



## CHAPTER lxi.

An Act to authorise the lord mayor aldermen and citizens of the city of Nottingham and county of the same city to construct sewerage and sewage disposal works street works and waterworks to purchase lands compulsorily for various purposes to extend the Corporation's limits for the supply of water to empower the Corporation to run trolley vehicles on further routes to confer further powers upon the Corporation with regard to streets and buildings and the health and good government of the city and for other purposes.

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[10th May 1929.]

**W**HEREAS the city of Nottingham and county of the same city (in this Act called "the city") is under the municipal and local government of the lord mayor aldermen and citizens of the city (in this Act called "the Corporation"):

And whereas it is expedient to empower the Corporation to reconstruct the sewerage system of the city and to make and maintain the sewers sewerage works and sewage disposal works authorised by this Act:

And whereas it is expedient to empower the Corporation to make and maintain the street works referred to in this Act:

And whereas it is expedient to authorise the Corporation to construct and maintain the further waterworks described in this Act to extend the limits within

A.D. 1929, which the Corporation may supply water and to confer the further powers upon the Corporation with regard to their water undertaking contained in this Act :

And whereas it is expedient to authorise the Corporation to purchase and the Stapleford Rural District Council to sell the distributing mains plant meters fittings and apparatus belonging to that council for the purpose of supplying water in the parish of Stapleford in the rural district of Stapleford in the county of Nottingham and to provide for the repeal of so much of the Stapleford and Sandiacre Water Act 1889 as empowers the said council and the Shardlow Rural District Council as successors of the Stapleford and Sandiacre Water Company to supply water in the said parish of Stapleford :

And whereas the Corporation are the authority having jurisdiction over the part of the Trent Navigation between Trent Bridge and Averham Weir and it is expedient to confer upon the Corporation the further powers contained in this Act with regard to the purchase of land in connection with that navigation and the powers contained in this Act with regard to house-boats and other vessels using the navigation and navigable rivers and canals in the city and it is also expedient to confer upon the Corporation the further powers contained in this Act with regard to the taking of lands adjoining the river Trent and elsewhere :

And whereas it is expedient to empower the Corporation to provide and work trolley vehicles on the further routes described in this Act :

And whereas it is expedient that the powers of the Corporation with regard to the health and good government of the city should be extended as by this Act provided :

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

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

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

For and in connection with the	£
purchase of lands and easements -	49,175

	£	A.D. 1929.
For and in connection with the construction of the sewerage and sewage disposal works authorised by this Act - - - -	1,081,400	
For and in connection with the construction of the street works authorised by this Act - -	82,550	
For and in connection with the construction of the waterworks authorised by this Act - -	52,000	
For water mains pipes and apparatus	30,000	
For and in connection with the purchase of distributing mains plant meters fittings and apparatus from the Stapleford Rural District Council - - - -	8,000	
For and in connection with the provision of trolley vehicles - -	33,750	
For and in connection with the provision and adaptation of electrical equipment and the construction of other works necessary for working trolley vehicles - -	4,882	

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

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

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most

A.D. 1929. — Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

## PART I.

## PRELIMINARY.

Short title. 1. This Act may be cited as the Nottingham Corporation Act 1929.

Division of Act into Parts. 2. This Act is divided into Parts as follows (that is to say) :—

Part I.—Preliminary.

Part II.—Sewerage works.

Part III.—Street works.

Part IV.—Waterworks and water supply.

Part V.—Lands and works.

Part VI.—Trolley vehicles.

Part VII.—Control of traffic and police.

Part VIII.—Streets buildings and sanitary matters.

Part IX.—Financial and miscellaneous provisions.

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

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

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

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

(2) The Waterworks Clauses Act 1847 except— A.D. 1929.

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

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

(3) Sections 13 to 21 of the Waterworks Clauses Act 1863.

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

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

“The city” means the city of Nottingham and county of the same city;

“The Corporation” means the lord mayor aldermen and citizens of the city;

“The council” means the council of the city;

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

“The town clerk” “the medical officer” and “the city engineer” mean respectively the town clerk the medical officer of health and the city engineer and surveyor of the city and respectively include any person duly authorised to discharge temporarily the duties of those offices;

“The county” means the administrative county of Nottingham;

“The Act of 1897” “the Act of 1905” “the Act of 1910” “the Act of 1913” “the Act of 1920” “the Act of 1923” and “the Act of 1925”

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—

- mean respectively the Nottingham Improvement Act 1897 the Nottingham Corporation Act 1905 the Nottingham Corporation Act 1910 the Nottingham Corporation Act 1913 the Nottingham Corporation Act 1920 the Nottingham Corporation Act 1923 and the Nottingham Corporation Act 1925;
- “The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;
- “The tribunal” means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;
- “Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;
- “Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;
- “Hackney carriage” has the same meaning as in the Town Police Clauses Act 1847 and does not include an omnibus as defined in the Town Police Clauses Act 1889;
- “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 or precept of the Corporation.

## PART II.

## SEWERAGE WORKS.

Sewerage  
and  
sewage  
disposal  
works.

5. Subject to the provisions of this Act the Corporation may make and maintain upon the lands in the lines and according to the levels shown upon the deposited plans and sections the following works in the city and the county together with all necessary and proper bacteria beds filter-beds tanks embankments buildings engines pumps retaining walls bridges roads

tramroads sidings junctions approaches telegraphic and telephonic apparatus sewers drains outfalls overflows weirs sluices screens culverts conduits channels gauges syphons machinery shafts works and conveniences connected therewith. A.D. 1929.

The works hereinbefore in this section referred to and authorised by this Act are—

In the county and the city—

Sewerage Work No. 1 A sewer commencing in the parish of Gedling in the rural district of Basford in the county at the existing sewage farm of the Corporation passing through the urban district of Carlton and the parish of Colwick in the said rural district and terminating in the city in Roughhill Wood;

In the city—

Sewerage Work No. 2 A sewer commencing at the termination of Sewerage Work No. 1 by this Act authorised by a junction with that work and terminating in the land numbered 1055 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XXXVIII-13;

Sewerage Work No. 3 A sewer commencing at the termination of Sewerage Work No. 2 by this Act authorised by a junction with that work and terminating in Main Street Bulwell;

Sewerage Work No. 4 A sewer commencing at the termination of Sewerage Work No. 1 by this Act authorised by a junction with that work and Sewerage Work No. 2 by this Act authorised and terminating in the field numbered 1276 on the 1/2500 Ordnance map of the city edition 1914 sheet No. XLII-7;

Sewerage Work No. 5 Storm water tanks in the said field numbered 1276 on the said map;

Sewerage Work No. 6 A sewer commencing in Trent Lane Sneinton and terminating in the said field numbered 1276 on the said map;

Sewerage Work No. 7 A pumping station in the field numbered 1278 on the said map;

Sewerage Work No. 8 A pumping main in the said field numbered 1278 on the said map;

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Sewerage Work No. 9 A pumping main commencing in the said field numbered 1278 on the said map and terminating in the said field numbered 1276 on the said map;

Sewerage Work No. 10 A sewer commencing in the said field numbered 1278 on the said map and terminating in the said field numbered 1276 on the said map;

Sewerage Work No. 11 A sewer commencing in the said field numbered 1278 on the said map by a junction with Sewerage Work No. 7 by this Act authorised and terminating in Meadow Lane;

Sewerage Work No. 12 A sewer commencing in Trent Lane Sneinton and terminating in land numbered 1325 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XLII-6;

Sewerage Work No. 13 A sewer commencing in Meadow Lane by a junction with Sewerage Work No. 11 by this Act authorised and terminating in Freeth Street;

Sewerage Work No. 14 A sewer in Sneinton Dale;

Sewerage Work No. 15 A sewer commencing in Bath Street by a junction with Sewerage Work No. 2 by this Act authorised and terminating in Sneinton Road;

Sewerage Work No. 16 A sewer commencing in the goods yard of the London and North Eastern Railway Company and terminating in Manvers Street;

Sewerage Work No. 17 A sewer in Manvers Street;

Sewerage Work No. 18 A sewer commencing in Manvers Street by a junction with Sewerage Work No. 17 by this Act authorised and terminating in Eyre Street;

Sewerage Work No. 19 A sewer commencing in Finch Street and terminating in Gedling Street by a junction with Sewerage Work No. 2 by this Act authorised;

Sewerage Work No. 20 A sewer commencing in Manvers Street and terminating in Southwell Road;



Sewerage Work No. 21 A sewer commencing in Gedling Street by a junction with Sewerage Work No. 2 by this Act authorised and terminating in Nelson Street; A.D. 1929.

