

[20 & 21 GEO. 5.] *Bootle Corporation* [Ch. clxxxvi.]
Act, 1930.



CHAPTER clxxxvi.

An Act to make further provision for the health local government and improvement of the borough of Bootle to authorise the mayor aldermen and burgesses of the borough to borrow money by means of bonds and for other purposes.

A.D. 1930.

[1st August 1930.]

WHEREAS the borough of Bootle (in this Act called "the borough") in the county palatine of Lancaster is a municipal and county borough under the management and local government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation"):

And whereas it is expedient to make provision as in this Act contained with respect to the regulation and control of agencies and registries in the borough carried on or represented as being or intended to be carried on for or in connection with the employment of persons in any capacity:

And whereas it is expedient to make further and better provision with regard to buildings in the borough and for the health and local government of the borough and to enlarge the powers of the Corporation with regard thereto as by this Act provided:

And whereas it is expedient to empower the Corporation to borrow or raise money by means of the issue of bonds and to enact the provisions relating to that matter contained in this Act:

[Price 1s. 6d. Net.]

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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 :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the *Bootle Corporation Act 1930.*

Division of Act into Parts.

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

Part I.—Preliminary.

Part II.—Employment agencies.

Part III.—Buildings.

Part IV.—Infectious disease and sanitary matters.

Part V.—Financial and miscellaneous provisions.

Incorporation of Lands Clauses Acts.

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

Interpretation of terms.

4. 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 1875 to 1925 have the same respective meanings

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unless there be something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires—

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“The borough” means the borough of Bootle;

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

“The council” means the council of the borough;

“The town clerk” “the treasurer” “the medical officer” and “the sanitary inspector” mean respectively the town clerk the treasurer the medical officer of health and the sanitary inspector of the borough and include respectively any person duly authorised to discharge temporarily the duties of those offices respectively;

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

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the borough;

“Daily penalty” means a penalty for every day on which an offence is continued by a person after conviction;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

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“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“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.

EMPLOYMENT AGENCIES.

Date of commencement of this Part of Act.

5. This Part of this Act shall come into force on the first day of January nineteen hundred and thirty-one or such later date as the Corporation may by resolution passed within three months after the passing of this Act prescribe. The date on which this Part of this Act shall so come into force is in this Part of this Act referred to as “the prescribed date.”

Definition of “employment agency.”

6. In this Part of this Act the expression “employment agency” means any agency or registry in the borough carried on or represented as being or intended to be carried on (whether for the purpose of gain or reward or not) for or in connection with the employment of persons in any capacity. Provided that the following shall not be deemed to be employment agencies within the meaning of this Part of this Act:—

(a) any employment agency conducted by or under the direction and supervision of the Ministry of Labour under the Labour Exchanges Act 1909 or any other Act of Parliament; or

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- (b) any juvenile employment bureau conducted by the local education authority under the Education Act 1921 or any Act in substitution therefor or amendment thereof; or A.D. 1930.
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- (c) any employment agency which is carried on exclusively for the purpose of obtaining employment for (i) persons formerly members of His Majesty's naval military or air forces or (ii) persons released from a prison or Borstal institution or from a reformatory or industrial school and which is certified at the prescribed date and from time to time thereafter by the Admiralty or the Army Council or the Air Council or the Secretary of State (as the case may be) to be properly conducted; or
- (d) any employment agency which was before the Local Government Act 1929 conducted by a central body or distress committee under the Unemployed Workmen Act 1905; or
- (e) any duly constituted religious or charitable society or body operating throughout Great Britain to the main objects of which the provision of situations or employment is merely subsidiary. Any question whether a society or body is a society or body within the meaning of this paragraph shall be determined by the Charity Commissioners.

7. From and after the prescribed date no person shall carry on an employment agency without a licence from the Corporation authorising him so to do. Employment agencies to be licensed.

