



CHAPTER xv.

An Act to authorise the Corporation of the city of Sheffield to construct street improvements to amalgamate the townships and parishes within the city and for other purposes. [12th May 1932.] A.D. 1932.

WHEREAS the city of Sheffield (in this Act referred to as "the city") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and is subject to the jurisdiction of the lord mayor aldermen and citizens of the city (in this Act referred to as "the Corporation") who are the urban sanitary authority for the city :

And whereas it is expedient that the Corporation should be empowered to construct certain street improvements and to acquire lands for those purposes and for certain other purposes in this Act mentioned :

And whereas the city now comprises the townships of Sheffield Ecclesall Tinsley and Ecclesfield Urban and the parishes of Handsworth and Bradfield Urban and it is expedient that the said townships and parishes should be amalgamated to form the township of Sheffield :

And whereas it is expedient that further and better provision should be made with reference to the finance of the city and that the powers of the Corporation in relation thereto should be enlarged and extended :

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

A.D. 1932. — respect of which they are by this Act authorised to borrow money and such estimates are as follows :—

For the purchase of lands and for the construction of the street improvements by this Act authorised and the footpaths and diversion of footpath in this Act referred to - £37,975

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

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

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

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

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

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Sheffield Corporation Act 1932.

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

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Part I.—Preliminary.

Part II.—Street improvements and lands.

Part III.—Amalgamation of townships and parishes.

Part IV.—Finance &c.

Division of
Act into
Parts.

3. The Lands Clauses Acts with the following exception and modification :—

Incorporation of
Acts.

(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 common seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section;

so far as the same are applicable to the purposes of and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act.

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

Interpretation.

“The city ” means the city of Sheffield;

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

“The appointed day ” means the first day of April one thousand nine hundred and thirty-three;

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

“The Minister ” means the Minister of Health;

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

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

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

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

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

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

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

PART II.

STREET IMPROVEMENTS AND LANDS.

Power to
construct
street
improve-
ments.

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

lands delineated on the deposited plans and described in the deposited book of reference in relation to the street improvements (that is to say) :—

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Improvement No. 1 (Abbeydale Road South) A widening of Abbeydale Road South on the south-east side thereof between points respectively one hundred and fifty-six yards and one hundred and seventy-three yards south-west of Abbey Lane;

Improvement No. 2 (Handsworth Road) A widening of Handsworth Road on the north-east side thereof between points respectively forty-seven yards and seventy yards north-west of Fitzalan Road;

Improvement No. 3 (Middlewood Road) A widening of Middlewood Road on the north-east side thereof between points respectively thirty-one yards and fifty-seven yards north-west of a point opposite the north side of Langsett Avenue;

Improvement No. 4 (Slayleigh Lane) A widening of Slayleigh Lane on the south-west side thereof between points respectively eighty-four yards and one hundred and forty-three yards north-west of Chorley Road;

Improvement No. 5 (Pond Street) A widening of Pond Street on the east side thereof between points respectively thirty-four yards and sixty yards south of Pond Hill;

Improvement No. 6 (Sheffield Road) A widening of Sheffield Road (Tinsley) on the north-west side thereof between the north-eastern boundary wall of the canal and a point forty-three yards north-east thereof.

6.—(1) The Corporation may make a new footpath in the city (to be situate on land of the Corporation) extending from a point in Shiregreen Lane five hundred and seventeen yards south-east of Bellhouse Road to a point in Oaks Lane one hundred and sixty-six yards from the south-east end thereof and in connection therewith may stop up—

Power to make footpath and stop up road and footpaths.

(a) the existing road from Shiregreen Lane to Spring Cottages;

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- (b) the public footpath from Spring Cottages to a point in Oaks Lane eighty-seven yards east of Bellhouse Road;
- (c) the public footpath from Spring Cottages to a point in Oaks Lane one hundred and sixty-six yards from the south-east end thereof;
- (d) so much of the road known as Oaks Lane as extends from a point therein three hundred yards from Bellhouse Road to the south-east end of that lane;
- (e) so much of the footpath from Shiregreen Lane (near Hawks Farm) to Wincobank as extends for a distance of three hundred and forty-six yards from that lane.