Sewerage Work No. 22 A sewer commencing in the field numbered 1062 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XLII-1 and terminating in Gregory Boulevard;

Sewerage Work No. 23 A sewer commencing in the Approach Road to Radford Colliery in the land numbered 1055 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XXXVIII-13 and terminating in Plantation Side;

Sewerage Work No. 24 A sewer commencing in the field numbered 981 on the said map and terminating in land numbered 950 on the said map;

Sewerage Work No. 25 A sewer commencing in Main Street Bulwell by a junction with Sewerage Work No. 3 by this Act authorised and terminating in Hucknall Lane;

In the city and the county—

Sewerage Work No. 26 A sewer commencing in Valley Road in the city and terminating in Mansfield Road in the urban district of Arnold in the county;

In the city—

Sewerage Work No. 27 A sewer commencing in the land numbered 1434 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XLII-5 and terminating in Montpelier Road;

Sewerage Work No. 28 A pumping station in the said land numbered 1434 on the said map;

Sewerage Work No. 29 A pumping main commencing in the said land numbered 1434 on the said map and terminating in Castle Boulevard;

Sewerage Work No. 30 A sewer in Gregory Street;

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Sewerage Work No. 31 A sewer commencing in Abbey Street by a junction with Sewerage Work No. 27 by this Act authorised and terminating in Cloister Street;

Sewerage Work No. 32 A sewer commencing in Abbey Street by a junction with Sewerage Work No. 27 by this Act authorised and terminating in Warwick Street;

Sewerage Work No. 33 A sewer commencing in the bed of the Tottle Brook and terminating in Lenton Boulevard;

In the county—

Sewage Disposal Work No. 1 Settling tanks (on part of the sewage farm lands of the Corporation) in the parishes of Gedling and Stoke Bardolph in the rural district of Basford commencing in the parish of Gedling and terminating in the parish of Stoke Bardolph;

Sewage Disposal Work No. 2 Detritus tanks (on part of the sewage farm lands of the Corporation) in the said parish of Gedling adjoining the commencement of Sewerage Work No. 1 by this Act authorised.

Utilisation  
of sewage  
lands.

6. The Corporation may use so much of the lands hereinafter referred to as are delineated upon the deposited plans and as shall belong to the Corporation or be acquired by them under the powers of this Act for the purpose of receiving storing disinfecting distributing treating or otherwise disposing of sewage and they may erect make provide lay down and maintain on those lands or any of them such tanks embankments buildings junctions sewers drains outfalls overflows weirs sluices culverts conduits channels engines pumps works conveniences and other sewage works and on the lands (*d*) hereinafter referred to such bacteria beds screens and filter beds as they think requisite for the purposes aforesaid.

The lands referred to are as follows :—

(a) In the city The field numbered 1276 on the 1/2500 Ordnance map of the city edition 1914 sheet No. XLII-7;

- (b) In the city So much of the field numbered 1278 on the said map as is east of an imaginary straight line drawn north and south across that field between points on the northern and southern boundaries thereof each seventy yards west of the eastern boundary of that field; A.D. 1929.
- (c) In the city So much of the land numbered 1434 on the 1/2500 Ordnance map of the city edition 1915 sheet No. XLII-5 as is contained within the following boundaries On the north-east the south-westerly boundary of the London Midland and Scottish Railway (Nottingham and Mansfield line) between points respectively fifty yards and one hundred yards north-west of the point where the said railway boundary crosses the north-westerly side of Abbey Bridge on the south-east an imaginary straight line drawn in a south-westerly direction from the said railway boundary at the first of the above-mentioned points for a distance of fifty yards on the north-west by an imaginary straight line fifty yards in length drawn from the said railway boundary at the second of the above-mentioned points and parallel with the last-mentioned line and on the south-west by an imaginary straight line parallel with the said railway boundary between the said points fifty yards and one hundred yards north-west of the said point on the north-westerly side of Abbey Bridge;
- (d) In the county and the rural district of Basford The lands forming part of the Corporation's sewage farm numbered respectively 340 341 342 343 304 305 305A and 307 in the parish of Gedling and 84 83 87 and 82 in the parish of Stoke Bardolph on the 1/2500 Ordnance map of the said parishes edition 1914 sheet No. XXXVIII-16 and the lands numbered 82 83 84 12 27 and 50 on sheet No. XXXIX-13 of the said map of the said parish of Stoke Bardolph.

7.—(1) The Corporation shall construct and maintain at the point of connection of the sewer (Sewerage Weirs.

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Work No. 4) by this Act authorised with the existing outfall sewer of the Corporation and the outfall sewer (Sewerage Work No. 1) by this Act authorised an immovable weir or weirs at such level or otherwise in such manner as effectually to prevent the discharge of sewage matter from either of the said outfall sewers into the storm water tanks (Sewerage Work No. 5) by this Act authorised at all times when the flow of sewage matter through the outfall sewers discharging at the sewage disposal works of the Corporation at Stoke Bardolph shall be less than an amount equivalent to three times the dry weather flow of sewage matter at such sewage disposal works.

(2) The storm water tanks (Sewerage Work No. 5) by this Act authorised shall be constructed so as to preclude the discharge of sewage matter into any river or stream except by means of an immovable weir to be fixed and maintained by the Corporation at such a level and otherwise in such manner as to ensure that the said storm water tanks shall only overflow after they are full.

(3) The Corporation shall construct and maintain such immovable weirs as shall be necessary and at such levels and otherwise in such manner as to prevent the discharge of sewage matter into the river Leen and the river Trent and any other river or stream from any of the sewers of the Corporation constructed or hereafter to be constructed at all times when the flow of sewage matter through such sewers shall be less than an amount equivalent to six times the dry weather flow of sewage through such sewers at the point of connection with the storm water overflow.

(4) The requirements of this section shall be complied with by the Corporation as to subsections (1) and (2) of this section not later than the date of completion of the outfall sewer (Sewerage Work No. 1) by this Act authorised and as to each of the weirs referred to in subsection (3) of this section as soon as the Corporation have completed the works by this Act authorised required to relieve the sewer in connection with which such weir is to be constructed.

For protection of  
Basford

8. For the protection of the council of the rural district of Basford (in this section referred to as "the rural council") the following provisions shall unless

otherwise agreed between the Corporation and the rural council have effect in relation to the exercise by the Corporation of the powers conferred by this Part of this Act (that is to say):—

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Rural  
District  
Council.

- (1) The Corporation shall not construct the settling tanks (Sewage Disposal Work No. 1) by this Act authorised or any of them at a less distance than fifty yards from Stoke Lane in the parish of Gedling or at a less distance from the railway of the London Midland and Scottish Railway Company than is shown on the deposited plans :
- (2) The detritus tanks (Sewage Disposal Work No. 2) by this Act authorised shall be constructed in the same position relative to the settling tanks (Sewage Disposal Work No. 1) by this Act authorised as is shown on the deposited plans :
- (3) The area to be used for the deposit of sludge which is removed from the said settling tanks by pumping shall be at a distance not less than one thousand three hundred yards from the said railway and not less than three hundred yards from the said Stoke Lane :
- (4) The Corporation shall not permit any sewage to be discharged or to flow on to any lands in the parishes of Burton Joyce Gedling and Stoke Bardolph situate on the north-west side of the said railway or in the said parish of Burton Joyce situate at a less distance than three hundred yards from the said railway between the south-western boundary of the last-mentioned parish and the road leading from Stoke Bardolph to Burton Joyce railway station :
- (5) The Corporation shall at the request of the rural council from time to time enter into agreements with the rural council for the purpose of enabling the sewers of the rural council to be connected to the sewers of the Corporation and the sewage of the whole or any portions as the rural council may desire (and which are not the subject of agreements with the Corporation existing at the date of the passing of this Act) of the parishes of Wollaton Bilborough Strelley Nuthall and Bestwood Park and of small portions of parishes adjacent thereto to flow into the

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sewerage system of the Corporation Provided that no storm water which in the reasonable opinion of the city engineer it is practicable to prevent from flowing into such sewerage system shall be permitted so to do and any dispute under this subsection or as to the terms of any such agreements shall be referred to and settled by the Minister of Health :

- (6) The Corporation shall take such steps as may be requisite to convey the waters of the Ouse Dyke under the sewer (Sewerage Work No. 1) by this Act authorised by means of a syphon to be constructed and maintained by the Corporation so as to be capable of passing without hindrance all flood waters which may enter the said dyke :
- (7) All storm waters draining to and flowing from Douglas Avenue in the parish of Colwick shall be conveyed under the sewer (Sewerage Work No. 1) by this Act authorised by means of a syphon to be constructed and maintained by the Corporation so as to be capable of passing without hindrance all such storm waters :
- (8) Save as otherwise provided in this section if any difference shall arise between the Corporation and the rural council under the provisions of this section the same shall be referred to and determined by a single arbitrator to be appointed in default of agreement by the Minister of Health on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination.

