### SEWERS AND DRAINS.

Separate  
sewers for  
sewage and  
surface  
water.

**149.**—(1) Where under the provisions of any local or general Act the Corporation have power to require any street to be sewered by reason of such street not having theretofore been sewered to their satisfaction they may require the provision of separate sewers for the reception of surface water and of sewage respectively Provided that the cost of providing in pursuance of this section separate surface water sewers in a street already sewered shall be borne by the Corporation.

(2) The Corporation may also from time to time by resolution declare that any sewer or sewers for the time being belonging to them shall be appropriated and used for surface water only or for sewage only.

(3) Where in any street provision has been made for separate sewers for surface water and for sewage as aforesaid no sewage shall be allowed to pass into the surface water sewer and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers.

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

(5) In the case of any house or premises existing at the time of the provision of separate sewers as aforesaid the drains whereof would but for the passing of this Act have been sufficient effectually to drain such house or premises the Corporation shall at their own expense make all necessary alterations to the drains and pipes of such house or premises in order to keep separate the sewage and surface water drainage thereof and no penalty shall be incurred under this section in the case of such house or premises until the completion of such alterations as aforesaid.

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**150.**—(1) On and after the first day of January one thousand nine hundred and twenty-nine every person who—

- (a) places or throws or causes to be placed or thrown or to fall; or
- (b) knowingly permits to be placed or to fall or to be carried; or
- (c) causes or knowingly permits to be placed in such a position as to be liable to fall or to be carried

in or into any sewer belonging to the Corporation or in or into any sewer or drain or inlet communicating therewith with or over any grate communicating with any such sewer or drain any solid matter mud or refuse except such as is contained in ordinary house sewage shall be deemed to have committed an offence against this Act and shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(2) The Corporation by any of their officers either generally or specially authorised in that behalf in writing may at any reasonable time enter any premises other than domestic premises for the purpose of examining whether the provisions of this section are being contravened and any person who shall refuse to permit any such officer after production of his authority to enter into any premises or shall obstruct any such officer in carrying out his duties under this section shall be liable to a penalty not exceeding twenty pounds.

(3) A penalty under this section shall be recoverable only by the Corporation who shall not be bound to proceed to recover any such penalty in any case where in their opinion such matter can be received into the sewers without risk of causing injury thereto or obstruction therein or risk of injury to the health of persons entering the sewers.

**151.**—(1) On and after the first day of January one thousand nine hundred and twenty-nine every person who causes to fall flow or enter or permits to fall flow or enter or to be carried into any sewer belonging to the Corporation or any sewer or drain communicating therewith any matter such as is in this section defined shall be deemed to have committed an offence against

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Regulating discharge of solid matter and refuse into sewers.

Regulating discharge of offensive liquids into sewers.

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A.D. 1928. this Act and shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

The matters hereinbefore referred to are—

(a) any chemical or manufacturing or trade or other liquid refuse; or

(b) any waste steam condensing water heated water or other liquid such water or other liquid being of a higher temperature than one hundred and ten degrees Fahrenheit;

which either alone or in combination with other matter or liquid in a sewer may cause a nuisance or involve danger or risk of injury to the health of persons entering the sewers or be injurious to the structure or materials of the sewers or works of the Corporation or interfere with the purification of the sewage dealt with thereby or tend to produce an effluent injurious to agriculture if used for agricultural purposes; or

(c) any crude petroleum oil made from petroleum coal shale peat or other bituminous substances and other products of petroleum and mixtures containing petroleum which when tested in manner set forth in Schedule I to the Petroleum Act 1879 gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit.

(2) The Corporation by any of their officers either generally or specially authorised in that behalf in writing may at any reasonable time enter any premises other than domestic premises for the purpose of examining whether the provisions of this section are being contravened and any person who shall refuse to permit any such officer after production of his authority to enter into any premises or shall obstruct any such officer in carrying out his duties under this section shall be liable to a penalty not exceeding twenty pounds.

(3) A penalty under this section shall be recoverable only by the Corporation and no proceeding under this section to recover any penalty under subsection (1) of this section shall be commenced except in pursuance of a recommendation from a committee of the Corporation after a report from the medical officer or the surveyor or the general manager of the sewage disposal department



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describing the matter alleged to be causing a nuisance or to be dangerous or injurious and the nature of the nuisance danger or injury alleged to be caused thereby. A.D. 1928.

**152.**—(1) The Corporation shall in their discretion have the power of constructing within any manufacturing premises (but outside any building forming part thereof) at the cost of the Corporation and without any liability on their part for compensation in respect thereof an inspection chamber or chambers accessible to the officers of the Corporation at all times for the purpose of ascertaining the nature of the discharge from such premises into the sewers of the Corporation : Power to construct inspection chambers in manufacturing premises.

Provided that nothing in this section shall apply to any premises belonging to a railway company and used by such railway company as a part of or in connection with their undertaking under any Act of Parliament.

(2) Any such inspection chamber shall be in such position as may be agreed between the Corporation and the owner of the said premises or failing agreement as may be determined by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such determination.

**153.** For the protection of the Sheffield Gas Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the company and the Corporation have effect (that is to say) :— For protection of Sheffield Gas Company.

(1) Notwithstanding anything contained in the sections of this Act of which the marginal notes are "Regulating discharge of solid matter and refuse into sewers" and "Regulating discharge of offensive liquids into sewers" the company may discharge in a regular and continuous flow the spent gas liquor produced at their gasworks from the coal distilled thereat by the company Provided that all such liquor shall be free from soluble sulphides and prior to such discharge shall be settled in tanks of a sufficient capacity to remove suspended solids :

(2) Any samples of effluent taken on behalf of the Corporation from any inspection chamber constructed on the premises of the company under

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the section of this Act of which the marginal note is "Power to construct inspection chambers in manufacturing premises" shall be taken in duplicate and one of such samples shall be left with the company.

## PART X.

### SANITARY PROVISIONS.

Conversion of existing accommodation into water-closets.

**154.**—(1) When a sewer and water supply sufficient for the purpose are available within one hundred feet the Corporation may require any existing closet accommodation (including any closet which drains into a cesspit and a slop-closet and trough-closet but not including a watercloset of any other description) provided at or in connection with any building to be altered so as to be converted into a fresh-water closet which shall comply with the byelaws for the time being in force and shall communicate with a sewer and they may also require a separate receptacle for ashes and house refuse to be provided at or in connection with such building.

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

Provided that the Corporation shall bear and pay such part of the expenses incurred by them (not being less than one-third thereof) as they may consider just and proper according to the circumstances and the remainder of the expenses shall be borne by the owner.

(3) The Corporation may contribute towards the expenses incurred in making any alteration of any closet accommodation in pursuance of this section in any case in which they may not be required to bear any part of such expense.

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

Penalty on obstructing certain

**155.** Any person who shall obstruct any officer or servant of or any contractor employed by the Corporation in the execution or doing of any work or thing in

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pursuance of section 289 (Substitution of drains for sewer for surface-water channels) section 355 (Maintenance and repair of waterclosets used in common) section 360 (Power to enforce alteration of privies ashpits &c.) or section 361 (Power to require removal of urinal) of the Act of 1918 or of the section of this Act of which the marginal note is "Conversion of existing accommodation into waterclosets" shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

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sanitary  
works.

**156.**—(1) Within one month after the deposit of any plan by a person intending to erect a new building the Corporation where there are a sufficient water supply and sewer may by written notice to that person require the new building to be provided with such number of proper and sufficient waterclosets as the circumstances of the case may render necessary.

Water-  
closets may  
be required  
in new  
buildings.

(2) Any person who fails to comply with any requirement of the Corporation under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

**157.** The Corporation may exercise the powers of an urban authority under section 22 of the Public Health Acts Amendment Act 1890 (which relates to the provision of sanitary conveniences in workshops and manufactories) on the report of the medical officer or the sanitary inspector as well as on the report of the surveyor.

As to powers  
of requiring  
sanitary  
conveni-  
ences for  
manufac-  
tories &c.

**158.**—(1) The owner of any dwelling-house whether erected before or after the passing of this Act which is not provided with a proper and sufficient water supply within such dwelling-house who shall occupy the same or allow the same to be occupied shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

As to houses  
without  
water  
supply.

(2) Provided that—

(a) the owner of any dwelling-house erected before the passing of this Act shall not be liable to the penalties provided by subsection (1) of this section unless the Corporation shall have given to such owner one month's notice in writing requiring him to provide such dwelling-house with a proper and sufficient water supply within such dwelling-house;

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- (b) the Corporation shall repay to the owner of any such dwelling-house erected before the passing of this Act one-third of the amount reasonably expended by him in complying with the requirements of such notice (including the cost of providing and fixing any necessary sink and connection to the drain);
- (c) this section shall not apply to a dwelling-house erected before the passing of this Act which has no scullery or to any dwelling-house in respect of which a sewer or drain and a water main are not available within one hundred feet of such dwelling-house.

Cleansing of dwelling-houses in certain cases.

**159.** When the medical officer certifies in writing that any dwelling-house is in an insanitary condition and that the occupier thereof is unable through infirmity or mental incapacity to remedy such condition and that his health is thereby endangered a court of summary jurisdiction may on the application of the Corporation (who shall give to the occupier seven days' notice of their intention to make such application) make an order for the removal of such occupier to an institution or other dwelling for such period as the court may by such order direct as being necessary to enable the Corporation to cleanse and disinfect the dwelling-house and the Corporation may carry out the removal and such cleansing and disinfection of the dwelling-house as may be necessary.