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

- (a) his full name;
- (b) his age and nationality;
- (c) his private address or if the application be made by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required

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the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;

(d) the name under which and the address at which the employment agency is carried on or proposed to be carried on;

(e) the nature of the employment agency;

(f) whether and if so to what extent he is interested in any other employment agency; and

(g) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be licensed.

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

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

Corpora-
tion to
grant
licences.

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

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

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

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

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

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

and the fees paid on any application for the grant or renewal of a licence may be retained by the Corporation whether such licence is or is not granted or renewed.

(4) Every such licence shall (unless revoked) be valid for a period of one year except that a licence granted or renewed otherwise than at any annual meeting fixed by the Corporation for the purpose of considering applications under this Part of this Act shall only be valid until the thirty-first day of December next after the date of such grant or renewal.

(5) If the Corporation refuse to grant or renew a licence or revoke a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) send or deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal or revocation.

(6) Any person aggrieved by such refusal or revocation may appeal to a court of summary jurisdiction provided that the appeal is made within fourteen days

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(7) On any such appeal the court may after considering any representations made by the Corporation either by order confirm the refusal or revocation or allow the appeal and may direct the Corporation to grant or renew a licence and the Corporation shall comply with any such direction.

(8) The costs of any appeal under this section shall be paid in such manner and by such parties to the appeal as the court may direct.

Byelaws
as to
employment
agencies.

10.—(1) The Corporation may make byelaws requiring any person holding a licence under this Part of this Act to keep (at his option) books cards or forms showing the business conducted by him so far as it relates to his employment agency and prescribing entries to be made in connection with such business in such books or on such cards or forms (as the case may be) and for the prevention of fraud and immorality in the conduct of employment agencies and for regulating any premises used for the purposes of or in connection with such agencies.

(2) Every person holding a licence under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Corporation) in the premises to which the licence relates a copy of the byelaws made by the Corporation under this section.

Powers of
entry and
inspection
by Cor-
poration.

11. Any officer of or other person duly authorised by the Corporation in that behalf may (i) enter the premises specified in any licence or application under this Part of this Act or any premises which are used or which such person has reasonable cause to believe are used for the purposes of or in connection with an employment agency and (ii) inspect such premises and the books cards or forms kept in connection with the employment agency carried on at those premises.

Penalties.

12.—(1) Every person who after the prescribed date—

(i) carries on an employment agency without a licence under this Part of this Act or otherwise than in accordance with the terms and conditions of such a licence or obtains a licence

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or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give any particulars which are required by this Part of this Act to be given; or

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(ii) refuses to permit any officer or person duly authorised by the Corporation to enter or inspect any such premises as are referred to in the section of this Act of which the marginal note is "Powers of entry and inspection by Corporation" or the books cards or forms kept in connection with the employment agency carried on therein or obstructs any such officer or person in the execution of this Part of this Act; or

(iii) acts in contravention of any byelaw made under this Part of this Act or of any of the provisions of this Part of this Act for the contravention of which no penalty is by this section specifically provided;

shall (subject to the provisions of subsection (3) of this section) be liable in respect of an offence under paragraph (i) of this subsection to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of an offence under paragraph (ii) or paragraph (iii) of this subsection to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and in respect of any conviction for an offence under this Part of this Act the court may (in lieu of or in addition to imposing a penalty) make an order revoking the licence (if any).

(2) Any person aggrieved by any order under this section may appeal therefrom to the next practicable court of quarter sessions.

(3) (a) No person who shall have made an application under subsection (2) of the section of this Act of which the marginal note is "Applications for licences" shall be liable for a period of one month after the prescribed date to any proceedings under this section for the offence of carrying on an employment agency without a licence under this Part of this Act unless before the expiration of that period a licence shall have been refused to him and he shall

A.D. 1930. — not have appealed to a court of summary jurisdiction or the court of quarter sessions in accordance with the provisions of this Part of this Act against such refusal.

(b) No person who shall have appealed to a court of summary jurisdiction or the court of quarter sessions in accordance with the said provisions against a refusal by the Corporation to grant a licence to any person making application under the said subsection (2) or to renew a licence or against any revocation under this section of a licence shall be liable to any such proceedings under this section until such appeal shall have been heard and determined or shall have been abandoned.