For protection of London and North Eastern Railway Company.

9. 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 in writing between the Corporation and the company apply and have effect (that is to say) :—

- (1) Notwithstanding anything contained in this Act or shown upon the deposited plans the Corporation shall not without the previous consent of the company in writing purchase or acquire any

of the lands or property of the company but the Corporation may acquire and the company shall grant an easement or right of constructing and maintaining Sewerage Works Nos. 1 2 3 4 16 25 26 27 and 33 by this Act authorised (which sewerage works and the works connected therewith are hereinafter referred to as "the authorised works") in under or adjacent to the railways canal works and property of the company (hereinafter referred to as "the railway") subject to and in accordance with the provisions of this section :

- (2) The Corporation shall pay to the company for any such easement or right as aforesaid such consideration as may be agreed upon or in the event of difference as may be settled in manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase of lands otherwise than by agreement :
- (3) The authorised works shall be constructed through under or adjacent to the railway and shall be subsequently maintained repaired and renewed in accordance with plans sections and specifications previously submitted to and approved by the engineer of the company and under his direction and superintendence :
- (4) The Corporation shall with all dispatch restore and make good to the reasonable satisfaction of the said engineer the railway so far as disturbed or interfered with by or in connection with the authorised works :
- (5) If the company so elect they may themselves execute and maintain so much of the authorised works as will be situate on the property of the company and may recover from the Corporation the reasonable expenses incurred by the company in connection therewith Provided always that such works are executed and maintained to the reasonable satisfaction of the city engineer :
- (6) The authorised works shall be constructed and maintained so as not to cause any injury or damage to the railway or any interruption to the passage or conduct of traffic thereover and

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if any such injury damage or interruption arises from the acts or operations of the Corporation or from the bursting leakage or failure of the authorised works such injury or damage shall be forthwith made good by the company at the reasonable expense of the Corporation and the Corporation shall indemnify the company from all claims for or arising out of any such injury damage or interruption :

- (7) If the Corporation fail to maintain the authorised works in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer or in case of emergency the company may make good the same and make and do in and upon the lands of the Corporation or their own lands all such repairs and things as may be reasonably requisite and recover from the Corporation the reasonable expenses incurred by them in connection therewith :
- (8) If by reason of the construction or maintenance of the authorised works it shall become necessary to reconstruct alter strengthen underpin or in any wise interfere with the structure of any bridge embankment or other work of the company such reconstruction alteration strengthening or underpinning shall be carried out by the company after seven days' notice of their intention so to do to the city engineer at such times and in such manner as they think expedient or necessary and the reasonable cost thereof shall be borne and paid by the Corporation :
- (9) If by reason of the authorised works it shall become necessary to alter any of the telegraph telephone or signal posts or wires or other works or apparatus belonging to or on the railway the company may effect such alterations and the Corporation shall repay to them the reasonable expenses incurred by them in connection with such alterations :
- (10) The Corporation shall bear and on demand pay to the company the reasonable expense incurred by the company of and in connection



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with the superintendence by the said engineer of the authorised works and of and in connection with the employment by the company during the carrying out of any works of construction maintenance repair or renewal of the authorised works in under or adjoining the railway of a sufficient number of inspectors watchmen and signalmen to be appointed by the company for watching and protecting the railway and the conduct of the traffic thereon with reference to and during the carrying out of the authorised works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person or persons in the employ of the Corporation or their contractors or otherwise :

- (11) If at any time it shall be found necessary in order to enable the company in the exercise of their statutory powers existing at the passing of this Act to carry out any alterations widenings or extensions of the railway that the authorised works shall be strengthened the Corporation shall on receiving notice in writing from the company so to do before the Corporation commence to construct the authorised works under the land on which such alterations widenings or extensions may be constructed at the Corporation's own expense and with all dispatch strengthen the authorised works so far as may be necessary to enable the company to carry out such alterations widenings or extensions and the provisions of this section shall apply to the authorised works as so strengthened :
- (12) Any additional expense which the company may reasonably and properly incur in connection with the railway as authorised at the passing of this Act by reason of the existence of the authorised works shall be paid by the Corporation :
- (13) If any difference shall arise between the Corporation and the company under the preceding subsections (except subsection (2) hereof) the same shall be determined by an engineer to be

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appointed failing agreement by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such determination.

## PART III.

## STREET WORKS.

Power to  
make street  
works.

10. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street works in the city hereinafter mentioned together with all necessary approaches junctions abutments embankments arches steps sewers drains culverts works and conveniences connected therewith or incidental thereto.

The street works hereinbefore referred to and authorised by this section are :—

Street Work No. 1 A new street including a bridge over the London Midland and Scottish Railway (Nottingham and Mansfield line) from Nuthall Road to Alferton Road;

Street Work No. 2 A new street from Aspley Lane to the footpath leading from Aspley Lane to Radford;

Street Work No. 3 An improvement of Derby Road on the north-eastern side including a widening and partial reconstruction of the bridge carrying that road over the London Midland and Scottish Railway (Nottingham and Mansfield line);

Street Work No. 4 A widening of Wollaton Road on the southern side and of Radford Marsh on the western side;

Street Work No. 5 A widening of Waverley Street on the south-western side.

Provision  
of accom-  
modation  
for Post  
Office  
telegraphic  
lines.

11. The Corporation shall in constructing the new bridge forming part of Street Work No. 1 provide under one of the footways of the said bridge a space one foot six inches deep by one foot eight inches wide for the accommodation of telegraphic lines of the Postmaster-General. The accommodation shall be provided in accordance with plans sections and particulars to be previously

submitted to and reasonably approved by the Post-  
master-General Provided that if within one month of  
the receipt of the said plans sections and particulars the  
Postmaster-General shall not have intimated to the  
Corporation his disapproval thereof or made any require-  
ment with respect thereto he shall be deemed to have  
approved the same. A.D. 1929.

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

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

#### PART IV.

##### WATERWORKS AND WATER SUPPLY.

13.—(1) Subject to the provisions of this Act the  
Corporation may make and maintain in the lines and  
situations and according to the levels shown upon the  
deposited plans and sections upon the lands delineated  
on those plans and described in the deposited book of  
reference the following works in the city and in the  
county (that is to say):— Power to  
make  
waterworks.

Waterwork No. 1 An aqueduct conduit or line or  
lines of pipes commencing in the city by a  
junction with the existing aqueduct of the  
Corporation at the intersection of the centre  
lines of Abbey Bridge and Gregory Street  
passing through the urban district of Beeston  
and into the parish of Bramcote in the rural  
district of Stapleford in the county and ter-  
minating in that parish in the service reservoir  
(Waterwork No. 4) by this Act authorised;

Waterwork No. 2 An aqueduct conduit or line or  
lines of pipes commencing on the boundary of  
the parishes of Stapleford and Bramcote in the  
said rural district and the county at the inter-  
section of the centre lines of Derby Road and  
Ewe Lamb Lane by a junction with the existing  
aqueduct or line of pipes of the Stapleford

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Rural District Council and the Shardlow Rural District Council and terminating in the said parish of Bramcote in the service reservoir (Waterwork No. 4) by this Act authorised;

Waterwork No. 3 An aqueduct conduit or line or lines of pipes commencing in the parish of Chilwell in the rural district of Stapleford at the intersection of the centre lines of High Road and School Lane by a junction with the existing aqueduct of the Corporation at that point and terminating by a junction with Waterwork No. 1 by this Act authorised at the intersection of the centre lines of Chilwell Lane and Cow Lane;

Waterwork No. 4 A service reservoir in the said parish of Bramcote in the fields numbered 139 140 and 155 on the 1/2500 Ordnance map of the said parish (edition 1914 Nottinghamshire sheet No. XLI-11).

(2) In addition to the waterworks hereinbefore described the Corporation may upon the said lands make and maintain all such buildings tanks machinery roads tramroads works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to any of the before mentioned waterworks or any of them or necessary for inspecting maintaining repairing cleansing managing working or using the same but nothing in this subsection shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Period for  
completion  
of water-  
works.

