



## CHAPTER cix.

An Act to empower the mayor aldermen and citizens of the city of Coventry to construct street and road works to apply the provisions of the Coventry Corporation Act 1930 enabling the Corporation to levy frontage charges towards the cost of the bye-pass road authorised by that Act to the substituted roads authorised by this Act and to make other provision with regard to those charges to authorise the construction of waterworks and to enact further provisions with regard to water supply to extend the limits of the Corporation for the supply of gas to confer further powers on the Corporation with regard to the health improvement and good government of the city and for other purposes. A.D. 1936.

[31st July 1936.]

**WHEREAS** the city of Coventry (hereinafter called "the city") is under the management and local government of the mayor aldermen and citizens of the city (in this Act called "the Corporation"):

And whereas the Corporation were empowered to construct eighty feet in width the bye-pass road Street Work No. 8 authorised by the Coventry Corporation Act 1930 and certain lengths of the said road have been constructed at that width but after consultation with the Minister of Transport it has

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— been found expedient in the public interest that certain of the lengths so constructed should be widened to one hundred and fifty feet and that as regards the remainder of the said bye-pass road roads either one hundred and ten or one hundred and fifty feet in width should be constructed and it is accordingly expedient that the Corporation should be empowered to construct the roads by this Act authorised :

And whereas the owners of the lands within the area described in section 15 of the said Act of 1930 were required to pay the sums named in that section towards defraying the expenses of and in connection with the said bye-pass road and it is expedient that the provisions of the said Act of 1930 with regard to the payment of the said sums should be altered as provided by this Act and that those of such owners fronting upon the parts of the said bye-pass road which have not been constructed should be required to pay the said sums towards defraying the expenses of and in connection with the roads to be substituted therefor by this Act authorised :

And whereas it is expedient to empower the Corporation to construct the other street works in the city and in the administrative county of Warwick by this Act authorised :

And whereas the Corporation are the owners of the waterworks which supply water throughout the city and in a considerable area outside the city and in order to meet the increased demand for water in the area supplied by them it is expedient that they should be empowered to make and maintain the waterworks by this Act authorised :

And whereas it is expedient as provided by this Act to authorise the transfer of certain parishes from the limits within which the Corporation supply water to the limits within which the mayor aldermen and burgesses of the borough of Royal Leamington Spa supply water :

And whereas the Corporation supply gas in the city and neighbourhood and it is expedient to extend the limits of the Corporation for the supply of gas as provided by this Act :



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And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the city and to enlarge the powers of the Corporation with regard to those matters as provided by this Act :

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

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

And whereas estimates have been prepared by the Corporation for the following purposes :—

For and in connection with the purchase	£
of lands and easements - - -	880,200

For and in connection with the construction of the street works authorised by this Act - - -	372,577
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For and in connection with the construction of the waterworks authorised by this Act - - -	63,750
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And whereas the several works included in such estimates respectively are permanent works and it is expedient that the Corporation should be empowered to borrow money for those purposes as provided by this Act :

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed :

23 & 24  
Geo. 5. c. 51.

And whereas plans and sections showing the lines and levels of the works (other than Street Works Nos. 12A and 12B) authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act (other than for the purposes of the said Street Works Nos. 12A and 12B) were duly deposited with the clerk of the county council of the administrative county of Warwick and with the town clerk of the city which plans sections and book of reference are in this Act referred to as the deposited plans sections and book of reference :

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And whereas plans and sections showing the lines and levels of the said Street Works Nos. 12A and 12B authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of the said street works were in February nineteen hundred and thirty-six deposited with the clerk of the county council of the administrative county of Warwick which plans sections and book of reference are in this Act referred to as the additional deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most 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 Coventry Corporation Act 1936.

Division of  
Act into  
Parts.

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

- Part I.—Preliminary.
- Part II.—Lands.
- Part III.—Street and road works.
- Part IV.—Water.
- Part V.—Gas.
- Part VI.—Streets buildings and sewers.
- Part VII.—Sanitary matters.
- Part VIII.—Sale of coke &c.
- Part IX.—Superannuation.
- Part X.—Finance.
- Part XI.—Miscellaneous.

[26 GEO. 5. &  
1 EDW. 8.]

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

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—  
Incorporation  
of Acts.

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

(a) Sections 127 to 132 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) are not incorporated with this Act;

8 & 9 Vict.  
c. 18.

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

(2) The Waterworks Clauses Act 1847 except—

10 & 11 Vict.  
c. 17.

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

(b) sections 75 to 82 (with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit); and

(c) section 83 (with respect to the yearly receipt and expenditure of the undertakers):

(3) The Waterworks Clauses Act 1863.

26 & 27 Vict.  
c. 93.

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

Interpre-  
tation.

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

“The city” means the city of Coventry;

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

“The council” means the council of the city;



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“ The town clerk ” “ the city treasurer ” “ the city engineer ” “ the medical officer ” and “ the sanitary inspector ” mean respectively the town clerk the treasurer the engineer the medical officer of health and any sanitary inspector of the city;

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

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

9 & 10

Geo. 5. c. 57.

