



CHAPTER cviii.

An Act to repeal and amend provisions of the local Acts of the mayor aldermen and burgesses of the borough of Burnley and for other purposes. A.D. 1930.
[10th July 1930.]

WHEREAS it is expedient to repeal certain provisions of the local Acts in force in the borough of Burnley and to make further provision with regard to the laying out of streets in that borough and with regard to the erection and construction of buildings and other things in and over the river Brun and the river Calder :

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

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

1. This Act may be cited as the Burnley Corporation Act 1930. Short title.

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Interpre-
tation.

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

“The borough” means the borough of Burnley;

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

“The Act of 1871” “the Act of 1883” “the Act of 1908” and “the Act of 1925” mean respectively the Burnley Borough Improvement Act 1871 the Burnley Borough Improvement Act 1883 the Burnley Corporation Act 1908 and the Burnley Corporation Act 1925.

Amend-
ment of
section 129
of Act of
1871.

3. Section 129 (Provisions respecting construction of drains) of the Act of 1871 shall have effect as if the following subsection were substituted for subsection (1) of that section :—

“(1) Where the owner or occupier of any house or building in consequence of notice from the Corporation or otherwise constructs or lays down a drain from such house or building the Corporation shall construct and lay the same so far as it passes under any street or road.”

Byelaws
as to inter-
secting
streets.

4.—(1) The power of the Corporation to make byelaws with respect to new streets under section 157 of the Public Health Act 1875 shall extend to enable them to require intersecting streets in connection with the laying out of new streets at such intervals as the byelaws may determine For the purposes of this section “intersecting street” means a side or cross street forming a junction with another street.

(2) Upon any byelaw made under this section coming into operation section 71 (Intersecting streets) of the Act of 1908 shall be repealed.

As to
building
over rivers
Brun and
Calder.

5. Subsection (1) of section 75 (Restrictions as to building over rivers Brun and Calder) of the Act of 1908 shall cease to have effect and that Act shall have effect as if the following provision were substituted for that subsection :—

“(1) No person shall erect or construct any building or thing in or over the bed of the river Brun or the river Calder except with the consent

of the Corporation and except upon such terms and subject to such conditions as may be imposed by the Corporation. A.D. 1930.

“The contravention of any terms or conditions imposed by the Corporation as aforesaid shall be deemed to be a contravention of the provisions of this section.”

6. The following provisions of the Act of 1871 the Act of 1883 and the Act of 1908 are hereby repealed as from the date upon which the Minister of Health shall sanction byelaws under the provisions of the Public Health Acts 1875 to 1925 or the Act of 1871 or any other Act with regard to streets and buildings :—

The Act of 1871—

- Section 41 (Power to Corporation to block up new streets of less than authorised width);
- Section 42 (Works for drainage of new streets);
- Section 84 (Formation of back yards of houses);
- Section 85 (Waterclosets and privies);
- Section 88 (Power of Corporation to disapprove mode of building or draining);
- Section 89 (Builder may proceed if Corporation fail to signify their disapproval);
- Section 90 (Notice to surveyor before commencing works);
- Section 91 (Height of rooms);
- Section 92 (Windows in rooms);
- Section 93 (Drainage of buildings);
- Section 94 (Construction of drains and connection with sewers);
- Section 96 (Ventilation, &c. of public buildings);
- Section 97 (Buildings and houses not to be converted so as to provide dwellings in contravention of Act);
- Section 98 (Certificate that houses fulfil requirements of Act);

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- Section 100 (Preventing building on ground filled up with offensive matter);
Section 105 (Prohibition of thatch);
Section 107 (Notice in case of irregularity in building);
Section 108 (Penalties relative to new buildings);
Section 109 (Respecting existing contracts for building);
Section 110 (Alteration of contracts for building);
Section 126 (All sewers &c. to be covered with traps).

The Act of 1883—

- Section 37 (Notice of intention to lay out new streets to be given and plans and sections to be furnished);
Section 43 (Notice of intention to build or erect or drain to be given to Corporation);
Section 44 (Explaining section 108 of the Act of 1871).

The Act of 1908—

- Section 72 (Width of new streets in certain cases);
Section 74 (Means of escape from buildings in case of fire);
Section 77 (Amendment of section 107 of Act of 1871);
Section 79 (Repeal of part of section 94 of Act of 1871 as to future buildings).

Power to borrow.

7.—(1) The Corporation may borrow at interest the sum requisite for the payment of the costs charges and expenses of this Act and in order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation as defined in the Act of 1925.

(2) The Corporation shall pay off all money borrowed under the provisions of this subsection within five years from the passing of this Act. A.D. 1930. —

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

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