14.—(1) If the works authorised by this Part of this Act and shown on the deposited plans and sections or any part or parts thereof are not completed within seven years from the thirty-first day of October nineteen hundred and twenty-nine then on the expiration of that period the powers granted by this Act for making those works shall cease as to such of them or so much thereof respectively as are not then completed.

(2) Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of the works and lay down additional lines of pipes as and when occasion may require.

**15.** Subject to the provisions of this Act the water-works to be constructed by the Corporation under the authority of this Act shall for all purposes be deemed to be part of the water undertaking of the Corporation.

Works to form part of water undertaking.

**16.** From and after the passing of this Act the limits within which the Corporation may supply water shall extend to and include the parishes of Stapleford and Toton in the rural district of Stapleford in the county and the Corporation may for the purposes of such supply exercise within the said parishes the same powers as they are authorised to exercise under the Acts and Orders relating to their water undertaking and shall be subject to the same obligations as they are subject to in respect of water supply under the said Acts and Orders.

Extension of limits of supply of water.

**17.** So much of section 4 (Limits of Act) of the Stapleford and Sandiacre Water Act 1889 as empowers the Stapleford Rural District Council and the Shardlow Rural District Council as successors of the Stapleford and Sandiacre Water Company to supply water in the parish of Stapleford in the county is hereby repealed.

Repeal of part of section 4 of Stapleford and Sandiacre Water Act 1889.

**18.** The Corporation shall purchase and the Stapleford Rural District Council shall sell for the sum of eight thousand pounds the distributing mains plant meters fittings and apparatus belonging to the said council within the parish of Stapleford in the rural district of Stapleford in the county.

Purchase of distributing plant of Stapleford Rural District Council.

**19.** Where a person who takes a supply of water from the Corporation otherwise than by meter desires to use for or in connection with a refrigerating apparatus any of the water so supplied the Corporation may if they think fit require that all water used for or in connection with the said apparatus shall be taken by meter on the conditions and paid for at the rates for the time being in force for the supply of water by meter. Provided that if the person is only taking a supply of water from the Corporation for domestic purposes the minimum sum per quarter which may be demanded by the Corporation for the water used for or in connection with the refrigerating apparatus shall not exceed ten shillings.

Charges for refrigerating apparatus.

**20.—(1)** Where water is supplied by the Corporation by measure the register of the meter or other instrument or measuring water shall be prima facie evidence of the

Register of meter to be prima facie evidence.

A.D. 1929. quantity of water consumed and in respect of which any water rate is charged and sought to be recovered by the Corporation.

(2) 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 summary 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.

Corporation not bound to supply several houses by one pipe.

**21.** The Corporation shall not be bound to supply more than one house building or other premises by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house building or other premises supplied by them with water.

Maintenance of common pipe.

**22.** When several houses or parts of houses in the occupation of several persons are supplied with water by the Corporation 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 the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the waterworks engineer of the Corporation or other officer duly authorised in that behalf by the Corporation.

## PART V.

### LANDS AND WORKS.

Power to take lands.

**23.**—(1) Subject to the provisions and for the purposes of this Act the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference other than the lands referred to in subsection (2) of this section for the purpose of constructing the works authorised by this Act including the improvement and development of frontages or of the lands abutting on or adjacent to any of the street works authorised by this Act.

(2) Subject to the provisions of this Act the Corporation may enter on take and use the following lands delineated on the deposited plans and described in the deposited book of reference:—

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(a) For the purpose of parks and recreation grounds—

(i) A piece of land at Bulwell in the city bounded on the west by the river Leen on the north by the approach road to the Bulwell Station of the London Midland and Scottish Railway (Nottingham and Mansfield line) and on the east and south by the London Midland and Scottish Railway (Nottingham and Mansfield line);

(ii) A piece of land in the parish of South Wilford in the rural district of Basford in the county bounded on the north by the river Trent on the east by the London and North Eastern Railway (Nottingham and Leicester line) on the south by Coronation Avenue and on the west by the approach road to Wilford Bridge;

(iii) An easement or right of way on the southern bank of the river Trent with power to construct and maintain a footpath over a strip of land fifteen feet or thereabouts in width measured from the edge of the said river bank in the said parish of South Wilford between the eastern and western boundaries of the land of the London and North Eastern Railway Company under the bridge carrying the said Nottingham and Leicester line over the river Trent. Provided that during the continuance of any such easement the said railway company shall at all times have the right to use the said strip of land in connection with the repair or maintenance of or any alterations or additions to the said bridge. Provided also that the said railway company shall not at any time occupy or use the said strip of land so as to prevent the Corporation their servants and workmen and all persons authorised by them from using the said strip of land;

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—

(iv) A piece of land in the said parish of South Wilford bounded on the north and north-east by the river Trent on the south and south-east by the footpath from Coronation Avenue to the footpath on the southern bank of the river Trent and on the west by the London and North Eastern Railway (Nottingham and Leicester line):

(b) For reconstructing the footpath on the south bank of the river Trent—

A piece of land consisting of part of the southern bank and the bed of the river Trent in the said parish of South Wilford from the boundary between the urban district of West Bridgford and the said parish to a point three hundred and thirty feet or thereabouts measured in a south-westerly direction along the southern bank of the said river from the said boundary:

(c) For the purposes of the Trent Navigation—

A piece of land on the eastern side of Trent Lane Sneinton in the city bounded on the west by the said Trent Lane on the north by the fields numbered 1276, 1278 and 1279 on the 1/2500 Ordnance map of the city edition 1914 sheet No. XLII-7 on the east by the city boundary and on the south by the river Trent:

Provided that in case of difference between the foregoing descriptions of the said lands and those lands as delineated on the said plans the latter shall prevail.

Period for  
compulsory  
purchase  
of lands.

24. The powers of the Corporation for the compulsory purchase of lands for the purposes of Part III (Street works) of this Act shall cease after the expiration of five years from the passing of this Act and for the purposes of Part II (Sewerage works) Part IV (Waterworks and water supply) and this Part of this Act shall cease after the expiration of three years from the passing of this Act.

For pro  
tection of  
Oliver  
Watts Hind

25. Notwithstanding anything contained in this Act or shown on the deposited plans the following provisions for the protection of Oliver Watts Hind and the Boys' Brigade or other the owner or owners



for the time being of the lands and premises hereinafter in this section referred to all of whom are included in the expression "the owners" where used in this section shall unless otherwise agreed between the owners and the Corporation apply and have effect (that is to say) :—

A.D. 1929.

and Boys'  
Brigade.

The Corporation shall not enter upon take or use any part or parts of the lands and premises numbered on the deposited plans for the city 29 which lands and premises are coloured blue upon the plan signed by Oliver Watts Hind on behalf of the owners and William John Board on behalf of the Corporation unless and until they shall have provided in the immediate neighbourhood thereof and conveyed to the owners an alternative site equally convenient and suitable in all respects for use as a playing field for the members of the Dakeyne Street Lads Club such site to be subject to the approval of the owners and to be adequately fenced and equipped with pavilions and other necessary conveniences affording similar accommodation to that afforded at the date of the passing of this Act nor shall the Corporation enter upon take or use any part or parts of the lands and premises numbered 38 and coloured brown on the said signed plan unless and until they shall have afforded adequate alternative means of access to the lands and premises numbered 29 and 36 on the deposited plans :

Provided always that the Corporation shall not in any case be entitled to enter upon take or use the part of the said lands and premises numbered 29 or any part of the land and premises numbered 36 on the deposited plans now used by the members of the said club as a bathing place and boating stage and which are coloured pink on the said signed plan and shall at all times afford sufficient and convenient access thereto to the approval of the owners.

**26.** The Corporation in addition to the lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold

Power to  
purchase  
additional

for the time being of the lands and premises hereinafter in this section referred to all of whom are included in the expression "the owners" where used in this section shall unless otherwise agreed between the owners and the Corporation apply and have effect (that is to say) :—

A.D. 1929.

and Boys'  
Brigade.