“ The Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;

“ The new road ” means so much of Street Work No. 8 authorised by the Act of 1930 as has been constructed at the passing of this Act and Street Works Nos. 14 15 and 16 authorised by this Act;

“ The road boundary ” means in relation to each side of the new road (where constructed) the boundary of the new road on that side and where that boundary is an embankment or a cutting the foot of the embankment or the top of the cutting as the case may be shall be deemed to be the road boundary;

“ Service road ” means a road within the road boundaries and approximately parallel to the central carriageways of Street Works Nos. 14 15 or 16 authorised by this Act as the case may be for the purpose of providing access for vehicles and pedestrians to lands and premises adjacent to the said street works respectively with any necessary footpaths and kerbs and also any foul sewer or sewers requisite for receiving the foul drainage of premises erected adjacent to the said street works respectively;

“ The building line ” means in relation to each side of the new road (where constructed) a line

through the lands abutting on that side and drawn at a distance of thirty feet from the road boundary; A.D. 1936.

“The electricity undertaking” means the electricity undertaking of the Corporation;

“The electricity limits” means the limits within which the Corporation are for the time being authorised to supply electricity;

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

“The Act of 1900” “the Act of 1907” “the Act of 1911” “the Act of 1913” “the Act of 1920” “the Act of 1927” “the Act of 1928” “the Act of 1930” and “the Act of 1931” mean respectively the Coventry Corporation Act 1900 the Coventry Corporation Act 1907 the Coventry Corporation Act 1911 the Coventry Corporation Act 1913 the Coventry Corporation Act 1920 the Coventry Corporation Act 1927 the Coventry Corporation Act 1928 the Coventry Corporation Act 1930 and the Coventry Extension Act 1931;

63 & 64 Vict.  
c. cclxii.  
7 Edw. 7. c. cl.  
1 & 2 Geo. 5.  
c. viii.  
3 & 4 Geo. 5.  
c. xlix.  
10 & 11 Geo. 5.  
c. lxxxviii.  
17 & 18  
Geo. 5. c. xc.  
18 & 19  
Geo. 5. c. cx.  
20 & 21 Geo. 5.  
c. lxxxvi.  
21 & 22  
Geo. 5. c. lvi.

“The Act of 1922” means the Local Government and Other Officers’ Superannuation Act 1922;

12 & 13  
Geo. 5. c. 59.

“The Act of 1929” and “the Act of 1933” mean respectively the Local Government Act 1929 and the Local Government Act 1933;

19 & 20  
Geo. 5. c. 17.

“The Minister” means the Minister of Health;

“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

38 & 39 Vict.  
c. 83.

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Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” includes a power of borrowing money conferred on the Corporation by or under any enactment except paragraph (a) of subsection (1) of section 215 (Temporary loans &c.) of the Act of 1933.

## PART II.

## LANDS.

Power to  
take lands.

5.—(1) Subject to the provisions of this Act the Corporation may enter upon take appropriate and use all or any of the lands respectively delineated on the deposited plans and the additional deposited plans and described respectively in the deposited book of reference and the additional deposited book of reference which they may require—

(a) for the purposes of the street works authorised by this Act and for the improvement and development of frontages or of any lands abutting on or adjacent to any such works; and

(b) for the purposes of the works authorised by Part IV (Water) of this Act and for other the purposes of the water undertaking of the Corporation.

(2) Subject to the provisions of this Act the Corporation may also enter on take and use for the purposes of a recreation ground or recreation grounds the lands in the city numbered 449 450 451 452 453 454 455 456 457 458 459 460 461 and 462 on the deposited plans and described in the deposited book of reference.

For pro-  
tection of  
Coventry  
Diocesan  
Trustees  
(Regis-  
tered).

6. Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not under the powers of this Act enter upon take appropriate or use any part of the lands belonging to the Coventry Diocesan Trustees (Registered) and



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1 EDW. 8.]

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numbered on the deposited plans 289 and 290 in the city and described under the said numbers in the deposited book of reference. A.D. 1936.

7. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or the additional deposited plans or specified in the deposited book of reference or the additional 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 of such plans or book of reference and if it appear to the justices that the omission misstatement 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 misstated 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 such certificate or a copy thereof shall be deposited with the clerk of the county council and a duplicate thereof shall be deposited with the clerk of the county district in which the lands are situate and also with the clerk of the parish council of the parish in which the lands are situate and such certificate or copy and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon such plans or books 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.

Correction  
of errors in  
deposited  
plans and  
book of  
reference.

8. The powers granted by this Act for the compulsory purchase of lands for the purposes of Street Works Nos. 1 to 11 authorised by this Act and for the purposes mentioned in subsection (2) of the section of this Act of which the marginal note is "Power to take lands" shall cease on the thirty-first day of December nineteen hundred and forty-one and for the compulsory purchase of lands for the other purposes of this Act

Period for  
compulsory  
purchase  
of lands.