(2) The Corporation may divert in an easterly direction the footpath in the parish of Norton in the rural district of Norton in the county of Derby leading from Coal Aston to Norton Lane between a point four hundred and twenty-seven yards north of Cross Lane Coal Aston and a point ninety-three yards south of Norton Lane and may stop up so much of the existing footpath between those points as will be rendered unnecessary by the construction of such diversion.

Stopping
up road and
footpaths in
case of
diversion.

7. Where this Act authorises the making of a new footpath or the diversion of a footpath and the stopping up of an existing road or footpath or portion thereof such stopping up shall not take place until such new footpath or diversion of footpath is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Corporation and the road authority until two justices shall have certified that the new footpath or diversion of footpath has been completed to their satisfaction and is open for public use.

Before applying to the justices for their certificate the Corporation shall give to the road authority of the district in which the existing footpath is situate seven days' notice in writing of their intention to apply for the same.

As from the completion to the satisfaction of the road authority of the new footpath or diversion of footpath or as from the date of the said certificate as the case may be all rights of way over or along the existing road or footpath or portion thereof authorised to be stopped up shall be extinguished :

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

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

Limits of deviation for street improvements.

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

Period for completion of street improvements.

10. Subject to the provisions of this Act the Corporation may enter upon take use and hold for the following purposes the lands hereinafter described which are delineated on the deposited plans and described in the deposited book of reference (that is to say):—

Power to acquire lands.

In the city—

(a) For the extension of Concord Park Wincobank—

Lands extending in a north-easterly direction from the north-east end of the road leading from Shiregreen Lane to Spring Cottages.

(b) For the extension of Lodge Moor Hospital—

Lands on the south side of and adjoining Redmires Road and on the east side of and adjoining Redmires Camp Hospital.

(c) For the extension of Queens Road tramway depot—

Lands on the south-east side of and adjoining Queens Road and on the north-east side of and adjoining the Sheffield Free Brewery.

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In the parish of Norton in the rural district of Norton
in the county of Derby—

(d) For the extension of the Coal Aston
Estate of the Corporation—

(i) Lands on the east and south sides of
and adjoining the said estate; and

(ii) Lands on the east side of and
adjoining Dyche Lane south of Dyche Lane
farmhouse.

Period for
compulsory
purchase of
lands.

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

Correction
of errors in
deposited
plans and
book of
reference.

12. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof and if it appear to the justices hearing the application that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and if the lands are situate in the city such certificate or a copy thereof shall be deposited with the town clerk and if the lands are situate in the county of Derby such certificate or a copy thereof shall be deposited with the clerk of the county council of the county of Derby and a duplicate thereof with the clerk of the Norton Rural District Council and with the clerk of the Norton Parish Council respectively and such certificate or copy and duplicate respectively shall be kept by such clerks with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

13. The provisions contained in the sections of the Act of 1918 and of the Sheffield Corporation Act 1928 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if the said provisions were re-enacted in this Act (that is to say) :—

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Application of certain provisions of Acts of 1918 and 1928.

The Act of 1918—

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

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

Section 264 (Power to make subsidiary works);

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

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

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

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

The Sheffield Corporation Act 1928—

Section 82 (Benefits to be set off against compensation); and

Section 83 (Power to enter upon property for survey and valuation).

14. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of such 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) :—

Underpinning of houses near works.