The Corporation shall not enter upon take or use any part or parts of the lands and premises numbered on the deposited plans for the city 29 which lands and premises are coloured blue upon the plan signed by Oliver Watts Hind on behalf of the owners and William John Board on behalf of the Corporation unless and until they shall have provided in the immediate neighbourhood thereof and conveyed to the owners an alternative site equally convenient and suitable in all respects for use as a playing field for the members of the Dakeyne Street Lads Club such site to be subject to the approval of the owners and to be adequately fenced and equipped with pavilions and other necessary conveniences affording similar accommodation to that afforded at the date of the passing of this Act nor shall the Corporation enter upon take or use any part or parts of the lands and premises numbered 38 and coloured brown on the said signed plan unless and until they shall have afforded adequate alternative means of access to the lands and premises numbered 29 and 36 on the deposited plans :

Provided always that the Corporation shall not in any case be entitled to enter upon take or use the part of the said lands and premises numbered 29 or any part of the land and premises numbered 36 on the deposited plans now used by the members of the said club as a bathing place and boating stage and which are coloured pink on the said signed plan and shall at all times afford sufficient and convenient access thereto to the approval of the owners.

**26.** The Corporation in addition to the lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold

Power to  
purchase  
additional

A.D. 1929.  
—  
lands by  
agreement.

for the purposes of this Act any additional lands not exceeding in the whole three acres in respect of Part II (Sewerage works) of this Act three acres in respect of Part IV (Waterworks and water supply) of this Act and five acres for the other purposes of this Act Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such additional lands.

Incor-  
poration of  
provisions  
from Acts of  
1897 1905  
1910 1920  
and 1923.

27. The following sections of the Act of 1897 the Act of 1905 the Act of 1910 the Act of 1920 and the Act of 1923 are incorporated with this Act and shall extend and apply to and for the purposes of this Act as if those sections with the necessary modifications were set out in this Act (namely):—

The Act of 1897—

Section 6 (Correction of errors &c. in deposited plans and book of reference);

Section 8 (Persons under disability may grant easements &c.);

Section 13 (Proceeds of sale of surplus lands).

The Act of 1905—

Section 39 (Owners may be required to sell parts only of certain lands and buildings).

The Act of 1910—

Section 17 (Provisions as to compensation).

The Act of 1920—

Section 34 (Temporary stoppage of streets).

The Act of 1923—

Section 29 (Discharge of water into streams);

Section 30 (Application of Waterworks Clauses Act 1847 to works authorised by this Act):

Provided that in the application of section 39 of the Act of 1905 that section shall be read and have effect as if the properties described in the schedule to this Act were therein referred to instead of the properties mentioned in the schedule to the Act of 1905 and as if the tribunal referred to in the said section were the tribunal as defined by the section of this Act of which the marginal note is " Interpretation of terms " :

Provided also that in the application of section 17 of the Act of 1910 that section shall be read and have effect as if the twentieth day of November nineteen hundred and twenty-eight were therein referred to instead of the first day of January one thousand nine hundred and ten : A.D. 1929.

Provided also that in the application of section 34 of the Act of 1920 the Corporation at all times during the execution of any works under the powers of this Act shall maintain reasonable access both for vehicular and pedestrian traffic to the passenger and goods stations and depôts of any railway company where or in the vicinity of which any such works are being executed :

Provided further that section 29 of the Act of 1923 shall extend and apply only to the purposes of Part IV (Waterworks and water supply) of this Act.

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

**29.** The powers of the Corporation of purchasing lands by agreement shall be deemed to extend to and to authorise the purchase by the Corporation by agreement of any lands which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be acquired by them for the purposes of this Act. Purchase of lands for exchange.

**30.** The Corporation may enter into and carry into effect agreements with the owners of or other persons interested in any land which may be acquired under the provisions of this Act with respect to the reinstatement of such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange. Power to reinstate owners of property.

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Reserva-  
tion of  
water  
rights &c.

**31.** The Corporation on selling any lands held by them for the purposes of their water undertaking and not required for those purposes may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Acquisition  
of ease-  
ments.

**32.—(1)** The Corporation may in lieu of acquiring any lands for the purposes of the sewers the sewerage pumping mains and the waterworks authorised by this Act acquire such easements or rights only in such lands as they may require for such purposes (including the making maintaining repairing inspecting cleansing managing using working and obtaining access to such works) and may give notice to treat in respect of such easements and rights describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements and rights as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Corporation have acquired easements or rights only under the provisions of this section for the purposes of such sewers sewerage pumping mains or waterworks where they are respectively laid underground the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being at all times after the completion of the sewers sewerage pumping mains or waterworks shall subject to such easements or rights and any other restrictions imposed upon the owners and occupiers have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if this Act had not passed.

(3) Every notice to treat for the acquisition of an easement or right or the imposition of any restriction shall either contain or be endorsed with notice of this provision.

**33.**—(1) In the construction of the sewers sewerage works sewage disposal works and waterworks and the street works authorised by this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans (and where on any street or road no such limits are shown the boundaries of such street or road shall be deemed to be such limits) and they may also deviate from the levels shown on the deposited sections as regards the street works not exceeding three feet upwards or downwards and as regards the other works to any extent.

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Power to deviate in construction of works.

(2) Provided that except for the purposes of crossing over a stream or railway no part of the sewers sewerage pumping mains or aqueducts authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

**34.**—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation in connection with and for the purposes and as part of the street works to be executed under the powers of this Act may execute or do any of the following works or things (namely):—

Power to make subsidiary works.

- (a) Make junctions and communications with any existing streets intersected or interfered with by or contiguous to the street works authorised by this Act or any of them and may divert widen or alter the line or alter the level of any existing street for the purpose of connecting the same with any of such works or otherwise;
- (b) Raise lower or alter any step spout or window or any vault arch cellar or area under or adjoining any roadway or footway but so that the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit;
- (c) Construct and provide carriageways footways vaults cellars arches sewers drains subways and other works and conveniences;
- (d) Stop up and appropriate the site and soil of so much of any streets as shall be rendered unnecessary by the exercise of the powers of this Act;
- (e) Execute any works for the protection of any adjoining land or buildings;

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- (f) Execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings; and
- (g) Raise lower alter divert stop up or otherwise interfere with any drain sewer channel or gas or water main or pipe or electricity wire or apparatus within the said limits providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus;

and shall make compensation for any damage done by the Corporation in the execution of the powers of this section.

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

Application  
of road  
materials  
excavated  
in con-  
struction  
of works.

**35.** Any paving metalling or material excavated by the Corporation in the construction of any works authorised by this Act from any road under the jurisdiction and control of the Corporation shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they may think fit.

Under-  
pinning of  
houses  
near works.

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

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened;

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- (2) Each such notice if given by the Corporation shall be served in manner prescribed by section 124 (Authentication and service of notices) of the Act of 1923 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the Corporation :
- (3) If any owner lessee or occupier of any such house or building or the Corporation (as the case may require) shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer (in this section referred to as "the referee") to be agreed upon or in case of difference appointed at the instance of either party by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference :
- (4) The referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by the Corporation or such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Corporation shall be liable to compensate the owner lessee and occupier of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this section :
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the



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Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owner lessee and occupier of such house or building for such injury provided the claim for compensation in respect thereof be made by such owner within twelve months and by such lessee or occupier within six months from the discovery thereof :

- (7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :
- (8) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

Diversion  
of foot-  
paths.

**37.**—(1) The Corporation may divert in the manner shown on the deposited plans the public footpaths there marked as intended to be diverted and may stop up and cause to be discontinued as footpaths so much of the said footpaths as will be rendered unnecessary by the new portions of footpaths shown on the deposited plans but the Corporation shall not stop up the said portions of footpaths until two justices shall have certified that the said new portions of footpaths have been completed to their satisfaction and opened for public use.

(2) As from the date of the said certificate all rights of way over or along the existing portions of footpaths shall be extinguished and the Corporation may appropriate and use for the purposes of their water undertaking the sites of the portions of footpath stopped up as far as the same are bounded on both sides by lands of the Corporation and the sites of such portions of footpath shall be vested in them.

(3) The Corporation shall make full compensation to all persons 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.

**38.** 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) :—

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For protection of London Midland and Scottish Railway Company.