Removal of infirm and diseased persons in certain cases.

**160.**—(1) If the medical officer certifies in writing that any person—

- (a) is aged or infirm or physically incapacitated and resides in premises which are insanitary owing to any neglect on the part of the occupier thereof or under insanitary conditions; or

- (b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in the interests of the health of such person and for preventing injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the Corporation may make application

to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination of such person by a registered medical practitioner to be nominated by them if they think fit may make an order for the removal of such person to a suitable hospital infirmary poor law or other institution or other suitable place within the city or within a convenient distance of the city and for the detention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period or periods each not exceeding three months as may be determined by any further order or orders made under and in accordance with the provisions of this section. Provided that not less than three clear days before making any application under this subsection for the removal of any person the Corporation shall give notice in writing of their intention so to do to the board of guardians of the poor law union in which the said person is residing.

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(2) The Corporation shall give to any person proposed to be removed under the provisions of this section or to some person being in charge of such person three clear days' notice of their intention to make such application and of the time and place when and where such application will be made.

(3) The cost of the removal of any person to a hospital infirmary institution or place as aforesaid and of his detention and maintenance therein in pursuance of an order made under this section shall be borne by the Corporation and during any period for which a person is so detained the Corporation may and if so required by the court shall make towards the maintenance of any dependants of that person such contributions as the Corporation think fit or as may be directed by the court as the case may be :

Provided that the board of guardians of the poor law union in which the said person is residing shall be entitled to appear and be heard upon the application and any matters relating thereto and may in the exercise of their powers under the Poor Law Act 1927 assume such obligations with regard to the maintenance of the said person and his dependants as may be agreed upon between the board of guardians and the Corporation.

(4) An order under this section may be addressed to such officer of the Corporation or to such constable

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A.D. 1928. — as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made. Such person or other the person making the application shall give to the Corporation not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) Nothing in this section nor in any order made thereunder shall authorise the removal of any person to or the detention of any person in any poor law institution except with the consent in writing of the governing body of that institution or shall affect or interfere with the exercise or discharge by the board of guardians of any poor law union of any of their powers or duties.

Power to  
order altera-  
tion of  
chimneys.

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

Prohibition  
of tents  
vans &c.

**162.—(1) (a)** No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land without the previous consent of the Corporation.

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(b) It shall not be lawful for any person without the previous consent of the Corporation to let or use any land for occupation by any tent van shed or similar structure used or intended to be used for human habitation unless and until such land is provided with sufficient roads and sewers and furnished with a separate supply of water to the satisfaction of the Corporation.

(2) Any person aggrieved by the withholding by the Corporation of their consent under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to a court of summary jurisdiction and the court shall have power to make such order as the court may think fit and to award costs.

(3) This section shall not apply to (a) a tent van shed or structure which is not used or intended to be used by the occupier as a sole or principal means of habitation for an unbroken period of at least three months or (b) any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stall-holder not being a pedlar or hawker.

(4) Any person who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

**163.**—(1) Any tent van shed or similar structure standing upon land abutting upon a street shall for the purpose of the application to the city of section 3 of the Public Health (Buildings in Streets) Act 1888 be deemed to be a house or building within the meaning of those words where they first occur in the said section.

Further provisions as to tents vans &c.

(2) It shall not be lawful without the written consent of the Corporation to place any tent van shed or similar structure used for human habitation so as to stand upon any square court alley or passage to which the public have access or which is required by law to be left free from obstructions.

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

**164.** The Corporation may make byelaws for securing the proper ventilation and lighting of and for the prevention of insanitary conditions in or about or arising

Byelaws as to stables &c.

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A.D. 1928. — out of any existing stable not being used as such at the date of the passing of this Act or in or about or arising out of or with regard to the situation in reference to other buildings of any stable erected after the passing of this Act.

Regulation  
dustbins.

**165.** The owner or occupier of any premises in connection with which a movable ashbin or dustbin has been provided shall if so required by the Corporation pay to the Corporation on each first day of April thereafter such sum not exceeding three shillings as the Corporation may from time to time by resolution determine for or towards the maintenance repair and renewal by them of such ashbin or dustbin and such payment shall be in satisfaction of the obligation of such owner or occupier in regard to the maintenance of such ashbin or dustbin.

Restriction  
as to use of  
ashbins.

**166.**—(1) It shall not be lawful for any person to use any ashpit ashtub ashbin or dustbin for any purpose other than the deposit of dust ashes or other house refuse (not being of a liquid or partly liquid character) intended for removal by or on behalf of the Corporation.

(2) Any person contravening the provisions of this section shall be liable to a penalty of ten shillings and to a daily penalty of ten shillings.

Byelaws as  
to refuse.

**167.** The power of the Corporation to make byelaws under section 26 of the Public Health Acts Amendment Act 1890 shall extend to refuse which is not faecal or offensive or noxious matter or liquid.

Byelaws as  
to tipping  
refuse.

**168.** The Corporation may make byelaws for regulating the tipping of dust spoil and refuse and for prohibiting the use of any refuse tip so as to be a nuisance to the occupiers of any premises in the neighbourhood thereof Provided that such byelaws shall not apply to the tipping of spoil from colliery shafts existing at the date of the passing of this Act.

Machinery  
&c. for and  
treatment  
of refuse.

**169.**—(1) The Corporation may provide such buildings machinery plant and substances as may be required for the separation or treatment of any refuse or other material collected by them or on their behalf and for the utilisation by way of manufacture or otherwise of any such refuse or other material whether before or after incineration.



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(2) Any article or product manufactured or obtained under this section may be sold or otherwise disposed of by the Corporation and any profits so made shall be paid into the general rate fund.

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PART XI.

INFECTIOUS DISEASE.

170.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the view of preventing the spread of infectious disease require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirements shall be at once complied with.

Power to close Sunday schools and exclude children from entertainments.

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

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

Restriction on attendance of children at Sunday schools and places of assembly when infectious disease prevails.

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

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(3) Section 364 (To prevent spread of infectious disease amongst children in Sunday schools) of the Act of 1918 is hereby repealed.

For preventing spread of infectious disease.

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

(2) In any proceeding under this section a certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

Extended meaning of "infectious disease" for certain purposes.

**173.**—(1) For the purposes of the foregoing provisions of this Part of this Act the expression "infectious disease" includes measles German measles whooping cough chicken-pox and ringworm as well as infectious disease as defined by the section of this Act of which the marginal note is "Interpretation."

(2) For the purposes of section 126 of the Public Health Act 1875 as amended by section 62 of the Public Health Acts Amendment Act 1907 the expression "dangerous infectious disorder" includes infectious disease as defined by the section of this Act of which the marginal note is "Interpretation" and also (in the case of exposure in covered buildings or public conveyances) measles and whooping cough.

Corporation may supply antidotes against infectious disease.

**174.** The Corporation may provide and supply (with or without charge therefor) to any medical practitioner antidotes and remedies against infectious disease.

Prohibition on infected person carrying on business.

**175.**—(1) If a person who is suffering from an infectious disease or who is living in a house in which there is a case of infectious disease knowingly engages in the cooking preparation or handling of food intended

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for consumption by persons other than himself or members of his household in such a manner as to be likely to spread the infectious disease he shall be liable to a penalty not exceeding forty shillings.

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(2) In this section the expression "infectious disease" means any infectious disease which is from time to time notifiable within the city under the Infectious Disease (Notification) Act 1889 or under any regulations made by the Minister under section 130 of the Public Health Act 1875 and in addition para-typhoid fever and infective enteritis.

**176.** If any person shall at the request of the Corporation or of the medical officer cease his employment for the purpose of preventing the spread of infectious disease the Corporation may make compensation to him for any loss he may sustain by reason of such ceasing.

Power to compensate persons for ceasing employment to prevent spread of disease.

**177.**—(1) The occupier of any building which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

Penalty on withholding information from medical officer.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding forty shillings.

(3) For the purposes of this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

**178.**—(1) (a) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any boat vessel tent van shed or similar structure used for human habitation) would tend to prevent or check tuberculosis the town clerk shall give notice in writing to the owner or occupier of such building that the same or any part thereof will be cleansed and disinfected by and at the cost of the Corporation unless the owner or occupier of such building informs the Corporation within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the building

Disinfection in case of tuberculosis.

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A.D. 1928. or the part thereof to the satisfaction of the medical officer within a time to be fixed in the notice.

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

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

(d) Every person who shall wilfully obstruct any duly authorised officer of the Corporation in carrying out the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The medical officer if generally empowered by the Corporation in that behalf may by notice in writing require the owner of any household or other articles books things bedding or clothing which have been exposed to the infection of tuberculosis of the lung or other forms of tuberculosis with discharges to cause such articles books things bedding or clothing to be delivered to an officer of the Corporation for removal for the purposes of disinfection and any person who fails to comply with such requirement shall be liable to a penalty not exceeding five pounds.

(b) Such articles books things bedding and clothing shall be disinfected by the Corporation and returned to the owner free of charge.