Directors of companies to be liable for penalties under this Part of this Act.

13. Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or under the Companies Act 1929 or any Act amending those Acts commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and every such director and manager shall be liable on conviction to the like penalty as if he or they were the person or persons committing the offence unless he proves to the satisfaction of the court—

(a) that the act which constituted the offence took place without his knowledge consent or connivance; and

(b) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

Notice of this Part of this Act.

14. The Corporation shall prior to the prescribed date cause public notice to be given in two or more newspapers circulating in the borough of the effect of this Part of this Act and of the date when it will come into force.

PART III.

BUILDINGS.

Elevation of new buildings fronting streets.

15.—(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

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think necessary that any person intending to erect a building in any street within the borough 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").

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(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 borough 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:

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

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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.

(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 any of the considerations 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 advisory committee but save as aforesaid the advisory committee shall act by their whole number.

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(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.

(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 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.

PART IV.

INFECTIOUS DISEASE AND SANITARY MATTERS.

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

Informa-
tion to be
furnished
in case of
infectious
disease.

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

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(3) For the purposes of this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889 and the expression "infectious disease" shall include pulmonary tuberculosis in addition to the diseases referred to in the section of this Act of which the marginal note is "Interpretation of terms."

Prohibition
on infected
person
carrying on
business.

17.—(1) If a person who is suffering from an infectious disease or who is living in a house in which there is a case of infectious disease knowingly engages in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household in such a manner as to be likely to spread the infectious disease he shall be liable to a penalty not exceeding forty shillings.

(2) If any such person shall at the request of the Corporation acting on the advice of the medical officer stop 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 stoppage.

Power to
prohibit
persons
suffering
from
tuberculosis
from
handling
&c. food.

18.—(1) If the medical officer shall certify that any person is suffering from tuberculosis of the respiratory tract and is in an infectious state and that he is employed in the cooking preparation or handling of food (other than milk to which the Public Health (Prevention of Tuberculosis) Regulations 1925 apply) intended for consumption by persons other than himself or members of his household and that his continuance in such employment would in the judgment of the medical officer be detrimental to the public health the Corporation may request such person to discontinue his employment and on such request being made the Corporation may if they think fit make compensation to him in respect of any loss which he may sustain by reason of such stoppage.

(2) If any such person shall fail to comply with such request the Corporation may apply to a court of summary jurisdiction for an order requiring him to discontinue his employment and the court shall have power to make such an order if after consideration of all the circumstances it thinks fit to do so and may direct that such compensation as it deems equitable shall be paid by the Corporation to such person.

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(3) If such person fails to comply with any such order he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings. A.D. 1930.

19.—(1) If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for washing or mangling from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly. Names of laundrymen to be furnished.

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

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

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

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

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

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

(b) Such articles books things bedding and clothing shall be disinfected by the Corporation and returned to the owner or person from whom they were taken free of charge.

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

Registration
of persons
and pre-
mises used
for manu-
facture &c.
of ice-cream.

21.—(1) No premises shall be used for the manufacture for sale or the sale of ice-cream or similar commodity unless such premises are registered by the Corporation and no person shall manufacture for sale or sell ice-cream or similar commodity unless such person is registered by the Corporation and any person offending against the provisions of this subsection shall be liable to a penalty

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not exceeding forty shillings and to a daily penalty not exceeding twenty shillings. A.D. 1930.

(2) (a) The Corporation may refuse to register any such premises (or after giving one month's notice in writing to the person in whose name any such premises are registered revoke the registration of such premises) upon the ground that the premises are not suitable to be used for the purposes aforesaid and the Corporation may refuse to register any person who shall manufacture for sale or sell ice-cream or similar commodity (or after giving one month's notice in writing to a registered person revoke the registration of such person) if they are satisfied that the public health is or is likely to be endangered by any act or default of any person who seeks to be registered or is registered as a manufacturer or vendor of ice-cream or similar commodity. Provided that before refusing or revoking any such registration the Corporation shall serve upon the applicant for registration or the person in whose name such premises are registered or the registered person as the case may be a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register or revoke such registration.