(1) The Corporation shall purchase in connection with Street Works No. 1 and No. 2 by this Act authorised the whole estate of the company in that part of the lands of the company numbered on the deposited plans 214 215 216 and 220 in the city and in connection with Street Work No. 3 by this Act authorised may purchase and the company if so required by the Corporation shall sell to them the whole estate of the company in the lands of the company numbered on the deposited plans 173 in the city and of so much of the lands of the company numbered 171 on the deposited plans in the city as is coloured red on the plan " A " signed by Alexander Newlands on behalf of the company and Thomas Wallis Gordon on behalf of the Corporation :

(2) If the Corporation acquire the land or part of the land described in subsection (2) (a) (i) of the section of this Act of which the marginal note is " Power to take lands " and the Company shall have given to the Corporation notice within three months of the passing of this Act of their desire to acquire from the Corporation so much of the land so acquired as is shown and coloured red on the plan " B " signed by Alexander Newlands on behalf of the Company and Thomas Wallis Gordon on behalf of the Corporation the Corporation shall forthwith upon such acquisition convey the said land coloured red to the company at a price proportionate to the price (including stamp duties and costs) which the Corporation shall have paid for the whole of such land together with an addition of ten per centum to such price and the company shall erect a suitable fence along the boundary thereof :

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- (3) Save as is hereinbefore mentioned the Corporation shall not under the powers of this Act purchase or acquire by compulsion any land or property of the company but the Corporation may purchase and acquire and the company shall sell and grant accordingly such easements or rights of using so much of the said land and property as may be reasonably required for the construction and maintenance of Sewerage Works Nos. 1 3 4 11 24 28 29 and 33 (hereinafter referred to as "the sewerage works") and Street Works Nos. 1 and 3 (hereinafter referred to as "the street works" and together with the sewerage works as "the works") by this Act authorised :

The amount to be paid for the acquisition of any such easement shall be ascertained in case of difference in the manner provided by the Lands Clauses Acts :

- (4) The Corporation shall before they commence the construction of so much of any of the works as shall or may pass over or under or adjoin or in any way affect the railways works or property of the company submit to the principal engineer of the company (in this section called "the principal engineer") plans sections and specifications of the street works and plans and specifications of the sewerage 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 works Provided that if within one month 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 :
- (5) The 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 : A.D. 1929.

- (6) The piers of the bridge carrying Street Work No. 1. by this Act authorised over the railway shall be in such positions as shall be reasonably required by the principal engineer and if in consequence thereof any alteration of the existing lines of rails is required to be made the same shall be carried out by the company at such times and in such manner as they think fit and the reasonable cost thereof shall be repaid to them by the Corporation :
- (7) The Corporation shall widen the company's bridge carrying Street Work No. 3 by this Act authorised over the company's railway by means of additions to the existing bridge and such additions shall have clear openings and headways not less than those of the existing bridge and in carrying the said Street Work No. 1 over the company's railway they shall give a clear headway of not less than fifteen feet six inches :
- (8) If within one month after the receipt of such plans sections and specifications the company give to the Corporation notice that they desire themselves to execute any part of the said Street Work No. 1 the company may themselves execute such part of such works in accordance with the deposited plans and sections and recover the reasonable cost thereof from the Corporation :
- (9) The Corporation shall on demand repay to the company the reasonable expense of the employment by the company during the execution of the works of a sufficient number of inspectors and watchmen to be appointed by the company for watching their railway with reference thereto and for preventing as far as may be any interference obstruction danger or accident from the operations acts or defaults of the Corporation or their contractors or of any person in the employ of either of them :
- (10) The said reconstructed or altered bridge for Street Work No. 3 by this Act authorised and the materials therein shall be and remain the

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property of the company and shall at all times be properly maintained by them as part of their railway and works. The road and footways over the bridge shall be formed and paved, metalled or asphalted and channelled and flagged and maintained by and at the expense of the Corporation :

- (11) The Corporation shall before carrying out so much of the works as will be below the existing level of the ground construct such temporary or permanent works as may be reasonably necessary to support the railway works and property of the company and in the event of the Corporation constructing any work by this Act authorised under any bridge of the company at a lower level than the foundations of such bridge any underpinning which may be reasonably necessary to ensure the stability of such bridge in consequence of the carrying out of such work shall (on the company giving at least seven days' notice thereof to the Corporation) be executed by the company but in all things at the expense of the Corporation :
- 12) The Corporation shall at all times maintain the sewerage works and all works forming part thereof where the same are carried under the railways works or property of the company in substantial repair and good order and condition to the reasonable satisfaction of the principal engineer and if and whenever the Corporation fail so to do the company may make and do all such works and things as may be reasonably requisite in that behalf and the expenditure so incurred by the company shall be repaid to them by the Corporation :
- (13) Before the Corporation commence the construction of any of the works on the land or property of the company any temporary works which in the opinion of the principal engineer may be reasonably necessary to ensure the stability of the railways and works may be carried out by the company after seven days' notice of the intention of the company to commence such temporary works shall have been

given to the city engineer and the reasonable cost thereof and any expense incurred in connection therewith shall be repaid by the Corporation to the company on demand :

- (14) If it shall be reasonably necessary at any time (either before or during the construction or within two years after the completion of the 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 works or in relation to the method of construction of the 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 city engineer such works or take such measures of precaution including the temporary cessation of the construction of the works as the principal engineer shall reasonably require. The construction of the works when commenced shall proceed without cessation except as aforesaid and with all reasonable dispatch :
- (15) If by reason of any works or proceedings of the Corporation or of their contractors or workmen or of the leakage bursting or failure of any work by this Act authorised or any work forming part thereof otherwise than by reason of any act or default of the company the said railways or any of the works or lands thereof shall be injured or damaged such injury or damage shall be forthwith made good by the Corporation at their own expense and to the reasonable satisfaction of the principal engineer and in the event of their failing so to do or in case of emergency the company may do all such works and things as may be reasonably requisite to make good the same and recover the expenditure

A.D. 1929.  
—

so reasonably incurred from the Corporation and if any interruption shall be caused to the traffic of the said railways by reason of any of the works of the Corporation or of any such leakage bursting or failure as aforesaid the Corporation shall make good and repay to the company any loss damage or expense which they may sustain or be put to by reason of such interruption :

- (16) The Corporation shall not in executing the 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 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 :
- (17) 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 railways works or property or to any person or persons using the same by reason of the construction or maintenance of the works or of any act or omission of the Corporation or of any of the persons in their employment or of their 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 or omission :
- (18) If by reason of or during the construction of the 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 may be so added to or altered by the company and the reasonable expense thereof shall be repaid by the Corporation to the company :

- (19) Any difference which shall arise between the Corporation and the company or their respective engineers under this section 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. A.D. 1929.

## PART VI.

### TROLLEY VEHICLES.

**39.**—(1) The Corporation may provide maintain and equip trolley vehicles and may work the same along the following routes in the city :— Trolley vehicles.

Route A Commencing in South Parade by a junction with the authorised trolley vehicle route of the Corporation in that street at a point 350 feet or thereabouts measured in an easterly direction from the intersection of the centre lines of Wheeler Gate and South Parade thence proceeding along South Parade Poultry Victoria Street Carlton Street and George Street to and terminating at the junction of George Street with Lower Parliament Street by a junction with the authorised trolley vehicle route of the Corporation in the last-named street;

Route B Commencing in Nottingham Road at the intersection of the centre lines of Valley Road and Nottingham Road by a junction with the existing trolley vehicle route of the Corporation in the last-named road thence proceeding along Valley Road Church Street High Street Alpine Street Percy Street Thurlow Street Stockhill Lane and Nuthall Road and terminating in Nuthall Road at the city boundary by a junction with the authorised trolley vehicle route of the Nottinghamshire and Derbyshire Traction Company in that road;

and with the consent of the Minister of Transport along any other street or road in the city which the Corporation



(A.D. 1929. — think it necessary or convenient to use for the purpose of providing a turning point of or connecting trolley vehicle routes or of obtaining access thereto from any depôt garage building or work of the Corporation.

(2) Before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval.

For protection of Derbyshire and Nottinghamshire Electric Power Company.

40. Nothing in this Act shall extend to or authorise any interference with any works of the Derbyshire and Nottinghamshire Electric Power Company to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

Application of provisions of Acts of 1913 1923 and 1925 to trolley vehicles.

41. The following provisions of the Act of 1913 the Act of 1923 and the Act of 1925 shall extend and apply to the provision maintenance and running of trolley vehicles under the powers of this Act:—

The Act of 1913—

- Section 14 (Fares rates and charges) (as amended by the Act of 1925);
- Section 16 (Application of provisions of enactments relating to tramway undertaking of Corporation);
- Section 17 (For protection of Postmaster-General);
- Section 18 (Duties on licences for trolley vehicles);
- Section 20 (Shelters or waiting rooms);
- Section 21 (Penalty for malicious damage).

The Act of 1923—

- Section 22 (Power to appoint stages) Provided that no starting or stopping place shall be appointed so as to interfere with or render less convenient the access to or exit from any railway station or depôt.

The Act of 1925—

A.D. 1929.