(3) If any person sustain any damage by reason of the negligent exercise by the Corporation of any of the

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

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**179.**—(1) Where the veterinary surgeon of the Corporation has certified that any infectious or parasitic disease has appeared in any stable cowshed or other place where animals are kept and the medical officer has thereupon certified that such stable cowshed or place cannot be efficiently disinfected a court of summary jurisdiction on complaint by the Corporation may make an order requiring the owner to demolish such stable cowshed or place or such part or parts thereof as they may think fit and to destroy the materials thereof in such manner as the order may prescribe.

As to infected stables and other places.

(2) If the order be not obeyed within the time thereby prescribed the Corporation at any time after the expiration of such time may themselves execute the order and all expenses incurred by them under this section may be recovered by them from the owner but without prejudice to his right to recover the same from any lessee or other person occupying the stable cowshed or place.

## PART XII.

### HUMAN FOOD.

**180.** Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 of the Public Health Acts Amendment Act 1890 shall extend to authorise the medical officer or sanitary inspector or any other officer duly authorised by the Corporation in that behalf to inspect examine and search any cart or other vehicle or any basket sack bag or parcel whether open or closed in which he has reason to suspect that there is any animal or any of the articles referred to in the said sections intended for sale or in the course of delivery after sale for the food of man and the provisions of such sections shall apply accordingly :

Further powers in relation to unsound food.

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

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A.D. 1928. by them for the purposes of their traffic or of any basket sack bag or parcel in the possession of such company as carriers thereof.

Penalty on original vendor of unsound food.

**181.**—(1) Where it is shown that any animal or article liable to be seized under section 116 of the Public Health Act 1875 (as extended by section 28 of the Public Health Acts Amendment Act 1890) or under any enactment relating to the city and found in the possession of any person was sold to him by another person for the food of man (the proof that the same was not sold for the food of man resting with the party charged) and when so sold was in such a condition as to be liable to be so seized and to be condemned under section 117 of the Public Health Act 1875 or under any such enactment as aforesaid (as the case may be) the person who so sold the same shall be punishable as mentioned in the last-mentioned section or enactment (as the case may be) unless he proves that at the time he sold the animal or article he did not know and had no reason to believe that it was in such condition.

(2) Where any animal or article of food has been condemned by a justice under section 117 of the Public Health Act 1875 as extended by section 28 of the Public Health Acts Amendment Act 1890 or under any enactment relating to the city the person to whom the same belongs or did belong at the time of deposit of such article for the purpose of sale or of preparation for sale as well as the persons in those sections mentioned shall also be punishable as mentioned in section 117 of the Public Health Act 1875 or under any such enactment as aforesaid (as the case may be) unless he proves that at the time of such deposit he did not know and had no reason to believe that the said article was in such a condition as to be liable to be so condemned.

(3) Before any animal or article liable to be condemned under section 117 of the Public Health Act 1875 as extended by section 28 of the Public Health Acts Amendment Act 1890 or under any enactment relating to the city and this section is dealt with by a justice the medical officer or the sanitary inspector shall inform the person in whose custody or possession the same was at the time when it was inspected by the medical officer or sanitary inspector of the intention of the medical officer or sanitary inspector to have the same dealt with by a

justice and any person who may be liable in respect of such animal or article to a prosecution under the aforesaid provisions shall be entitled to attend the proceedings before the justice and to be heard with his witnesses upon the application for the condemnation of any such animal or article. A.D. 1928.

**182.**—(1) The Corporation may make byelaws for promoting and securing sanitary and cleanly conditions in the transport of any article intended to be sold for the food of man. Byelaws as to food.

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

(3) At least one month before applying to the Minister for confirmation of any byelaws made under this section applicable to the transport by a railway company of any article intended for the food of man the Corporation shall give notice to the company of the intention of the Corporation to make such application and such notice shall be accompanied by a copy of the proposed byelaws.

**183.**—(1) The Corporation may make and enforce byelaws for preventing meat or any part of the carcase of an animal brought into the city and intended for the food of man from being used for the food of man or being offered for sale or sold or deposited for sale or for preparation for sale until after inspection by an officer of the Corporation. Byelaws as to inspection of meat.

(2) Any byelaw made by the Corporation under subsection (1) of this section shall provide (a) that any person bringing any meat (other than foreign meat) or any part of the carcase of an animal into the city shall give to the medical officer reasonable notice in writing of the day and hour and place in the city on and at which the meat or any part of the carcase can be inspected as aforesaid and (b) that if within such reasonable period

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A.D. 1928. after the notified hour as may with due regard to the requirements of the trade be prescribed by the byelaw an officer of the Corporation shall not have attended at the place so notified for the purpose of inspection the restriction in subsection (1) of this section referred to shall not apply to the meat or any part of the carcase in respect of which the notice was given.

(3) No byelaw made by the Corporation under subsection (1) of this section shall apply to meat which has been inspected and passed as fit for the food of man by the medical officer of health of the district in which the animal has been slaughtered or by a duly qualified inspector being an official of or authorised to act on behalf of the sanitary authority of such district but the Corporation shall be entitled to require reasonable proof that the meat has been inspected and passed as aforesaid.

(4) With a view to facilitating the carrying into effect of any byelaws made in pursuance of this section the Corporation may with the consent of the local authority concerned enter any slaughter-house which is situate outside the city but within a circle having a radius of twenty miles from the town hall for the purpose of inspecting any carcase or any part thereof intended for sale or consumption in the city.

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

(6) Nothing in this section shall affect the operation of the Diseases of Animals Acts 1894 to 1927 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

Power to  
take sam-  
ples of food  
for analysis.

**184.**—(1) The powers of entry and inspection conferred by subsection (5) of section 72 of the Public Health Act 1925 shall in relation to the city be extended so as to empower an officer making an inspection of any room under the said subsection to take samples of any



food found in such room making reasonable payment therefor and if it be intended to submit any sample to analysis or bacteriological examination he shall forthwith notify to the vendor of or merchant or dealer in such food or the agent of such person his intention to have the same analysed by the public analyst or examined by a bacteriologist appointed by the Corporation and shall divide the sample into three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall if required to do so deliver one of the parts to such vendor merchant dealer or agent. The officer shall afterwards retain one of the said parts for future comparison and submit the third part if he deem it right to have the sample analysed or examined to the public analyst or such bacteriologist.

A.D. 1928.

(2) The expression "public analyst" in this section means the analyst appointed by the Corporation for the purposes of the Sale of Food and Drugs Acts 1875 to 1927.

**185.**—(1) Any person being a manufacturer of or vendor or merchant or dealer in ice-cream or other similar commodity who omits on the outbreak of any infectious disease amongst the persons employed or resident in the premises where the same is manufactured to give notice thereof to the medical officer shall be liable for every such offence to a penalty not exceeding forty shillings.

For regulating  
manufacture and  
sale of ice-  
cream &c.

(2) In the event of any person so employed or resident suffering from any infectious disease the medical officer or the sanitary inspector or any other officer who is duly authorised by the Corporation in that behalf may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in any of such premises and the Corporation shall compensate the owner of the ice-cream or similar commodity or materials so destroyed :

Provided that no compensation shall be payable in respect of any ice-cream or similar commodity or materials for the manufacture of the same manufactured or brought upon the said premises after such seizure and while any such person is suffering from infectious disease.

(3) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same

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power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings for each offence.

(4) Any officer who is duly authorised by the Corporation in that behalf shall at all reasonable times have power to inspect any cart barrow or other vehicle or stand in or on which ice-cream or other similar commodity is offered for sale and the provisions as to inspection of section 72 of the Public Health Act 1925 as extended by the section of this Act of which the marginal note is "Power to take samples of food for analysis" shall apply to any inspection made under the powers of this subsection.

(5) Any expenses of the execution by the Corporation of this section shall be defrayed out of the general rate fund and general rate.

(6) Section 373 (For regulating manufacture and sale of ice-cream &c.) of the Act of 1918 is hereby repealed.

**186.**—(1) No premises shall be used for—

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

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

unless such premises are registered by the Corporation and any person offending against the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The Corporation may refuse to register any such premises or (after giving one month's notice in writing to the person in whose name any such premises are registered) revoke the registration of such premises upon the ground that the premises are not suitable to be used for the purposes aforesaid. Provided that before refusing or revoking such registration the Corporation shall serve upon the applicant for registration or the

Registra-  
tion of pre-  
mises used  
for manu-  
facture &c.  
of potted  
meats and  
ice-cream.

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person in whose name such premises are registered a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register or to revoke the registration of the premises. A.D. 1928.

(b) If the Corporation should refuse to register or should revoke the registration of any such premises they shall deliver to the person applying for such registration or in whose name the premises are registered a statement in writing of the ground or grounds upon which such refusal is based. Notice of the right to appeal next hereinafter mentioned shall be endorsed on every such notice.

(c) Any person aggrieved by any such refusal may appeal to a court of summary jurisdiction provided that such appeal be made within fourteen days from the date of a refusal to register or of the notice of a refusal to retain and that not less than forty-eight hours' notice of such appeal be sent to the Corporation and the costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(d) On any such appeal the court may confirm the refusal or direct the Corporation to register the premises or to retain them upon the register and the Corporation shall comply with any such direction.