- (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 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk :
- (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 to be agreed upon or in case of difference appointed at the instance of either party by the Minister of Transport and the Arbitration Act 1889 shall apply to the reference :
- (4) The arbitrator 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 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 owners lessees and occupiers of every such house or building for any 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 any further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall

have been done in pursuance of the requirements of and in the mode prescribed by the arbitrator the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :

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- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section 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) Every case of compensation to be ascertained under this section shall subject to the provisions of this Act be ascertained according to the provisions of the Lands Clauses Acts :
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

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

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

- (1) The owner of and persons interested in any of the properties specified in the schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties" :
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail

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to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

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

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and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :

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

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

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

16. In settling any question of disputed purchase money or compensation for lands acquired by the Corporation under this Act the arbitrator shall not award any sum of money for or in respect of any improvement or alteration made or any building erected after the first

Compensation in case of recently altered buildings.

A.D. 1932. day of November one thousand nine hundred and thirty-one if in the opinion of the arbitrator the improvement alteration or building in respect of which the claim is made was made or erected with a view to obtaining or increasing compensation nor in the case of any estate or interest in the lands created after the said date which in the opinion of the arbitrator was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition of such lands.

Increase of Rent and Mortgage Interest (Restrictions) Act 1920 not to apply.

17.—(1) Nothing contained in the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 or the enactments amending or extending that Act shall prevent the Corporation from obtaining possession of any lands houses or property delineated on the deposited plans which are vested in or which may under the powers of this Act be acquired by the Corporation and the possession of which is required by them for the purpose of exercising their powers under this Act.

(2) The Corporation shall pay to the tenant or occupier of every dwelling-house to which the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 or the enactments amending or extending that Act would have applied but for subsection (1) of this section who is dispossessed under the provisions of this Act such reasonable allowance on account of his expenses incident to removing from such dwelling-house as shall failing agreement between the tenant or occupier and the Corporation be determined on the application of either party by a court of summary jurisdiction whose decision shall be final.

Further powers of entry.

18. At any time after notice to treat has been served for any land which the Corporation are by this Act authorised to purchase compulsorily the Corporation may after giving to the owner and occupier of the land not less than fourteen days' notice enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845 but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those provisions had been complied with.

PART III.

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AMALGAMATION OF TOWNSHIPS AND PARISHES.

19. On and after the appointed day the township of Sheffield the township of Ecclesall the township of Tinsley the township of Ecclesfield Urban the parish of Handsworth and the parish of Bradfield Urban (being the existing townships and parishes in the city) shall be amalgamated to form the township of Sheffield which shall be co-extensive with the city.

Amalgamation of townships and parishes.

20. Such of the provisions of the orders of the Local Government Board made under section 33 of the Local Government Act 1894 and dated the fifth day of April one thousand eight hundred and ninety-seven and the first day of April one thousand nine hundred and twelve as are in force immediately before the appointed day in the city shall have effect as if any reference in those orders to the existing townships and parishes in the city extended and applied to the township of Sheffield.

Orders under section 33 of Local Government Act 1894.

21. All property debts and liabilities of the existing townships and parishes in the city including all property held under a trust for any of the existing townships and parishes or the inhabitants or parishioners thereof shall subject to the provisions of this Part of this Act become the property debts and liabilities of the township of Sheffield and in the case of property held in trust as aforesaid shall subject as aforesaid be held in trust for the township of Sheffield or for the inhabitants or parishioners thereof for the same purposes as heretofore.

Property and liabilities.

22.—(1) All books and documents belonging to any of the existing townships and parishes in the city and all documents directed by law to be kept with the public books writings and papers of any of those townships and parishes (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the Corporation may direct.

Township and parish books and documents.

(2) Any ratepayer of any of the said existing townships or parishes shall at all times have the same right of inspection and of making extracts from the books and documents referred to in this section which he would have had if such existing townships and parishes had not been altered.

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Valuation
list.Arrears of
rates &c.Shops
Orders.Pending
actions.Existing
agreements
and instru-
ments.Saving for
rating
relief in
portions of
city.

23. The divisions of the valuation list of the city which relate to the existing townships and parishes in the city shall be amalgamated.

24. All recoverable arrears of rates and all sums due in respect of any of the existing townships and parishes in the city immediately before the appointed day shall be recoverable from the persons liable to pay the same as fully and effectually as if this Act had not been passed.

25. Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of those Acts remain in force and apply to the area to which it applied immediately before the appointed day.

26. Any legal proceedings pending on the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

27. All contracts deeds bonds agreements and other instruments entered into or made in respect of any of the existing townships and parishes in the city and subsisting immediately before the appointed day shall be of as full force and effect against or in favour of the township of Sheffield and may be enforced as fully and effectually as if instead of the existing townships and parishes the township of Sheffield had been referred to therein.

28. Nothing in this Part of this Act shall affect—

(a) the benefit or relief from rating granted in pursuance of article 33 of the Sheffield (Extension) Order 1921 in respect of hereditaments in those parts of the township of Ecclesfield transferred by the said Order of 1921 to the city which are included in the Brightside Ward and the Neepsend Ward thereof respectively;

(b) the making of any adjustment of balances in pursuance of an Order made under paragraph 5 (1) of the Seventh Schedule to the Rating and Valuation Act 1925;

- (c) the operation in the area of any existing township or parish of the city as now existing of section 97 of the Local Government Act 1929; or
- (d) the benefit or relief from rating in the township of Ecclesall now in operation in respect of the adjustment between the guardians of the Sheffield and Ecclesall Unions.

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29. Nothing in this Part of this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any power right interest or jurisdiction in or over or in connection with any charitable endowment.

Saving for ecclesiastical divisions and charities.

30. Nothing in this Part of this Act shall affect land tax.

Saving for land tax.

PART IV.

FINANCE &C.

31.—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public general Act borrow at interest for the purposes set forth in the first column of the following table any sums not exceeding the respective sums set forth in the second column thereof and all moneys so borrowed shall be chargeable on the revenues of the Corporation and shall be repaid within the respective periods set forth in the third column thereof and the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say):—

Power to borrow and repayment of borrowed moneys.

Purpose.	Amount.	Period for repayment.
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite. £	Five years from the passing of this Act.
(2) For the purchase of lands - -	29,315	Sixty years from the date or dates of borrowing.
(3) For the construction of the street improvements and the footpaths and diversion of footpath in this Act referred to.	8,660	Twenty-five years from the date or dates of borrowing.

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(2) The Corporation may also with the sanction of the Minister borrow such further moneys as may be necessary for any of the purposes of this Act and any moneys borrowed under the powers of this subsection shall be chargeable on the revenues of the Corporation and be repaid within such periods not exceeding sixty years as the Minister may prescribe.

Water rate
&c. may be
collected
with general
rate.

32.—(1) Any water rate payable to the Corporation may be collected together with the general rate and the same books may be used for the said rates.

(2) The Corporation may demand water rates and charges both within and beyond the city by half-yearly instalments in advance on the first day of April and the first day of October in each year but so that the same shall not be recoverable until the expiration of two months from the said first day of April and first day of October respectively.

(3) Every person liable to the payment of such rate or charge who shall remove from the premises in respect of which the rate is paid during any part of the half-year for which the rate or charge is payable shall not be liable for any part of such rate or charge after the day on which he quits the said premises and if any such person shall have paid any rate or charge for any period for which he is not liable he shall be entitled to a return thereof by the Corporation.

(4) Every person who shall commence to occupy any premises in respect of which a rate or charge for the supply of water for domestic purposes is payable after the commencement of the half-year for which the rate or charge is payable shall pay so much only of such rate or charge as is proportionate to the period for which he occupies the premises.

Discount
on water
rate.

33.—(1) The Corporation may from time to time if they think fit make an allowance by way of discount not exceeding five per centum on the amount due in respect of any water rate or charge or any instalment thereof from every person who pays the same within such time after demand of the rate or any instalment thereof as the case may be as the Corporation may prescribe Provided that the same rate of discount shall be allowed in similar circumstances to every person from whom such water rate or charge or any instalment thereof shall be demanded.

(2) Notice of any rate of discount allowed under this enactment shall be endorsed on every demand note for water rates and charges. A.D. 1932.