Section 28 (For further protection of London Midland and Scottish Railway Company);

Section 30 (Application of Tramways Act 1870 to trolley vehicles);

Section 31 (Vehicles not to be deemed light locomotives);

Section 32 (Weight of vehicles and approval of construction by Minister of Transport);

Section 33 (Power to carry certain goods and luggage and dogs on trolley vehicles).

42. Subsection (b) (4) of section 16 (For protection of Postmaster-General) of the Nottingham Corporation Act 1902 shall be read and have effect as if the words "generated or used by or supplied to" were substituted in that subsection for the words "generated by."

Amendment of section 16 (b) (4) of Nottingham Corporation Act 1902.

43. The Corporation on the one hand and the Nottinghamshire and Derbyshire Traction Company on the other hand may enter into and carry into effect agreements with respect to the formation of junctions between the trolley vehicle systems of the Corporation and the said company and the Corporation are hereby empowered to carry out all necessary work in connection with the formation of such junctions under any agreement which may be entered into between the said parties.

Agreements with Nottinghamshire and Derbyshire Traction Company.

PART VII.

CONTROL OF TRAFFIC AND POLICE.

44.—(1) The Corporation may from time to time make regulations prescribing within the central area referred to in subsection (9) of this section—

Regulations for controlling traffic.

(a) the streets which are not to be used for traffic by vehicles of any specified class or classes either generally or during specified times;

(b) 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:

A.D. 1929.

Provided that no regulation made under paragraph (a) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the central area whilst so engaged.

(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.

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

(4) Before approving any regulations the said Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 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 said Minister and shall come into force on a date to be fixed by him. A.D. 1929.

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

(8) As respects any regulation made and approved under this section (subject to any modification or extension made by the said Minister as hereinafter provided) 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 contravene any regulation under paragraph (b) of subsection (1) of this section;

shall be liable to a penalty not exceeding forty shillings.

(9) In this section—

(a) “the central area” means any part of the city which is within a radius of one mile from the Guildhall in the city; and

(b) “specified” means specified in any regulations made or approved under this section.

(10) The Minister on the application of any company body or person appearing to him to be sufficiently interested and alleging that any regulation made under this section is unsuitable for the traffic requirements of the 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.

**45.** Section 24 (Evidence of byelaws) of the Municipal Corporations Act 1882 which relates to the proof of byelaws shall extend to regulations made by the Corporation under the preceding section of this Act as the said section 24 extends to byelaws so made. Evidence of regulations made by Corporation.

**46.** It shall be lawful for the Corporation at all times of public processions rejoicings or illuminations or on emergency to cause barricades to be erected across any of the streets of the city and to continue the same Power to stop traffic on occasions of emergency.

A.D. 1929. — 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.

Notices of processions to be given.

47.—(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 of the city (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 Corporation by leaving such notice at the head police office twenty-four hours at least (exclusive of Sundays) previous to the time fixed for such procession to pass through the streets.

(2) If any such procession passes through the streets of the city 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.

Unauthorised riding upon vehicles.

48. 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.

Insurance by hackney carriage proprietors.

49. 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 (Local licensing fees to cease to be chargeable) of the Roads Act 1920 and all the provisions of that subsection shall apply accordingly.

Police telephone call boxes.

50. The Corporation may (a) erect or fix shelters or boxes for the use of police officers and constables and police telephone call boxes in such positions in any street

road or public place within the city as they think fit (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 except with the consent of any railway company no shelter or box or street fire alarm shall be erected or fixed on any road or bridge belonging to or maintained by or at the expense of any railway company or so as to obstruct the access to or exit from any railway station depôt or property.

A.D. 1929.

—  
and fire  
alarms.

51. Nothing in this Act shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

For pro-  
tection of  
Postmaster-  
General.

52. Where any park or recreation ground of the Corporation is situate partly within and partly without the city the council and the standing joint committee of the county may enter into any agreement for the exercise by the city police force of police powers in that part of such park or recreation ground which is situate outside the city and during the subsistence of any such agreement the police authority for the city shall be the police authority in respect of such part of the said park or recreation ground and the city police shall have the same powers and duties therein as in the remainder of such park or recreation ground and during the subsistence of such agreement such part of the said park or recreation ground shall cease to form part of the police district of the county and the standing joint committee and the county council of the county shall be exempted from police duties and liabilities therein.

Agreements  
as to  
policing  
parks and  
recreation  
grounds  
partly  
within  
and partly  
without  
city.

53.—(1) The provisions of section 36 (Means of ingress to and egress from places of public resort) of the Public Health Acts Amendment Act 1890 shall extend and apply to shops and departmental stores in the city whether existing before or after the passing of this Act where more than twenty-five persons are employed.

Means of  
ingress to  
and egress  
from large  
shops and  
depart-  
mental  
stores.

A.D. 1929.

(2) Any person aggrieved by a requirement of the Corporation under the said section 36 in its application to a shop or departmental store 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 petty sessional court and such court may make such order in the premises and on such terms and conditions as to the court may seem fit and may award costs Provided that such person shall give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk.

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

(4) For the purposes of this section section 7 of the said Act of 1890 shall not apply.

## PART VIII.

## STREETS BUILDINGS AND SANITARY MATTERS.

Elevation  
of new  
buildings  
fronting  
streets.

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

(2) For the purpose of assisting the Corporation in the exercise of the power of approving or disapproving elevations hereinafter conferred a standing advisory committee of three members (in this section called "the advisory committee") shall be constituted for the 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 the said Institution

and one member shall be a justice of the peace to be nominated by the council : A.D. 1929.

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

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

(a) approve the elevations; or

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

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



A.D. 1929;

(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 consideration mentioned in subsection (4) (b) of this section they approve or disapprove the elevations and their decision shall be final and conclusive.

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

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

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

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

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

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

as a civil debt and where such costs or part thereof are payable by the Corporation they shall be recoverable by the person submitting the elevations in the like manner. A.D. 1929.

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

**55.**—(1) Every building erected in the city after the passing of this Act exceeding 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 as a tavern hotel hospital boarding-house common lodging-house or boarding 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 the 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.

Means of  
escape from  
buildings  
in case  
of fire.

(2) (a) From and after the first day of July nineteen hundred and thirty the Corporation in the case of every existing building in the city exceeding two storeys in height and used or intended to be used as flats or as a tavern hotel hospital boarding-house common lodging-house or boarding school or as a shop or restaurant in

A.D. 1929. — 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 the opinion of the Corporation such building is not provided with proper and sufficient means of escape from each upper 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 in each such upper storey 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.

(b) Any person 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 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.

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

(3) If the owner of the building alleges that any occupier should bear or contribute to the expenses of complying with any requirement of the Corporation under this section he may apply to a court of summary jurisdiction and thereupon the said court after giving the occupier an opportunity of being heard shall have power to make such order as appears to the court just and equitable under all the circumstances of the case and to award costs.

(4) 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.

(5) 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.

(6) This section shall not apply to any premises to which section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or any enactment amending those sections apply.

A.D. 1929.

(7) 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.

**56.**—(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 situate within the city without the previous approval of the Corporation.

Prohibition  
of tents  
vans &c.

(b) It shall not be lawful for any person without the previous consent of the Corporation to let or permit to be used 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 any approval or 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 such court may make such order in the premises and on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to (a) a tent van shed or similar 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 stallholder not being a pedlar or hawker.

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

**57.** Any tent van shed or similar structure standing upon land in the city abutting upon a street shall for the purpose of the application of section 3 (Buildings not to be brought forward) of the Public Health (Buildings in

Provisions  
as to tents  
vans &c.

A.D. 1929.

Streets) Act 1888 to the city be deemed to be a house or building within the meaning of those words where they first occur in the said section.

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

**58.** If any person shall at the request of the Corporation acting on the advice 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.

Registration of houseboats in city and on Trent Navigation.

**59.**—(1) The Corporation on payment to them for the registration of any houseboat on any navigable river or canal in the city or on any part of the Trent Navigation under the jurisdiction of the Corporation of the sum appointed by the byelaws made by the Corporation in pursuance of the powers of the section of this Act of which the marginal note is "Byelaws with regard to houseboats" for the time being in force and delivering to the Corporation on a form prescribed by such byelaws such particulars concerning such houseboat (including the name and address of the owner thereof) as such byelaws may require shall assign to such houseboat a number and shall register such houseboat in a book to be kept by the Corporation for that purpose at the Guildhall together with the several particulars aforesaid and the number assigned to such houseboat and such certificate shall be in force for the period prescribed by such byelaws and (unless renewed) no longer but the Corporation shall from time to time grant a renewal of such certificate for the period and on payment of the sum in respect of every renewal respectively for the time being prescribed and appointed by such byelaws and every such certificate and any renewal thereof is in this section referred to as a "houseboat certificate."