(3) The provisions of this section shall have no application to any premises occupied as a factory or workshop respecting which notice is required by subsection (1) of section 127 of the Factory and Workshop Act 1901 to be given and shall not in any way affect the operation of that Act.

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

(5) The provisions of this section shall come into force on the first day of January one thousand nine hundred and twenty-nine and the Corporation shall cause public notice to be given of the provisions of this section by advertisement published once in each of three successive weeks in at least two newspapers published or circulating in the city in the months of August and September or one of them immediately preceding the date when such provisions shall become operative.

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—  
As to street  
vendors.

**187.** Every dealer in any article vending his wares from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this section shall be liable to a penalty not exceeding forty shillings.

Restriction  
on taking  
inedible fats  
into pre-  
mises where  
food is pre-  
pared.

**188.** Any person taking or introducing or causing to be taken or introduced any fats which are unfit for the food of man into any premises in which any food for man into the composition of which fat enters is manufactured or prepared for sale or into any premises directly or indirectly connected by a passage pipe or in any other way with any such premises (except so far as such passage pipe or other connection as the case may be is required or used for sanitary or other similar purposes and not in connection with the manufacture or preparation hereinbefore mentioned) shall for each offence be liable to a penalty not exceeding five pounds unless he can prove that such fats were not taken or introduced into such premises for the purpose of being used and have not been used as an ingredient in the manufacture or preparation of any food for man.

Notice of  
slaughter of  
animal unfit  
for human  
food.

**189.**—(1) Where any person being the owner of any bull ox cow heifer calf sheep lamb or pig which is emaciated or diseased and unfit for human food is about to slaughter the same or about to cause the same to be slaughtered he shall give previous notice to the medical officer or sanitary inspector of such intention and shall on the application of the medical officer or sanitary inspector within six weeks from the date of such slaughter furnish such information within his knowledge as the medical officer or sanitary inspector may reasonably require for the purpose of enabling inquiries to be made to trace the disposition of the carcase or any part thereof.

(2) Any person failing to give such notice or refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding ten pounds.

Medical  
practition-  
ers to notify  
cases of food  
poisoning.

**190.**—(1) Every medical practitioner attending on a person who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the

medical officer a notification of the case stating the name of such person and the place at which such person is. A.D. 1928.

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

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

### PART XIII.

#### COMMON LODGING-HOUSES.

**191.** No house or part of a house shall be exempt from the provisions of this Part of this Act or any byelaws made thereunder on the ground that accommodation in such house or part of a house is let for a longer period or longer periods than one day or is not let for a less period than one week. As to periods of letting as affecting common lodging-houses.

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

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

(2) If the Corporation refuse to grant or renew registration under this section they shall give notice of such refusal to the applicant and shall if required by the applicant deliver to him a statement in writing of the ground or grounds upon which such registration is refused. Notice of the right to appeal shall be endorsed on every such notice.

(3) If the registration or renewal of registration be refused any person aggrieved by such refusal may appeal to a court of summary jurisdiction provided that such appeal be made within fourteen days from the date of

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such refusal and that not less than twenty-four hours' notice of such appeal be sent to the Corporation.

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

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

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

Further provisions as to registration of common lodging-houses.

**193.**—(1) Section 69 of the Public Health Acts Amendment Act 1907 shall in its application to the city be read as if the words "if that person is newly registered after the commencement of this section" were omitted from subsection (2) of the said section.

(2) Notwithstanding anything in the Public Health Acts the registration of a common lodging-house whether registered before or after the passing of this Act shall remain in force only for such time not exceeding one year as may be fixed by the Corporation but may be renewed from time to time by the Corporation.

Byelaws as to common lodging-houses.

**194.** Section 80 of the Public Health Act 1875 shall extend to empower the Corporation to make byelaws for the maintenance in good condition and free from obstruction of all precautions and means of escape in case of fire which may be provided in or in connection with a common lodging-house and for requiring the exhibition or placing in a conspicuous part of any room in a common lodging-house of a copy of any byelaw applicable thereto and of a placard setting forth the cubicle contents and the accommodation thereof.

Procedure on death of common

**195.** Notice shall be given to the Corporation of the death of any common lodging-house keeper forthwith after the same shall have occurred and the right by

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section 77 of the Public Health Act 1875 conferred upon the widow or any member of the family of a common lodging-house keeper to keep such common lodging-house open and to receive lodgers therein for four weeks after such death without registration shall not be exerciseable unless such notice shall have been duly given. A.D. 1928.  
—  
lodging-house keeper.

196. The Corporation forthwith after the passing of this Act shall give notice of the foregoing provisions of this Part of this Act to the keeper of every common lodging-house in the city. Notice of certain provisions of Part XIII of Act.

#### PART XIV.

##### HACKNEY CARRIAGES.

197. The provisions of the Town Police Clauses Act 1847 shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by such byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages except so much of such byelaws as relates to the fixing of fares shall apply to every horse-drawn or motor vehicle standing or plying for hire notwithstanding that such vehicle stands or plies for hire on private premises only Provided that this section shall not apply to any such vehicle which is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire or for journeys under special contract or to an omnibus as defined in the Town Police Clauses Act 1889. Provisions as to certain vehicles let for hire.

198. The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and the provisions of that subsection shall apply accordingly. Insurance by hackney carriage proprietors.

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—  
Construc-  
tion of  
motor hack-  
ney car-  
riages to be  
approved by  
Corporation.

**199.** The Corporation may as a condition of their licensing any motor omnibus or other motor hackney carriage require that the construction of such omnibus or hackney carriage as at the date when the licence was granted shall not be altered without the approval of the Corporation while the licence is in force. Any person altering the construction of a motor omnibus or other motor hackney carriage in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the court may in addition order the suspension of the licence for such motor omnibus or other motor hackney carriage.

Inspection  
and certifi-  
cation of  
taximeters.

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

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

(3) Any person using a taximeter or other similar apparatus which is not so certified or failing to submit the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable to a penalty not exceeding forty shillings.

Power to  
impose test  
on motor  
drivers.

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

Power to  
grant occa-  
sional  
licences.

**202.** An occasional licence for a hackney carriage omnibus or other public vehicle to ply for hire may be granted by the Corporation to be in force for such day or



days or other periods less than one year as may be specified in the licence. A.D. 1928.

**203.**—(1) For the purposes of sections 51 to 61 (both inclusive) 63 and 65 to 67 (both inclusive) of the Town Police Clauses Act 1847 the whole of the city and any area outside the city but within five miles from the town hall shall be within the prescribed distance for hackney carriages duly licensed by the Corporation and hired within the city. Further provisions as to hackney carriages.

(2) The power of the Corporation to make byelaws under section 68 of the Town Police Clauses Act 1847 shall be extended so as to enable them also to make byelaws thereunder with respect to hackney carriages duly licensed by the Corporation and hired within the city when outside the city but within five miles of the town hall of the city.

(3) (a) Any offence committed or claim arising outside the city but within five miles of the town hall against or under the Town Police Clauses Act 1847 or any byelaws made by the Corporation thereunder and relating to a hackney carriage duly licensed by the Corporation and hired within the city may be brought before and determined by any person who would have had jurisdiction to hear and determine the offence or claim had it occurred or arisen at the place within the city where the hiring was effected.

(b) In addition to any persons authorised by section 253 of the Public Health Act 1875 the Corporation may take proceedings for the recovery of any penalty for any offence specified in the preceding paragraph (a).

(4) Nothing in this section shall apply to omnibuses as defined in the Town Police Clauses Act 1889.

**204.** The power to make byelaws conferred upon the Corporation by section 68 of the Town Police Clauses Act 1847 shall be extended so as to include power to make byelaws thereunder for all or any of the following purposes (that is to say):— Byelaws as to hackney carriages.

(a) For the examination and inspection of hackney carriages at such times and places as may be prescribed by such byelaws including an examination and inspection within one month before the annual licensing day or any adjourned licensing day;

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- (b) For the cessation of user of a hackney carriage which at any time fails in any way to comply with the requirements of the byelaws respecting the fitness of hackney carriages for public hire;
- (c) For the furnishing by the owner of every hackney carriage to the inspector of hackney carriages or any police constable on request being made by him of the name and place of abode of any person who was authorised to drive such carriage at any specified time within seven days prior to such request being made.

PART XV.

POLICE PROVISIONS.

Regulations  
for con-  
trolling  
traffic.

**205.**—(1) The Corporation may from time to time make regulations prescribing—

- (a) the streets which are not to be used for traffic by vehicles of any specified class or description either generally or during specified hours;
- (b) the streets or parts of streets in which vehicular traffic shall pass in one specified direction only either generally or during specified hours;
- (c) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers:

Provided that—

- (i) any regulation made under paragraph (a) of this subsection shall not apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises whilst so engaged nor outside the central area to any omnibus licensed by the Corporation to ply for hire;
- (ii) any regulation made under paragraph (b) of this subsection shall apply only within the central area and in streets outside that area the carriageway of which is permanently divided longitudinally;
- (iii) any regulation made under paragraph (c) of this subsection shall apply only within the central area.

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

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

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

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

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

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a local newspaper circulating in the city and otherwise in such manner as may be prescribed by the

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A.D. 1928. — Minister of Transport and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

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

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

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

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

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

shall be liable to a penalty not exceeding forty shillings.