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

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

(d) On any such appeal the court may by order confirm the refusal or direct the Corporation to register

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A.D. 1930. the person or the premises or to retain him or them upon the register as the case may be and the Corporation shall comply with any such direction.

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

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

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

(6) The provisions of this section shall not apply to the sale of ice-cream in theatres music halls or cinemas.

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

22.—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity within the borough who omits on the outbreak of any infectious disease amongst the persons employed in his business or residing in any premises which are used by him for the manufacture or sale of ice-cream or other similar commodity to give notice thereof to the medical officer shall be liable to a penalty not exceeding forty shillings.

(2) In the event of any persons so employed or resident suffering from any infectious disease the medical officer or the sanitary inspector or any other officer who is duly authorised by the Corporation in that behalf may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in any of the premises and the Corporation shall compensate the owner of the ice-cream or similar commodity or materials so destroyed Provided that no

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compensation shall be payable in respect of any ice-cream or similar commodity or materials for the manufacture of the same manufactured or brought upon the said premises after such seizure and while any such person is suffering from infectious disease.

(3) Every vendor of or dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand or from a pail container or similar receptacle used without a cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand pail container or receptacle and any person who shall fail to comply with this subsection shall be liable to a penalty not exceeding forty shillings.

(4) The medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of inspection of the materials or commodities or articles of food in the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity and of any cart barrow or other vehicle or stand pail container or receptacle in from or on which the same are offered for sale as an officer of the Corporation would have under section 72 (Precautions against contamination of food intended for sale) of the Public Health Act 1925 in the cases therein mentioned and any person refusing inspection of the materials or commodities or articles of food in any such premises or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding five pounds.

23.—(1) Every medical practitioner attending on a person who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the medical officer a notification of the case stating the name of such person and the place at which such person is.

Medical practitioners to notify cases of food poisoning.

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

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

Removal of
infirm and
diseased
persons in
certain
cases.

24.—(1) If the medical officer shall certify in writing that any person—

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

(b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in the interest of the health of such person and for preventing injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination of such person by a registered medical practitioner to be nominated by them (if they think fit) may make an order for the removal of such person to a suitable hospital infirmary poor law or other institution or other suitable place provided within the borough or within a convenient distance of the borough and for the detention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period or periods each not exceeding three months as may be determined by any further order or orders made under and in accordance with the provisions of this section :

Provided that where the medical officer applies for the removal of any such person to a hospital infirmary poor law or other institution or other suitable place not provided by the Corporation he shall not less than three days before making his application under this subsection give to the owner thereof (in this section referred to as "the owner") notice in writing of his intention so to do. Provided also that the owner shall be entitled to appear and be heard upon the application

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and any matters relating thereto and may in the exercise of powers under the Local Government Act 1929 assume such obligations with regard to the maintenance of such person and his dependants as may be agreed upon between the owner and the Corporation. A.D. 1930.
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(2) The medical officer shall give to any person proposed to be removed under the provisions of this section or to some person being in charge of such person three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

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

(4) An order under this section may be addressed to such officer of the Corporation or to such constable as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made.

Such person or other the person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The powers of this section shall not be put into operation by the medical officer unless he is

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Power to enter premises.

25. 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 extend and apply to the purposes of this Part of this Act as if those purposes had been mentioned in the said section 102.

Penalty on occupier refusing execution of Act.

26. 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 this Part 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 act 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 act 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 act.

Notice to be given of Part IV of Act.

27. Public notice of the effect of the provisions of this Part of this Act (except the section of this Act of which the marginal note is "Registration of persons and premises used for manufacture &c. of ice-cream") shall be given as soon as is reasonably practicable after the passing of this Act by advertisement in two newspapers published or circulating in the borough.