34.—(1) Notwithstanding anything contained in any enactment all money received by the Corporation whether on capital or revenue account (including all money received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived and interest and other annual proceeds from time to time received by the Corporation on the investments forming part of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingency superannuation insurance consolidated loans purchase of lands or other similar fund) shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any such undertaking or in carrying into execution the powers and provisions of this or any other Act and not otherwise provided for shall be paid out of the general rate fund or the general rate :

Receipts
and
expenses.

Provided that an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any statutory limit on the amount thereof) be credited in the accounts to the fund on the investments of which the same is received.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

35.—(1) The Corporation shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the undertakings of the Corporation as from time to time existing from which revenue is derived (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being

Accounts
of under-
takings.

A.D. 1932. divided so as also to show in each case the amounts representing—

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The payment of annuities (if any) payable in respect of the undertaking;
- (c) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (d) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking and for redemption of the annuities (if any) payable in respect of the undertaking;
- (e) All other expenses (if any) of the undertaking properly chargeable to revenue; and
- (f) Any money expended on any of the purposes mentioned in the section of this Act of which the marginal note is "Application of revenue of undertakings."

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Application
of revenue
of under-
takings.

36. If in any year moneys received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived exceed the moneys expended by the Corporation in respect of that undertaking in respect of the expenses mentioned in paragraphs (a) (b) (c) (d) and (e) of subsection (1) of the section of this Act of which the marginal note is "Accounts of undertakings" the Corporation may in that year (if they think fit) apply

out of the general rate fund a sum equal to the amount of such excess in any of the following ways :—

A.D. 1932.

- (a) In reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) Except in the case of the waterworks undertaking in the construction renewal extension and improvement of the works and conveniences for the purposes of the undertaking but subject in the case of the electricity undertaking to the consent of the Electricity Commissioners;
- (c) In providing a reserve fund in respect of each of the undertakings by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are applied under the provisions of section 243 (Use of moneys forming part of sinking and other funds) of the Sheffield Corporation Act 1928) investing the same in statutory securities until the fund so formed amounts in the case of the electricity undertaking to a sum equal to one-tenth of the aggregate capital expended for the time being upon that undertaking and in the case of other undertakings to the maximum reserve fund from time to time prescribed by the Corporation but not exceeding in the case of the waterworks undertaking the sum of two hundred and fifty thousand pounds in the case of the abattoir undertaking a sum equal to one-tenth of the aggregate capital expended for the time being upon that undertaking and in the case of the markets undertaking and aerodrome undertaking respectively a sum equal to one-fifth of the aggregate capital expended for the time being upon those undertakings respectively :

Provided that—

- (i) in the case of the waterworks undertaking whenever the total receipts from revenue in respect thereof (including the annual proceeds of the reserve fund when it reaches the prescribed limit) shall exceed the total of the payments and expenses on account of revenue in respect thereof (including any payments to a reserve fund) as shown at the

A.D. 1932.
—

end of any year by the accounts to be kept in pursuance of the section of this Act of which the marginal note is "Accounts of undertakings" an amount equivalent to the amount of such excess shall whenever and so soon as there shall be an amount sufficient for the purpose be applied in the reduction of the rates payable for a supply of water for domestic and all other purposes;

(ii) in the case of the tramways undertaking whenever the total receipts from revenue in respect thereof shall exceed the total of the payments and expenses on account of revenue in respect thereof (including any payments to a reserve fund) as shown at the end of any year by the accounts to be kept in pursuance of the section of this Act of which the marginal note is "Accounts of undertakings" an amount equivalent to so much of such excess as may in the opinion of the Corporation not be required for carrying on the tramways undertaking may be applied for the public benefit of the inhabitants of the city or for the improvement of the city or for both of the said purposes as the Corporation think fit;

(iii) in the case of the abattoir undertaking not more than five hundred pounds shall be so set aside in any one year and whenever the total receipts from revenue in respect of that undertaking shall exceed the total of the payments and expenses on account of revenue in respect thereof (including any payments to a reserve fund) as shown at the end of any year by the accounts to be kept in pursuance of the section of this Act of which the marginal note is "Accounts of undertakings" an amount equivalent to the amount by which such excess exceeds one thousand pounds shall be applied in the reduction of the tolls and charges in respect of the said undertaking.