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

(11) In this section—

(a) “the central area” means the portion of the city comprised within a circle having a radius of one and a half miles from the town hall; and

(b) "specified" means specified in any regulations made or approved under this section. A.D. 1928.

(12) Section 491 (Power to make regulations as to traffic) of the Act of 1918 is hereby repealed.

**206.**—(1) The Corporation may from time to time make regulations prescribing—

(a) the stands to be occupied exclusively by omnibuses of any specified class or description or used on any specified route or running according to a published time-table such stands to be fixed with due regard to the centres of collection and distribution of omnibus and other traffic; and

(b) the time during which any omnibus shall be allowed to remain at any one stand;

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

(2) Upon the coming into force of the regulations first made under this section the sixth paragraph of section 6 of the Town Police Clauses Act 1889 shall cease to extend to the city and any byelaws made by the Corporation under that paragraph shall be repealed.

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

(4) Every such notice shall indicate the date (which shall not be less than twenty-eight days) within which any objection to the regulations shall be sent in writing to the Corporation and shall contain a notification of the place at which copies of the proposed regulations may be obtained free of charge.

(5) The Corporation shall consider and determine any objection to the proposed regulations which is sent to them in writing within the time fixed in that behalf and shall send notice of their decision to the objector who if he is dissatisfied with their decision may within

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A.D. 1928. fourteen days after the receipt of the notice appeal to the Minister of Transport.

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

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

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

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

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

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

A.D. 1928.

Power to stop traffic on occasions of emergency.

**208.** No person shall wilfully ride or drive any horse cattle or vehicle over or across any grass margin provided laid out or levelled by the Corporation forming part of any highway and any person who shall contravene the provisions of this section shall be liable to a penalty not exceeding twenty shillings.

Prohibition of vehicles &c. on grass margins.

**209.** The Corporation may make byelaws prohibiting or restricting the use by persons riding bicycles tricycles or other similar vehicles of any footpaths specified and defined in such byelaws.

Byelaws as to bicycles &c. on certain footpaths.

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

Notice of processions to be given.

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

**211.** Every person who shall ride upon or cause himself to be carried or drawn by any vehicle without the consent of the owner or driver thereof shall be liable to a penalty not exceeding ten shillings.

Unauthorised riding upon vehicles.

**212.** The power to make byelaws conferred on the Corporation by section 23 of the Municipal Corporations Act 1882 shall be deemed to enable the Corporation to

Byelaws as to leading or driving cattle.

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A.D. 1928. make byelaws thereunder in accordance with the provisions of this section for prescribing the streets in which the hours during which and the manner according to which animals may be led or driven along the streets :

Provided that the route or routes prescribed by any such byelaws shall not be such as would prevent the passage of cattle by a reasonably short and convenient route between any market or licensed or registered slaughter-house and any railway station in the city or any place beyond the boundary of the city when such animals are merely passing between such market or slaughter-house and railway station or other place as aforesaid :

Provided also that any such byelaw shall not prevent the owner of any animal driving the same to his own premises.

Ejection of steam and waste gas to annoyance of public.

**213.**—(1) All steam or waste gas ejected from any stationary engine or the boiler or condensers thereof and all condensing water above a temperature of one hundred and ten degrees Fahrenheit so ejected and all spent and ejected steam arising or produced in any trade business or manufacture shall be so discharged as not to be an annoyance to the public.

(2) Any person who shall cause or permit steam or waste gas to be ejected or discharged contrary to the provisions of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Silencers for internal combustion engines.

**214.**—(1) Every person who uses a stationary internal combustion engine shall provide and use an effective silencer on the exhaust of such engine and shall at all times at his own expense keep such silencer in proper repair.

(2) The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such silencer at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the silencer be found in proper order but otherwise at the expense of the person aforesaid :

Provided that nothing contained in this subsection shall apply to any stationary internal combustion engine



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belonging to any railway company or canal company and used by them for the purposes of their undertaking. A.D. 1928.

(3) Any person who shall use a stationary engine or permit the same to be used contrary to the provisions of this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

**215.**—(1) No pleasure fair shall be held on private land except with the consent of the Corporation and except upon such lands and under such conditions as the Corporation may approve in the interests of public health and of decency and of the safety of persons resorting to such fair and the Corporation may refuse to grant their consent to the holding of any such fair in any case in which the conditions or circumstances of the holding thereof are open to objection on the grounds of public health or of decency or of the safety of persons attending the same or may in granting their consent grant the same subject to such conditions as they may consider necessary or desirable in the interests before mentioned. As to holding of pleasure fairs.

(2) Any person desiring to hold a pleasure fair upon any land shall at least one month before the date upon which he desires to hold such fair make application in writing to the Corporation for their consent thereto. Upon receipt of any such application the Corporation shall take the same into consideration and shall within seven days from such receipt notify the applicant that his application is granted or refused (as the case may be). In the event of the Corporation failing so to notify such applicant they shall be deemed to have granted their consent to such application.

(3) Any person deeming himself aggrieved by the withholding of any consent applied for by him in pursuance of the provisions of subsection (2) of this section or by any conditions imposed by the Corporation with reference to the holding of any such fair may appeal to a court of summary jurisdiction within fourteen days from the date upon which such consent is refused by the Corporation or such condition is imposed and the said court may and is hereby empowered to make such order in the premises as to the court may seem just and the costs of such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

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(4) Any person holding a pleasure fair in contravention of the provisions of this section or neglecting or failing to comply with any conditions subject to which the consent of the Corporation shall have been given shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds.

(5) In this section the expression "pleasure fair" means any pleasure fair which is run for profit and held wholly or mainly in the open air or in tents or other temporary erections but does not include any fair held by statute charter royal licence letters patent or ancient custom.

(6) The provisions of this section shall be published by advertisement by the Corporation in two successive weeks in two newspapers published or circulating within the city and shall not come into operation until after such publication has been completed.

Power to  
appoint  
officers.

**216.** The Corporation may appoint officers for securing the observance of the provisions of all Acts relating to parks and pleasure grounds and of the byelaws and regulations made under any such Act and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant card.

Power of  
constables  
to enforce  
byelaws as  
to parks &c.

**217.** Every police constable shall have the same power of enforcing byelaws made by the Corporation under the Public Health Act 1875 relating to any park or place of public resort or recreation ground under the control of the Corporation as is given to the servants of the Corporation by the byelaws from time to time in force under the provisions of the said Act.

As to  
offences in  
burial  
grounds.

**218.** A person other than an officer of the Corporation or a person or the servant of a person employed by the Corporation in or about any work in connection with the burial grounds shall not except for the purpose of properly tending any grave pluck cut or otherwise interfere with any flower plant shrub wreath ornament or other thing on any grave in a burial ground belonging to the Corporation and any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings.

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**219.** Subsection (5) of section 490 (Penalty for keeping obscene pictures &c. for sale) of the Act of 1918 is hereby repealed and the said section except subsection (5) thereof shall be in force within the city.

A.D. 1928:  
Penalty for keeping obscene pictures &c. for sale.

**220.** Any property found and handed to a police constable shall be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed by the owner within three months after the finding thereof the Corporation shall give notice in writing to the finder and if such property be not claimed by the owner or the finder within a further period of three months it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the general rate fund or otherwise disposed of as the Corporation shall determine.

Lost property.

**221.** Notwithstanding anything contained in section 5 of the Theatres Act 1843 an application for a licence under that section shall not be required to be countersigned by two justices and a licence under that section shall not be required to be given under the hands and seals of four or more of the justices but may be given under the hand of the town clerk.

As to licences for stage plays.

PART XVI.

EMPLOYMENT AGENCIES.

**222.** This Part of this Act shall come into force on the first day of January one thousand nine hundred and twenty-nine or such later date as the Corporation may by resolution passed within three months after the passing of this Act prescribe. The date on which this Part of this Act shall so come into force is in this Part of this Act referred to as "the prescribed date."

Date of commencement of Part XVI.

**223.** In this Part of this Act the expression "employment agency" means any agency or registry in the city carried on or represented as being or intended to be carried on (whether for the purpose of gain or reward or not) for or in connection with the employment of persons in any capacity. Provided that the following

Definition of "employment agency."

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A.D. 1928. shall not be deemed to be employment agencies within the meaning of this Part of this Act:—

- (a) any employment agency conducted by or under the direction and supervision of the Ministry of Labour under the Labour Exchanges Act 1909 or any other Act of Parliament; or
- (b) any juvenile employment bureau conducted by the local education authority under the Education Act 1921; or
- (c) any employment agency which is carried on exclusively for the purpose of obtaining employment for (i) persons formerly members of His Majesty's naval military or air forces or (ii) persons released from a prison or Borstal institution or from a reformatory or industrial school and which is certified at the prescribed date and from time to time thereafter by the Admiralty or the Army Council or the Air Council or the Secretary of State (as the case may be) to be properly conducted; or
- (d) any employment agency conducted by a central body or distress committee under the Unemployed Workmen Act 1905; or
- (e) any duly constituted religious or charitable society or body operating throughout Great Britain to the main objects of which the provision of situations or employment is merely subsidiary. Any question whether a society or body is a society or body within the meaning of this paragraph shall be determined by the Charity Commissioners.

Employment agencies to be licensed.