PART V.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

Power to borrow.

28.—(1) The Corporation may borrow at interest for the payment of the costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act" on the security of the revenues of the Corporation any sums not exceeding the amount ascertained as in that section provided.

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(2) The Corporation shall pay off all moneys borrowed under the authority of this section within a period of five years from the passing of this Act which period shall be the prescribed period for the purposes of the enactments incorporated herewith. A.D. 1930.

29. The provisions of article XII articles XIV to XVI and articles XVIII XIX and XXI of the Bootle Order 1897 (confirmed by the Local Government Board's Provisional Orders Confirmation (No. 16) Act 1897) shall so far as they are applicable apply to the borrowing of money by the Corporation under this Act and to the repayment thereof: Application of provisions of Bootle Order 1897 to money borrowed.

Provided that article XIV of the said Order 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 (2) (b) of that article instead of the words "three pounds per centum per annum" and that article XXI of the said Order shall be read and have effect as if the words "five guineas" were substituted for the words "three guineas" therein.

30.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the said Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power. Return to Minister of Health with respect to repayment of debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the said Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the said Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

(3) If it appears to the said Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking

A.D. 1930. fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the said Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the said Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the said Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

(4) Any provision of any enactment which was in force in the borough immediately before the passing of this Act and which requires an annual return to be made to the said Minister with regard to the repayment of debt is hereby repealed.

Power to
use sinking
and other
funds
instead of
borrowing.

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

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

a loan if raised under the statutory borrowing power; A.D. 1930.

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

32.—(1) Notwithstanding anything contained in any Act or Order relating to the Corporation on and after the thirty-first day of March nineteen hundred and thirty-one the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid as and when they are received—

Consolidated loans fund.

- (a) All moneys borrowed by the Corporation whether by issue of bonds stock or other security and any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) All moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose;
- (c) The appropriate sums provided in every year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt; and

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- (d) A sum or sums equal to the aggregate amount of all dividends and interest payable in every year on bonds stock mortgages or other securities issued in exercise of any statutory borrowing power and remaining outstanding :

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation ;
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation ; and
- (c) in the payment of dividends and interest on the bonds stock mortgages or other securities issued in exercise of any statutory borrowing power and remaining outstanding :

And the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund including the accumulations arising from the investments thereof shall not except with the consent of the Minister of Health be used or applied otherwise than as provided in this subsection.

(3) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation contingent insurance superannuation or other similar fund (in this section respectively

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referred to as "the lending fund") and not for the time being required subject to the following conditions:— A.D. 1930.

- (a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and
- (b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings.

(4) Subject to any priority existing at the passing of this Act all bonds stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(5) Save as in this section expressly provided all the obligations of the Corporation to the holders of bonds stock or other securities of the Corporation shall continue in force.

(6) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

33.—(1) In addition to any other form of borrowing the Corporation may borrow any sums which they have power to borrow under this Act or any other Act or Order by the issue of bonds to be called "Bootle Corporation bonds" (in this Act referred to as "bonds") in accordance with the provisions of this Act. Power to borrow by issue of bonds.

(2) The provisions set out in the schedule to this Act shall have effect with regard to bonds.

(3) All bonds issued under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing

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A.D. 1930. — power or in the date of issue of the bonds or on any other ground whatsoever and shall also rank equally with and have the same status as all other securities issued by the Corporation.

(4) Bonds shall be deemed to be loan capital or funded debt within the meaning of section 8 of the Finance Act 1899 as amended by section 10 of the Finance Act 1907.

(5) The provisions of section 115 of the Stamp Act 1891 (which relates to the composition for stamp duty) shall with the necessary adaptations apply in the case of bonds as if those bonds were stock or funded debt within the meaning of that section.

Insurance
fund.