Provisions
as to
reserve
funds &c.

37.—(1) Any reserve or renewals or contingency or depreciation fund which has been formed for the purpose of any undertaking of the Corporation from

which revenue is derived and which is in existence at the passing of this Act shall be deemed to be part of a reserve fund formed under paragraph (c) of subsection (1) of the section of this Act of which the marginal note is "Application of revenue of undertakings."

A.D. 1932.

(2) Any such reserve fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or (except in the case of the electricity undertaking) for payment of the cost of renewing improving or extending any part of the works forming part thereof or (except in the case of the electricity undertaking) otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(3) Resort may be had to any such reserve fund although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

38. In lieu of the provisions of subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 and of the amendments to that subsection set out in the Fifth Schedule to the Electricity (Supply) Act 1926 the following provisions (in addition to the provisions of the section of this Act of which the marginal note is "Application of revenue of undertakings") shall apply with respect to the electricity undertaking of the Corporation as from time to time existing (namely):—

Provisions
as to surplus
electricity
revenue.

If in any year the accounts of the electricity undertaking kept under the section of this Act of which the marginal note is "Accounts of undertakings" shall show that the revenue of the said undertaking in respect of that year (including if and so long as any reserve fund established in connection with the said undertaking amounts to a sum equal to one-tenth part of the aggregate capital expended for the time being upon that undertaking the interest and other annual proceeds

A.D. 1932.
—

received by the Corporation in respect of that year on the investments forming part of that reserve fund) has exceeded the total amount of the payments and expenses in respect of the year for the several purposes mentioned in paragraphs (a) to (f) of subsection (1) of the last-mentioned section then—

(a) If the reserve fund in respect of the said undertaking does not amount to more than one-twentieth of the said aggregate capital an amount equal to such excess shall be deemed for the purposes of the section of this Act of which the marginal note is “Accounts of undertakings” to be revenue of the said undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) If the said reserve fund amounts to more than one-twentieth of the said aggregate capital such amount as the Corporation may think fit (not being less in cases where the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the said undertaking than the difference between the said excess and that sum) shall be deemed for the purposes of the section of this Act of which the marginal note is “Accounts of undertakings” to be revenue of the said undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so deemed to be revenue.

Date of
operation
of certain
sections and
repeal.

39.—(1) The sections of this Act of which the marginal notes are “Receipts and expenses” “Accounts of undertakings” “Application of revenue of undertakings” and “Provisions as to surplus

electricity revenue" shall be deemed to have come into operation on the first day of April one thousand nine hundred and thirty-two. A.D. 1932.
—

(2) As from the said date the following enactments are repealed:—

The Act of 1918—

Section 88 (Waterworks undertaking accounts and revenue);

Section 89 (As to deficiency of water revenue);

Section 162 (Tramway undertaking accounts revenue and deficit);

Section 236 (Markets undertaking accounts and revenue); and

Section 237 (Abattoir undertaking accounts and revenue).

The Sheffield Corporation Act 1920—

Subsections (2) and (3) of section 60 (Corporation may carry on aerodrome undertaking).

The Sheffield Corporation Act 1928—

Section 119 (Receipts and expenses of electricity undertaking).

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

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

A.D. 1932.

The SCHEDULE referred to in the
foregoing Act.DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY
BE TAKEN COMPULSORILY.

Purpose.	No. on deposited plan.
Improvement No. 1	- - 1 2.
Improvement No. 2	- - 3 4 5 6 7 8.
Improvement No. 4	- - 14 15 16 20 21.
Lands for extension of Coal Aston Estate	- - - 48.

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