**224.** From and after the prescribed date no person shall carry on an employment agency without a licence from the Corporation authorising him so to do.

Applications for licences.

**225.**—(1) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application in writing to the Corporation and shall in the application state—

- (a) his full name;
- (b) his age and nationality;
- (c) his private address or if the application be made by or on behalf of a company society association

or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;

- (d) the name under which and the address at which the employment agency is carried on or proposed to be carried on;
- (e) the nature of the employment agency;
- (f) whether and if so to what extent he is interested in any other employment agency; and
- (g) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be licensed.

(2) Every application for a licence to carry on an employment agency in existence at the passing of this Act shall be made within one month after the date or (if more than one) the latest date of publication of the advertisements giving public notice of the effect of this Part of this Act under the section of this Act of which the marginal note is "Notice of Part XVI of Act."

(3) Subject to the foregoing provisions of this section the Corporation may make such regulations as they think fit as to the manner in which and the dates at which applications for a licence or the renewal of a licence under this Part of this Act shall be made.

**226.**—(1) The Corporation shall as soon as reasonably practicable after the receipt of an application under this Part of this Act (and not later in the case of an application under subsection (2) of the last preceding section of this Act than the prescribed date) grant or renew a licence to the applicant to carry on an employment agency of the description and in the name and at the address specified in the application. Provided that the Corporation may refuse to grant or renew a licence or may revoke a licence granted—

Corporation  
to grant  
licences.

(i) to any person under the age of twenty-one years; or

(ii) to any person who may be an unsuitable person to hold such licence; or

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- (iii) in respect of any premises which are unsuitable for the purposes of an employment agency; or  
(iv) in respect of any employment agency which has been or is being improperly conducted.

(2) The Corporation shall not refuse to renew nor shall they revoke any such licence unless they shall have given to the person applying for such renewal or holding the licence proposed to be revoked not less than seven days' previous notice in writing that objections have been or will be taken to such renewal or that a revocation is proposed and unless on written application made within three days after the receipt of such notice they shall have afforded to the applicant an opportunity of being heard against such refusal or revocation.

(3) Any person making application under the last preceding section of this Act shall when making the same pay to the Corporation in respect of the grant or renewal of a licence as aforesaid such fee as the Corporation may fix not exceeding—

	£	s.	d.
(a) in respect of the grant of a licence	2	2	0
(b) in respect of the renewal of a licence	1	1	0

and the fees paid on any application for the grant or renewal of a licence may be retained by the Corporation whether such licence is or is not granted or renewed.

(4) Every such licence shall (unless revoked) be valid for a period of one year except that a licence granted or renewed otherwise than at any annual meeting fixed by the Corporation for the purpose of considering applications under this Part of this Act shall only be valid until the thirty-first day of December next after the date of such grant or renewal.

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

(6) Any person aggrieved by such refusal or revocation may appeal to a court of summary jurisdiction Provided that the appeal is made within fourteen days from the date of such refusal or revocation and that notice in writing of the appeal is sent to the Corporation within twenty-four hours after the entry of the appeal.

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(7) On any such appeal the court may after considering any representations made by the Corporation either confirm the refusal or revocation or allow the appeal and may direct the Corporation to grant or renew a licence and the Corporation shall comply with any such direction.

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

**227.**—(1) The Corporation may make byelaws requiring any person holding a licence under this Part of this Act to keep (at his option) either books cards or forms showing the business conducted by him so far as it relates to his employment agency and prescribing entries to be made in connection with such business in such books or on such cards or forms (as the case may be) and for the prevention of fraud and immorality in the conduct of employment agencies and for regulating any premises used for the purposes of or in connection with such agencies.

Byelaws as to employment agencies.

(2) Every person holding a licence under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Corporation) in the premises to which the licence relates a copy of the byelaws made by the Corporation under this section.

**228.** Any officer of or other person duly authorised by the Corporation in that behalf may (i) enter the premises specified in any licence or application under this Part of this Act or any premises which are used or which such person has reasonable cause to believe are used for the purposes of or in connection with an employment agency and (ii) inspect such premises and the books cards or forms kept in connection with the employment agency carried on at those premises.

Powers of entry and inspection by Corporation.

**229.**—(1) Every person who after the prescribed date—

Penalties.

- (i) carries on an employment agency without a licence under this Part of this Act or otherwise than in accordance with the terms and conditions of such a licence or obtains a licence or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give any

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- particulars which are required by this Part of this Act to be given; or
- (ii) refuses to permit any officer or person duly authorised by the Corporation to enter or inspect any such premises as are referred to in the section of this Act of which the marginal note is "Powers of entry and inspection by Corporation" or the books cards or forms kept in connection with the employment agency carried on therein or obstructs any such officer or person in the execution of this Part of this Act; or
  - (iii) acts in contravention of any byelaw made under this Part of this Act or of any of the provisions of this Part of this Act for the contravention of which no penalty is by this section specifically provided;

shall (subject to the provisions of subsection (3) of this section) be liable in respect of an offence under paragraph (i) of this subsection to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of an offence under paragraph (ii) or paragraph (iii) of this subsection to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and in respect of any conviction for an offence under this Part of this Act the court may (in lieu of or in addition to imposing a penalty) make an order revoking the licence if any.

(2) Any person aggrieved by any order under this section may appeal therefrom to the next practicable court of quarter sessions.

(3) No person who shall have appealed to a court of summary jurisdiction or the court of quarter sessions in accordance with the provisions of this Part of this Act against a refusal by the Corporation to grant a licence to any person making application under subsection (2) of the section of this Act of which the marginal note is "Applications for licences" or to renew a licence or against any revocation under this section of a licence shall be liable to any proceedings under this section for the offence of carrying on an employment agency without a licence under this Part of this Act until such appeal shall have been heard and determined or shall have been abandoned.



**230.** Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending those Acts commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director and manager shall be liable on conviction to the like penalty as if he or they were the person or persons committing the offence unless he proves to the satisfaction of the court—

A.D. 1928.  
—  
Directors of companies to be liable for penalties under Part XVI.

- (a) that the act which constituted the offence took place without his knowledge consent or connivance; and
- (b) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

**231.** The Corporation shall prior to the prescribed date cause public notice to be given in two or more newspapers circulating in the city of the effect of this Part of this Act and of the date when it will come into force.

Notice of Part XVI of Act.

## PART XVII.

### REGULATIONS FOR SALE OF COKE &C.

**232.** The provisions of sections 20 to 29 of the Weights and Measures Act 1889 and of any byelaws made by the Corporation thereunder (which provisions and byelaws relate to the sale of coal) shall also apply to the sale within the city of coke or any other solid fuel derived from coal.

Application to sale of coke &c. of Part II of Weights and Measures Act 1889.

**233.** If any seller of coke or any other solid fuel derived from coal (in this section referred to as "coke") or any person in charge of any vehicle from which coke is being sold or offered or exposed for sale wilfully makes any false statement as to the weight of the coke in any sack or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded he shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

Penalty on fraudulent sale.

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Proceedings  
under Part  
XVII of Act.

**234.** Any inspector of weights and measures may with the consent of the Corporation prosecute before a court of summary jurisdiction any proceedings under or in pursuance of this Part of this Act.

Notice of  
Part XVII  
of Act.

**235.** Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the city.

PART XVIII.

FINANCE.

Power to  
borrow and  
repayment  
of borrowed  
moneys.

**236.**—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public general Act borrow at interest for the purposes set forth in the first column of the following table any sums not exceeding the respective sums set forth in the second column thereof and all moneys so borrowed shall be chargeable on the revenues of the Corporation and shall be repaid within the respective periods set forth in the third column thereof and the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say):—

Purpose.	Amount.	Period for Repayment.
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.
(2) For paying any capital sum to the county council or to any other authority under or in pursuance of Part II (Extension of city) of this Act.	The sum requisite.	Forty - five years from the date or dates of borrowing.
(3) For paying any capital sum under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."	The sum requisite.	Twenty years from the date or dates of borrowing.
(4) For the purchase of lands for the street improvements and sewage disposal works.	£ 155,625	Sixty years from the date or dates of borrowing.

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Purpose.	Amount.	Period for Repayment.	A.D. 1928.
	£		
(5) For the construction of the street improvements.	140,910	Twenty-five years from the date or dates of borrowing.	
(6) For the construction and equipment of the tramways and the tramways the construction of which is by this Act confirmed.	148,705	Twenty years from the date or dates of borrowing.	
(7) For the construction and equipment of the tramways numbered 4 and 11 in Part II of the Second Schedule to the Act of 1918.	10,000	Twenty years from the date or dates of borrowing.	
(8) For the provision of tramcars -	185,065	Fifteen years from the date or dates of borrowing.	
(9) For tramway depôts - - -	5,775	Twenty years from the date or dates of borrowing.	
(10) For the provision of omnibuses -	60,350	Eight years from the date or dates of borrowing.	
(11) For the extension of mains and for other purposes of the waterworks undertaking.	200,000	Sixty years from the date or dates of borrowing.	

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as may be necessary for any purpose of the tramways undertaking including the provision of a fund for working capital.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such moneys as may be necessary for any purpose of the electricity undertaking including the provision of a fund for working capital.