34.—(1) The Corporation may if they think fit establish a fund to be called "the insurance fund" with the view of providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any of the following risks (that is to say):—

- (i) Risk of fire in respect of buildings works premises and the contents thereof and other property whether belonging or on loan to or under the care custody or control of the Corporation;
- (ii) Risk of accident and claims by third parties in respect of any vehicles including vessels and aircraft whether belonging to or hired by or under the control of the Corporation and whether drawn or propelled by man or horse or mechanical or other means or power and in any other respect;
- (iii) Risk of explosion in respect of boilers;
- (iv) Risks under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1925 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of accidents to the officers servants or workmen of the Corporation or to third parties;
- (v) Risks of injuries to children of a school of or connected with the Corporation;

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- (vi) Risks of mechanical or electrical breakdown at any of the Corporation's works depots or corporate buildings; A.D. 1930.
- (vii) Risks of loss due to infidelity or neglect of officers or servants of the Corporation;
- (viii) Risks of loss due to burglary or loss of cash in transit or in locked safes;
- (ix) Risk of loss due to illegal distraint for non-payment of rates;
- (x) Risk of loss or damage caused by aircraft;
- (xi) Any other risks against which in the absence of such insurance fund the Corporation might insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

- (a) such a sum as shall in their opinion be not less than the aggregate amount of the premiums which would be payable if the Corporation insured fully with insurers of good repute against the several risks for which the insurance fund is intended to provide; or
- (b) if the Corporation partly insure against the whole or any part of the several risks for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last-mentioned insurance be not less than the aggregate amount aforesaid.

(4) When the insurance fund shall amount to one hundred thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below one hundred thousand pounds the Corporation shall re-commence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of one hundred thousand pounds.

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(5) The Corporation shall provide the yearly payments aforesaid by contributions from the general rate fund and shall show the same in their accounts under the separate heading or division in respect of the particular undertaking department or service which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premium of such insurance.

(6) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (subject to the provisions of this Part of this Act) be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of one hundred and twenty thousand pounds or more but when and so long as the fund amounts to the sum of one hundred and twenty thousand pounds the interest and annual proceeds of the securities may be carried to the credit of the general rate fund and apportioned in the accounts of the Corporation between the several undertakings departments or services liable to contribute to the insurance fund in such shares or proportions as may be equitable.

(7) For the purposes of this section the Corporation may if they deem it expedient and by arrangement with the managers of any public elementary school or the governing body of any college secondary school institute or hostel not provided by the Corporation as the local education authority include in the risks insured under subsection (1) of this section any risk of or connected with any such college school institute or hostel.

(8) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister of Health and on such security as the

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said Minister may prescribe borrow at interest under and subject to the provisions of this Act such sums of money as will be necessary to make up the deficiency The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the general rate fund and charged in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings services or departments and in such proportions as the said Minister may direct having regard to the risks through which such deficiencies arise.

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35.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be sanctioned by the said Minister.

Further powers for acquisition of lands.

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

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

(a) in or towards the extinguishment of any loan raised by them under the powers of this Act

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such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the said Minister; or

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

Noise
nuisance.

36.—(1) A noise nuisance shall be liable to be dealt with in accordance with the provisions relating to nuisances of the Public Health Act 1875 Provided that no complaint shall be made to a justice under section 105 of the said Act unless it is signed by not less than three householders or occupiers of premises within hearing of the noise nuisance complained of.

(2) For the purpose of this section a noise nuisance shall be deemed to exist where any person makes or continues or causes to be made or continued any excessive or unreasonable or unnecessary noise and where such noise (a) is injurious or dangerous to health and (b) is capable of being prevented or mitigated having due regard to all the circumstances of the case :

Provided that if the noise is occasioned in the course of any trade business or occupation it shall be a good defence that the best practicable means of preventing or mitigating it having regard to the cost have been adopted :

Provided also that nothing in this section shall extend or apply to any trade business occupation or work carried on on the estate of the Mersey Docks and Harbour Board.

Saving for
railway
companies
&c.

37. Nothing contained in the section of this Act of which the marginal note is "Noise nuisance" shall extend or apply to any railway company or committee or their servants exercising statutory powers.