(2) Provided that the sum to be paid for the registration of any houseboat as aforesaid or for the renewal of any houseboat certificate shall not exceed five pounds.

(3) Provided also that the period for which any houseboat certificate shall be in force shall not be less than one year.

Byelaws with regard to houseboats.

**60.** The Corporation may from time to time make such byelaws as they may think fit with regard to the use of houseboats for purposes of habitation on any

navigable river or canal in the city or on any part of the Trent Navigation under the jurisdiction of the Corporation for all or any of the following purposes (namely):—

A.D. 1929.

The registration and regulation of such houseboats;

The prevention of the passing into any such navigable river or canal or into any such part of the Trent Navigation from or out of any such houseboat of any sewage or any other offensive or injurious matter whether solid or fluid;

For compelling with a view to the prevention of pollution of any such navigable river or canal or of any such part of the Trent Navigation the alteration as the Corporation may think fit of such houseboats and the provision of such houseboats with such sanitary appliances as the Corporation may require.

**61.** The provisions of section 43 (Nuisance caused by occupation of tents vans &c.) of the Public Health Act 1925 shall extend and apply to any houseboat which is used for human habitation on any navigable river or canal in the city or on any part of the Trent Navigation under the jurisdiction of the Corporation in such a way as to be a nuisance or injurious to health or to cause a nuisance or give rise to conditions injurious to health.

Extension  
of section 43  
of Public  
Health Act  
1925 to  
houseboats.

## PART IX.

### FINANCIAL AND MISCELLANEOUS PROVISIONS.

**62.**—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereto shall respectively be “the prescribed period”)

Power to  
borrow.

A.D. 1929. mentioned in the third column of the said table (namely) :—

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) For and in connection with the purchase of lands and easements.	£ 49,175	Sixty years from the date or dates of borrowing.
(b) For and in connection with the construction of the sewerage and sewage disposal works authorised by this Act.	1,081,400	Forty-five years from the date or dates of borrowing.
(c) For and in connection with the construction of the street works authorised by this Act.	82,550	Forty-five years from the date or dates of borrowing.
(d) For and in connection with the construction of the waterworks authorised by this Act.	52,000	Forty-five years from the date or dates of borrowing.
(e) For water mains pipes and apparatus.	30,000	Forty years from the date or dates of borrowing.
(f) For and in connection with the purchase of distributing mains plant meters fittings and apparatus from the Stapleford Rural District Council.	8,000	Thirty years from the date or dates of borrowing.
(g) For and in connection with the provision of trolley vehicles.	33,750	Ten years from the date or dates of borrowing.
(h) For and in connection with the provision and adaptation of electrical equipment and the construction of other works necessary for working trolley vehicles.	4,882	Twenty years from the date or dates of borrowing.
(i) For the payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) Notwithstanding anything contained in section 12 (Power to construct warehouses &c.) of the Nottingham Corporation (Trent Navigation Transfer) Act 1915 the Corporation may with the consent of the Minister of Transport borrow any sum or sums not exceeding in the aggregate sixty thousand pounds for the purposes of the said section of the said Act and in order to secure the repayment of the moneys borrowed under this subsection

and the payment of interest thereon the Corporation may mortgage or charge the revenue of the Corporation from their undertaking under the said Act and the general rate fund and general rate or either of them Provided that the provisions of this subsection shall not limit the powers conferred upon the Corporation by section 25 (Power to use one form of mortgage for all purposes) of the Act of 1910.

A.D. 1929.

(3) (a) The Corporation may also borrow with the consent of the Minister of Transport such further moneys as may be necessary for any of the purposes of Part VI (Trolley vehicles) of this Act and with the consent of the Minister of Health such moneys as may be necessary for any of the other provisions of this Act except purposes of the Trent Navigation.

(b) Any moneys borrowed under subsection (2) of this section or under this subsection shall be repaid within such period as may be prescribed by the Minister with whose consent the moneys are borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

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

**63.** The following sections of the Act of 1897 the Act of 1905 the Act of 1910 the Act of 1913 and the Act of 1923 are incorporated with this Act and shall extend and apply to and for the purposes of this Act as if those sections with the necessary modifications were set out in this Act (namely) :—

Incorporation of further provisions from Acts of 1897 1905 1910 1913 and 1923.

The Act of 1897—

- Section 25 (Certain regulations of Public Health Act as to borrowing not to apply);
- Section 26 (Mode of raising money);
- Section 27 (Provisions of Public Health Act as to mortgages to apply);
- Section 29 (Mode of payment off of money borrowed);



A.D. 1929.

- Section 30 (Sinking fund) Provided that the said section shall be read and have effect as if the words "three pounds ten shillings per centum per annum or such other rate as the Minister of Health may approve" were inserted in subsection (1) (b) of that section instead of the words "three pounds per centum per annum";
- Section 31 (Protection of lender from inquiry);
- Section 32 (Corporation not to regard trusts);
- Section 33 (Appointment of receiver);
- Section 36 (Application of money borrowed); and
- Section 37 (Inquiries by Local Government Board) Provided that the said section 37 shall be read and have effect as if the word "five" were substituted for the word "three" in subsection (2) of that section.

## The Act of 1905—

- Section 46 (Expenses of execution of Act);
- Section 62 (Recovery of penalties); and
- Section 64 (Audit of accounts).

## The Act of 1910—

- Section 26 (Application of section 265 of Public Health Act 1875).

## The Act of 1913—

- Section 27 (Judges not disqualified); and
- Section 29 (Powers of Act cumulative).

## The Act of 1923—

- Section 124 (Authentication and service of notices &c.);
- Section 131 (Recovery of demands);
- Section 132 (Informations by whom to be laid);
- Section 133 (Saving for indictments &c.);

Section 134 (Summons or warrant may contain several sums); A.D. 1929.

Section 135 (Confirmation of byelaws);

Section 137 (Compensation how to be determined).

**64.** The Corporation may purchase lands by agreement for and may on such lands or on any lands belonging to them erect and construct and hold furnish equip maintain and insure public buildings halls and rooms and may alter adapt extend or otherwise deal with existing buildings for the time being belonging to the Corporation for the purpose of providing such buildings halls or rooms and may provide erect and maintain offices as part of any such building or buildings.

Power to provide and let public halls and other buildings.

**65.** Subsections (7) (8) and (9) of section 26 (Conditions to be observed by the Corporation with respect to sale of land in schedule) of the Nottingham Corporation Act 1883 (which section was enacted for the protection of Thomas Cullen George Wigley Mary Anne Turner (tenant for life) Octavius Thomas Turner and Frederick Acton all of the town of Nottingham and of the trustees of the will of the late John Hewes Herbert of Nottingham and their respective heirs sequels in estate and assigns) are hereby repealed.

Repeal of subsections (7) (8) and (9) of section 26 of Nottingham Corporation Act 1883.

**66.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of Part VII (Control of traffic and police) or Part VIII (Streets buildings and sanitary matters) of this Act or by any conviction or order made by a court of summary jurisdiction under the provisions of this Act may if no other mode of appeal is provided by this 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 the Corporation may in like manner appeal.

Appeal.

**67.** The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall

Power to enter premises.

A.D. 1929. extend and apply to the purposes of Part VIII (Streets buildings and sanitary matters) of this Act as if those purposes had been mentioned in the said section 102.

Penalty on occupier refusing execution of Act.

**68.** 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 Part VIII (Streets buildings and sanitary matters) of this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding 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 work.

Crown rights.

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

Costs of Act.

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

The SCHEDULE referred to in the  
foregoing Act.

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A.D. 1929.

LIST OF PROPERTIES OF WHICH PART ONLY MAY  
BE TAKEN.

Area.	Number on deposited plans.
Parish of Gedling - - -	12.
Parish of Colwick - - -	11.
Parish of Carlton - - -	26 27 28 33 37 38 41 43.
City and parish of Nottingham	16 49 57 69 73 75 83 96 127 128 130 168 172 187 200 205 206 217 226 230 to 233 (inclusive) 258 259 260 262 263 273 285 290 291 306 315 317 319 323 326 327 338 to 355 (inclusive) 357 to 360 (inclusive) 362 369 370 to 378 (inclusive) 384 to 390 (inclusive) 392 393 394 396 to 402 (inclusive) 404 405 407 408 410 415 416.

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