(4) The Corporation may also with the sanction of the Minister borrow such moneys as may be necessary—

(a) for any purpose of the waterworks undertaking including the provision of a fund for working capital;

(b) for any purpose of the markets undertaking including the provision of a fund for working capital; and

(c) for any other of the purposes of this Act.

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(5) Any moneys borrowed under the powers of subsections (2) (3) and (4) of this section shall be repaid within such periods not exceeding sixty years as may be prescribed by the authority with whose sanction such moneys are borrowed and all moneys so borrowed shall be chargeable on the revenues of the Corporation.

Alteration  
of rate basis  
for sinking  
fund calcu-  
lations of  
Corporation.

**237.** Notwithstanding anything contained in any Act of Parliament or Order the rate of accumulation of the annual payments to any sinking fund being an accumulating sinking fund which the Corporation are required by such Act or Order to set aside for repayment of borrowed moneys may be reckoned at a rate not exceeding three and a half per centum or such higher rate as the Minister may from time to time approve.

Power to  
re-borrow.

**238.**—(1) The Corporation shall have power—

(a) to borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended forthwith to be repaid; or

(b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) by instalments or annual payments; or

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- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

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(5) Section 413 (Power to reborrow principal moneys) of the Act of 1918 is hereby repealed.

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

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

(3) If it appear 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 the Act in pursuance of which the moneys are raised 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.

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(4) Section 417 (Information and returns to Board as to principal moneys) of the Act of 1918 is hereby repealed.

As to  
schemes  
for fixing  
equated  
periods.

**240.** Section 464 (Scheme for fixing equated periods) of the Act of 1918 shall be read and have effect as if the following subsection were added thereto (that is to say) :—

“(5) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister of Health may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister of Health separate consolidations may be made of all or any of the loans included under such general headings.”

Consoli-  
dated loans  
fund.

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

- (a) all moneys borrowed by the Corporation whether by issue of bonds stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose;
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt; and

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- (d) a sum or sums equal to the aggregate amount of all dividends and interest payable in each year on bonds stock or other securities issued in exercise of any statutory borrowing power and remaining outstanding: A.D. 1928.  
—

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

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

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation;
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation; and
- (c) in the payment of dividends and interest on the bonds stock or other securities issued in exercise of any statutory borrowing power and remaining outstanding:

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

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

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

(5) The powers conferred by this section shall not be put into operation by the Corporation except in

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A.D. 1928. accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund including the repeal of existing enactments.

Power to invest certain funds in statutory securities.

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

Use of moneys forming part of sinking and other funds.

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

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

(b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid



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at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;

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- (c) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

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

Period for re-  
payment of  
loans under  
Municipal  
Corporations  
Act 1882.

**245.** In calculating under subsection (2) of section 234 of the Public Health Act 1875 the amount which the Corporation may borrow the amount of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the Public Health Act 1875 and the Sanitary Acts as defined by that Act shall be deducted from the total debt of the Corporation under those Acts.

As to sec-  
tion 234 of  
Public  
Health Act  
1875.

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

Receipt in  
case of per-  
sons not sui  
juris.

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

Interest on  
securities  
jointly held.

(2) Where any security of the Corporation is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter or

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A.D. 1928. — power of attorney for receipt of the interest thereon shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Corporation or the treasurer before acting on the letter or power of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

(3) Section 453 (Dividends on stock to joint holders) of the Act of 1918 is hereby repealed.

Purchase of  
lands fund.

**248.** The Corporation may if they think fit establish a fund to be called "the purchase of lands fund" which shall form part of the city fund to provide for purchasing or acquiring or taking on lease and holding any lands and buildings which in their opinion it is desirable at any time to acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the city (other than purposes of the tramways undertaking the waterworks undertaking the electricity undertaking and the markets undertaking) and such fund shall be formed by annually appropriating thereto out of the general rate such an amount as the Corporation may from time to time determine not exceeding the amount which would be produced by a rate of twopence in the pound calculated in manner provided by rules from time to time made by the Minister under the Rating and Valuation Act 1925 Provided that when the fund aforesaid shall amount to the sum of fifty thousand pounds the Corporation shall discontinue such annual payments but if the fund is at any time reduced below the sum of fifty thousand pounds the Corporation may recommence and continue the annual payment until the fund be restored to the sum of fifty thousand pounds.

Fidelity  
guarantee  
fund.

**249.** The Corporation may if they think fit form a fund (to be called "the fidelity guarantee fund") to provide for making good any loss which they may sustain in consequence of the dishonesty of any person employed or appointed by or paid by or through the Corporation or the failure of any such person to perform faithfully the duties of his office and such fund shall be formed by annually appropriating thereto such sums out of any

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of the revenues of the Corporation which are properly chargeable with such sums as they from time to time deem expedient and such fund and the interest thereon (except to the extent from time to time required to make good any such loss as aforesaid or to defray any expenditure in consequence thereof) shall be invested in statutory securities. A.D. 1928.

**250.** The proviso to section 503 (Bands of music in parks &c.) of the Act of 1918 is hereby repealed and the payments or contributions of the Corporation under that section shall be paid out of the general rate fund and general rate and shall not in any one year exceed the amount which would be produced by a rate of one farthing in the pound calculated in manner provided by rules from time to time made by the Minister under the Rating and Valuation Act 1925. Limit of expenditure on music in parks.

**251.** In addition to any other powers exercisable by the Corporation whether as the local education authority or otherwise they may expend on the provision of lectures on educational or other subjects such sums as they may from time to time think fit not exceeding in any one year the sum of five hundred pounds. Power to expend money on lectures.

**252.**—(1) The Corporation may if they think fit in cases not within the Workmen's Compensation Act 1906 or the Teachers (Superannuation) Acts 1918 to 1925 or any other Act from time to time in force relating to the superannuation of teachers grant (a) a gratuity of any sum (not exceeding one year's pay) to the widow or family of any of their officers or servants (including in that expression teachers other than teachers within the before-mentioned Acts employed by or paid by or through the council as the local education authority) who may die in their service and (b) a weekly or other periodical gratuity not exceeding in any case one-third of his salary or wages to any such officer or servant who may be disabled or injured in their service or may become incapacitated through age sickness or other infirmity. Power to grant gratuities in certain cases.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or paid if he had continued in his office or service.

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(3) Section 507 (Power to grant gratuities in certain cases) of the Act of 1918 is hereby repealed.

Subscriptions to local government associations and other expenses.

**253.** The Corporation may pay out of the general rate fund as expenses incurred by them under the Municipal Corporations Act 1882—

- (a) reasonable subscriptions whether annual or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation (not exceeding in any case four) at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings;
- (b) the reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connection with public ceremony or rejoicing and in the reception and entertainment of distinguished bodies or persons residing in or visiting the city.

Expenses of execution of Act.

**254.** 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.

PART XIX.

MISCELLANEOUS.

Revision of Handsworth corn rents.

**255.**—(1) The powers and duties in connection with the revision of the value of the Handsworth corn rents conferred or imposed upon the quarter sessions for the west riding of the county of York by the Act 42 George III. cap. 13 intituled “An Act for dividing and inclosing the commons and waste lands within the Manor and Parish of Handsworth in the West Riding of the County of York” (which Act is commonly called and may be cited as “the Handsworth Inclosure Act 1802”) shall be and as from the ninth day of November one thousand

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nine hundred and twenty-one be deemed to have been conferred or imposed upon the quarter sessions of the city. A.D. 1928.

(2) Notwithstanding anything contained in the section of the said Act of 1802 of which the marginal note is "For ascertaining the corn rents" the application for the appointment of arbitrators in pursuance of the said section shall be made in the years prescribed by the said section at the next court of quarter sessions of the city to be held after the first day of March and the report of the arbitrators under the said section shall be made and delivered to the next court of quarter sessions of the city to be held after the first day of July then next ensuing and the said section shall be read and construed accordingly.

**256.** The Corporation may with the consent of the owner of any building attach to that building such lamps brackets pipes wires and apparatus as may be required for lighting the streets of the city with gas or electricity or within the electricity limits for any purpose of the electricity undertaking Provided that— Attachment of gas and electricity lamps and brackets to buildings.

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

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

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

(d) no lamps brackets pipes wires and attachments shall be attached to any bridge or other work of any railway company without the previous consent in writing of that company.

For the purpose of this section the person receiving the rack-rent shall be deemed to be the owner.

Power to hold patent rights.

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

(2) Section 198 (Power to hold patent rights) of the Act of 1918 is hereby repealed.

Committees of council.

**258.** Any committee appointed by the council for the execution of the purposes of any local Act or Order confirmed by or having the force of an Act of Parliament shall if the council so resolve have all the powers with reference to such purposes of a committee appointed under section 200 of the Public Health Act 1875.

Service of summons on members of council.

**259.** Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of each member of the council by post by prepaid letter at the ordinary rate of postage.

General provisions as to byelaws.

**260.** Except where otherwise provided by this Act all byelaws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority except that as regards confirmation of byelaws under the sections of this Act whereof the marginal notes are "Byelaws as to bicycles &c. on certain footpaths" and "Byelaws as to employment agencies" and inquiries in relation thereto the Secretary of State shall be substituted for the Minister and as regards confirmation of byelaws under the section of this Act of which the marginal note is

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“Byelaws as to stables &c.” and inquiries in relation thereto the Minister of Agriculture and Fisheries shall be included in addition to the Minister. A.D. 1928.