General
provisions
as to
byelaws.

38. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the provisions of this Act :

Provided always that as regards the confirmation of byelaws made under the powers of Part II (Employment agencies) of this Act the Secretary of State shall be substituted for the Minister of Health.

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39. Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or of any committee of the council under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be prima facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

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 Evidence of appointments authority &c.

40. The following sections of the Bootle Corporation Act 1890 the Bootle Corporation Act 1899 and the Bootle Corporation Act 1905 so far as they are applicable are hereby incorporated with and shall apply to this Act as if the same were re-enacted therein (that is to say):—

Incorporation of certain provisions of Acts of 1890 1899 and 1905.

The Bootle Corporation Act 1890—

Section 144 (As to appeal);

Section 146 (Authentication and service of notices).

The Bootle Corporation Act 1899—

Section 77 (Audit of accounts).

The Bootle Corporation Act 1905—

Section 41 (Recovery of penalties).

41. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the general rate fund.

Expenses of execution of Act.

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

Crown rights.

43. 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.

Costs of Act.

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The SCHEDULE referred to in the
foregoing Act.

PROVISIONS AS TO BOOTLE CORPORATION BONDS.

1. Bonds shall be charged on the revenues of the Corporation.
2. Bonds shall be issued in such amounts in denominations of five pounds and multiples of five pounds and for such periods not being less than five years as the Corporation may determine.
3. (a) Bonds may be issued at such price and at such rates of interest as the Corporation may from time to time determine.
(b) The nominal amount of bonds issued shall not exceed in the aggregate according to the price of issue such amounts as will together produce the actual amount of money for the time being authorised to be borrowed by the Corporation.
(c) Where a bond has been issued at a price lower than par so much of the issue as represents the difference between the price of the bond as issued and its nominal value shall be treated as a loan authorised by a statutory borrowing power and repayable out of the general rate fund and the revenues of the Corporation on or before the date for repayment specified in the certificate issued in respect of the bond.
4. Bonds shall be repayable at par (unless the same shall have been previously cancelled by purchase in the open market or by agreement with the bondholder) at the town hall Bootle on the dates specified in the certificates issued in respect of the bonds and no interest shall be payable thereon in respect of any period after the date upon which the bond is repayable.
- 5.—(1) The treasurer shall keep a register of all persons who are holders for the time being of bonds.
(2) The register shall contain the following particulars :—
 - (a) The name address and description of each holder a statement of the denomination of the bonds held by him the price at which and the periods for which they are issued and the numbers and dates of the certificates issued to him as hereinafter provided ;
 - (b) The date of registration of each holder and the date on which he ceased to be so registered.
- (3) The register shall be prima facie evidence of any matter entered therein in accordance with the provisions of this Act and of the title of the persons entered therein as holders of bonds.

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6.—(1) The Corporation shall issue to each holder of a bond a certificate in respect thereof duly numbered and dated and specifying the denomination of the bond and the period for which it is issued. A.D. 1930.

(2) If a certificate is worn out or damaged the Corporation on the production thereof may cancel it and issue a new certificate in lieu thereof.

(3) If a certificate is lost or destroyed the Corporation on proof thereof to their satisfaction and if they so require on receiving an indemnity against any claims in respect thereof may give a new certificate in lieu of the certificate lost or destroyed.

(4) An entry of the issue of a substituted certificate shall be made in the register.

(5) A certificate shall be in the following form or in a form substantially to the like effect :—

No.

— PER CENT. BOOTLE CORPORATION BOND.

This is to certify that _____ of
is the registered holder of a bond for _____
pounds issued by the mayor aldermen and burgesses of
the borough of Bootle and repayable at par on the
day of _____ at the town hall Bootle.

Signed

Borough Treasurer.

Date.

7. The certificate shall be prima facie evidence of the title of the person therein named his executors administrators or assigns to the bond therein specified but the want of a certificate if accounted for to the satisfaction of the Corporation shall not prevent the holder of the bond from disposing of and transferring the bond.