**261.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of Parts VIII to XIII and Part XV of this Act or by any conviction or order made by a court of summary jurisdiction or a petty sessional court under any provision of this Act may if no other mode of appeal is provided by this Act or by any other Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction or a petty sessional court the Corporation may in like manner appeal. Appeal.

**262.** In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of the Corporation the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words “under the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the President or of one of the secretaries of the Board.” Inquiries by Minister of Transport.

**263.** Where under any local Act from time to time in force the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under such local Act are recoverable by the Corporation from the owners shall unless otherwise expressly provided be paid by the owners of such buildings in such proportions as shall be determined by the Corporation or in case of dispute by a court of summary jurisdiction. Apportionment of expenses in case of joint owners.

**264.** If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under or in pursuance of Part VIII (Streets and buildings) Part IX (Sewers and drains) and Part X (Sanitary provisions) of this Act Penalty on occupier refusing execution of work.

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A.D. 1928. — then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall be liable to a daily penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Power to enter premises.

**265.** The provisions of sections 102 and 103 of the Public Health Act 1875 shall extend and apply to the purposes of Part VIII (Streets and buildings) Part IX (Sewers and drains) Part X (Sanitary provisions) Part XI (Infectious disease) and Part XII (Human food) of this Act as if those purposes had been mentioned in the said section 102.

Summons or warrant may contain several sums.

**266.** Where the payment of more than one sum by any person is due under any enactment from time to time in force within the city any summons or warrant issued for the purposes of any such enactment in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Incorporation of further provisions of Act of 1918.

**267.** The provisions contained in the sections of the Act of 1918 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if they were re-enacted in this Act (that is to say):—

Section 508 (Consent of Corporation to be in writing);

Section 512 (Corporation and persons acting in execution of Act not to be liable personally);

Section 514 (Compensation how to be determined);

Section 520 (Inquiries by board) except the words "not exceeding three guineas a day";

Section 522 (Informations by whom to be laid);



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Section 525	(Recovery of penalties &c.);	A.D. 1928.
Section 526	(Damages and charges to be settled by court);	—
Section 528	(Saving for indictments &c.);	
Section 529	(Recovery of demands);	
Section 530	(Judges not disqualified); and	
Section 531	(Powers of Act cumulative).	

**268.** The following enactments are hereby repealed (namely) :— Repeal &c.

The Act of 1918—

Section 280	(Width of certain new streets);
Section 281	(Further provisions as to width of streets);
Section 283	(Restrictions on placing rails beams &c. over across or along streets);
Section 285	(Continuations of existing streets to be deemed new streets);
Section 286	(Corporation may define future line of streets);
Section 325	(Restrictions on placing wires &c. other than telegraph wires &c. over across or along streets);
Section 337	(Corporation may in certain circumstances require enlarged sewer to be made);
Section 340	(Power to reconstruct drain if laid in contravention of Public Health Act 1875);
Section 362	(Houses infested with vermin to be cleansed);
Section 390	(Power medically to examine inmates of common lodging-houses where infectious disease is supposed to exist); and
Section 504	(Public drinking fountains).

The Ministry of Health Provisional Orders (Sheffield Water Charges) Confirmation Act 1923 and the Orders confirmed thereby.

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Crown  
rights.

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

Costs of Act.

**270.** The costs charges and expenses preliminary to and of and incidental to preparing obtaining and passing 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 or out of such other funds and in such proportions as the Corporation shall determine or out of moneys to be borrowed under this Act for that purpose.

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The SCHEDULES referred to in the  
foregoing Act.

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FIRST SCHEDULE.

PART I.  
LOCAL ACTS.

Session and Chapter.	Short Title.
59 & 60 Vict. c. cxc -	The Sheffield Corporation Water Act 1896.
7 Edw. 7. c. xciii -	The Sheffield Corporation Act 1907.
8 & 9 Geo. 5. c. lxi -	The Sheffield Corporation (Consolidation) Act 1918.
9 & 10 Geo. 5. c. xlix	The Sheffield Corporation Act 1919.
10 & 11 Geo. 5. c. xcii	The Sheffield Corporation Act 1920.
15 & 16 Geo. 5. c. xxxvi	The Sheffield Corporation Act 1925.

PART II.  
CONFIRMATION ACTS AND PROVISIONAL AND OTHER  
ORDERS.

Session and Chapter.	Confirmation Act.	Order.
11 & 12 Geo. 5. c. lxii.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1921.	The Sheffield Order 1921.
11 & 12 Geo. 5. c. lxix.	The Ministry of Health Provisional Order Confirmation (Sheffield Extension) Act 1921.	The Sheffield (Extension) Order 1921.
13 & 14 Geo. 5. c. lxiii.	The Ministry of Health Provisional Orders Confirmation (No. 9) Act 1923.	The Sheffield (Water &c.) Order 1923.
14 & 15 Geo. 5. c. xvi.	The Ministry of Health Provisional Orders Confirmation (No. 4) Act 1924.	The Sheffield Order 1924.
14 & 15 Geo. 5.	- - - - -	The Sheffield Electricity (Extension) Special Order 1924.

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Session and Chapter.	Confirmation Act.	Order.
15 & 16 Geo. 5. c. lxxxvi.	The Ministry of Health Provisional Orders Confirmation (No. 5) Act 1925.	The Sheffield (Compulsory Purchase of Lands) Order 1925.
15 & 16 Geo. 5. c. lxxxv.	The Ministry of Health Provisional Orders Confirmation (No. 9) Act 1925.	The Sheffield Order 1925.
16 & 17 Geo. 5. c. lv.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1926.	The Sheffield Order 1926.
17 & 18 Geo. 5. c. xliii.	The Sheffield Corporation Tramways Order Confirmation Act 1927.	The Sheffield Corporation Tramways Order 1927.
17 & 18 Geo. 5. c. xxxvii.	The Ministry of Health Provisional Orders Confirmation (No. 8) Act 1927.	The Sheffield Order 1927.
17 & 18 Geo. 5. c. xxxviii.	The Ministry of Health Provisional Orders Confirmation (No. 9) Act 1927.	The Sheffield (Acquisition of Lands) Order 1927.

SECOND SCHEDULE.

AREAS TO BE ADDED TO THE CITY.

So much of the townships of Dore and Totley in the rural district of Norton as lies to the westward of a line drawn from the city boundary at Ringinglow along the east side of the Ringinglow and Tideswell Road to its junction with Jumble Road thence along the east side of Jumble Road to its junction with Sheephill Road thence along the west side of Sheephill Road to its junction with the main road leading from Hathersage to Sheffield thence along the south-east and south side of the said main road to its junction with Branch Road thence along the south-east side of Branch Road to the easternmost point of the parish of Outseats (detached No. 4) together with the fields or enclosures numbered 126 and 127 on the  $\frac{1}{2500}$  Ordnance map of the parish of Dore (Survey of 1875-8 revised 1914) situate at the junction of Whitelow Lane with the said main road having a frontage of three hundred yards to the south side of Whitelow Lane and of two hundred and seventy yards to the east side of the said main road.

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The detached portions of the parish of Derwent in the rural district of Chapel-en-le-Frith known as Derwent (detached No. 1) and Derwent (detached No. 2) which detached portions of parish adjoin the western boundary of the township of Dore.

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The detached portion of the parish of Outseats in the rural district of Bakewell known as Outseats (detached No. 4) which detached portion of parish adjoins the south-western boundary of the township of Dore.

So much of the parish of Hathersage in the rural district of Bakewell—

- (i) as is bounded by a line drawn along the northern boundary of that parish from the point where it meets the northern boundary of the parish of Derwent (detached No. 1) to the road known as Cam Height thence along the easterly side of that road and Higger Tor Road to the point where the occupation road from Mitchell Field to Higger Lodge crosses the last-mentioned road thence along the western boundary of Hathersage Moor to the road leading from Hathersage to Sheffield thence along the northerly side of that road to the point where the eastern boundary of the parish of Hathersage meets that road thence in a northerly direction along the said eastern boundary to the said first-mentioned point where the northern boundary of the said parish of Hathersage meets the northern boundary of the said parish of Derwent (detached No. 1);
- (ii) as is situate between the parish of Derwent (detached No. 2) and the parish of Outseats (detached No. 4);
- (iii) as adjoins the parish of Outseats (detached No. 4) and is bounded by the south-east side of Branch Road and on the west by Owler Bar Road; and
- (iv) as includes the site of the whole width of the road leading from Hathersage to Sheffield and Owler Bar Road between Burbage Bridge and the junction of the last-mentioned road with Branch Road.

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THIRD SCHEDULE.

DESCRIBING PROPERTIES WHEREOF PORTIONS  
ONLY MAY BE TAKEN COMPULSORILY.

Work.	No. on Deposited Plan.
Improvement No. 3 -	19.
Improvement No. 5 -	80 81.
Improvement No. 6 -	82 205.
Improvement No. 10 -	325 to 329.
Improvement No. 12 -	356 to 358.
Improvement No. 13 -	361 to 366.
Improvement No. 14 -	367 to 369 371 374 375.
Improvement No. 15 -	376 378 to 381 389 390 392 393.
Improvement No. 16 -	423 to 433.
Improvement No. 19 -	547a.

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