8.—(1) The transfer of a Corporation bond shall be by deed in the following form or in a form substantially to the like effect :—

FORM OF DEED OF TRANSFER.

— PER CENT. BOOTLE CORPORATION BOND[S].

I

in consideration of the sum of _____
paid by _____ (hereinafter
called "the transferee") do hereby assign and transfer
to the said transferee :—

To hold unto the transferee his executors administrators
and assigns subject to the several conditions on which
I held the same immediately before the execution hereof ;
and I the said transferee do hereby agree to accept and
take the said bond[s] subject to the conditions aforesaid.

As witness our hands and seals this _____ day of

D

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[Ch. clxxxvi.] *Bootle Corporation* [20 & 21 GEO. 5.]
Act, 1930.

A.D. 1930.

(2) A bond may be transferred in whole or in part so however that any part transferred shall not be for an amount other than an amount for which a bond may be issued by the Corporation.

(3) The deed of transfer shall be delivered to and retained by the Corporation and the Corporation shall enter a note thereof in a book to be called the "Register of transfers of Bootle Corporation bonds" (hereinafter called "the register") and shall endorse on the deed of transfer a notice of that entry.

(4) The Corporation shall upon receipt of the deed of transfer duly executed and properly stamped together with the certificate issued in respect of the bond enter the name of the transferee in the register and shall issue a new certificate or certificates to the transferee or to the transferor and transferee as the case may require.

(5) Until the deed of transfer and the certificate have been delivered to the Corporation as aforesaid the Corporation shall not be affected by the transfer and the transferee shall not be entitled to receive any payment of interest on the bond.

(6) The Corporation before registering a transfer of a bond may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming to make the transfer.

9. The Corporation may close the register for a period not exceeding thirty days immediately before the thirty-first day of March and the thirtieth day of September respectively in any year and notwithstanding the receipt by the Corporation during those periods of any deed of transfer the half-yearly payment of interest next falling due may be made to the persons registered as holders of bonds on the date of the closing of the register.

10.—(1) Any person becoming entitled to a bond by reason of the death or bankruptcy of a holder or by any lawful means other than a transfer may by the production of such evidence of title as the Corporation may require either be registered as holder of the bond or instead of being himself registered may make such transfer of the bond as the holder could have made and the Corporation shall issue a certificate accordingly.

(2) Until such evidence as aforesaid has been furnished to the Corporation the Corporation shall not be affected by the transmission of the bond and no person claiming by virtue thereof shall be entitled to receive any payment of interest thereon.

(3) Where two or more persons are registered as holders of a bond they shall be deemed to be joint holders with right of survivorship between them.

11.—(1) Unless the holder of a bond otherwise requests the Corporation may pay the interest thereon by posting a warrant to the holder at his address as shown in the register.

[20 & 21 GEO. 5.] *Bootle Corporation* [Ch. clxxxvi.]
Act, 1930.

(2) The posting by the Corporation of a letter containing an interest warrant addressed to a holder as aforesaid shall as respects the liability of the Corporation be equivalent to the delivery of the warrant to the holder himself.

A.D. 1930.

12. The Corporation shall not be required to pay any executors or administrators any interest on bonds held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation for registration.

13. The Corporation before paying any interest on any bonds may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming a right to receive the interest.

14. Where more persons than one are registered as joint holders of a bond any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation by any other of them.

15. No notice of any trust shall be entered in the register or in any other book kept by the Corporation or be receivable by the Corporation.

16.—(1) If at any time any interest due on any bonds remains unpaid for two months after demand in writing the persons entitled thereto may apply to the High Court for the appointment of a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2) The receiver shall have the like power of collecting receiving recovering and applying moneys and of assessing making and recovering all rates for the purpose of obtaining the same as the Corporation or any other officer thereof would or might have and such other powers and duties as the court thinks fit and shall apply all moneys so collected and received after paying all such costs as the court may direct for the purposes for which he was appointed and shall pay any balance remaining in his hands into the general rate fund.

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