A.D. 1936. — shall cease on the thirty-first day of July nineteen hundred and thirty-nine.

Compensa-  
tion may  
be in land  
&c.

9. The Corporation when they are required by any enactment to make compensation to any person interested in any lands may by agreement with such person make such compensation wholly or partly in works land or money but in the case of land for the alienation of which the consent of any Government department is required only with such consent.

Purchase  
of lands for  
exchange.

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

Further  
powers of  
entry.

11. 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.

Power to  
develop  
lands &c.

12.—(1) The Corporation may (with the consent of the Minister) lay out and develop any lands at any time belonging to the Corporation and not required for the purposes for which they were acquired and may erect and maintain houses shops offices warehouses and any other buildings and lay out and construct sewer drain pave flag channel and kerb streets roads and ways on any such lands.

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



PART III.

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STREET AND ROAD WORKS.

**13.** Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections and the additional deposited plans and sections respectively the street works hereinafter described together with all necessary or proper junctions connections slopes approaches abutments embankments cuttings bridges retaining walls sewers drains works and conveniences connected therewith or incident thereto (namely):—

Power to  
construct  
works.

In the city—

Street Work No. 1 A widening and improvement of Smithford Street and Fleet Street on the south side of each street;

Street Work No. 2 A new street including junctions with and improvements of Fleet Street and Hertford Street (and a bridge to carry Street Work No. 2 over the river Sherbourne) from Fleet Street to Hertford Street;

Street Work No. 3 A widening and improvement of Fleet Street on the south side;

Street Work No. 4 A widening and improvement of Smithford Street on the north side and Market Street on the west side;

Street Work No. 5 A widening and improvement of Hertford Street on the south-east side and Warwick Lane on the north-west side;

Street Work No. 6 A widening and improvement of Union Street on the north-east side and Warwick Lane on the south-east side;

Street Work No. 7 A widening and improvement of Warwick Lane on the south-east side and Greyfriars Lane on the north-west side;

Street Work No. 8 A widening and improvement of St. Mary Street on the east side Earl Street on the north side and Bayley Lane on the west side;



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Street Work No. 9 A widening and improvement of Earl Street on the south side and Little Park Street on the east side;

Street Work No. 10 A widening and improvement of Foleshill Road on the west side and Cash's Lane on the south side;

Street Work No. 11 A widening and improvement of Hales Street on the north side.

In the county—

Street Work No. 12 A new street in the parish of Baginton in the rural district of Warwick from Baginton Road to Stonehouse Lane;

Street Work No. 12A A widening and improvement of Stonehouse Lane on both sides in the said parish;

Street Work No. 12B A new street in the said parish from Stonehouse Lane to Street Work No. 16 hereinafter described at its junction with the main road from London to Coventry.

In the county and the city—

Street Work No. 14 A road commencing in the parish of Allesley in the rural district of Meriden in the county by a junction with the main road from Coventry to Birmingham passing into the city and terminating therein by a junction with Broad Lane.

In the city—

Street Work No. 15 A road commencing by a junction with Tile Hill Lane and terminating in Fletchhampstead Highway near its junction with Cannon Close.

In the county and the city—

Street Work No. 16 A road commencing in the city by a junction with Green Lane passing through the city and the parishes of Stoneleigh and Baginton in the rural district of Warwick in the county and terminating in the last-mentioned parish by a junction with the main road from Coventry to London.

14. So soon as Street Work No. 12 Street Work No. 12A and Street Work No. 12B by this Act authorised shall have been completed all rights over the undermentioned public roads respectively shall be extinguished and the lands forming the sites thereof respectively shall (if not already so vested) vest in the Corporation :—

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—  
Extinction  
of rights  
of way  
over  
certain  
roads.

- (a) The road leading from Baginton Road to Stonehouse Lane between the points of commencement and termination of the said Street Work No. 12;
- (b) The part of the road shown on the deposited plans leading from the road described in paragraph (a) of this section to the westerly end of Stonehouse Lane between the points marked "H" and "K" on sheet No. 6 of the said plans;
- (c) The part of the road known as Stonehouse Lane between the points marked "D" and "K" and "K" and "C" on the additional deposited plans; and
- (d) The part of the road known as Rowley Lane from a point one hundred and twenty-seven yards south-east of its junction with Baginton Road to the point marked "D" on sheet No. 6 of the deposited plans and the part of the said lane between the points marked "D" and "R" on the additional deposited plans.

15. In constructing the street works authorised by this Part of this Act the Corporation may deviate laterally from the lines thereof as shown on the deposited plans and the additional deposited plans respectively to any extent not exceeding the limits of deviation shown on those plans respectively and they may deviate vertically from the levels of the said works as shown on the deposited sections and the additional deposited sections respectively to any extent not exceeding ten feet upwards and to any extent downwards.

Limits of  
deviation.

16. Subject to the provisions of this Act the Corporation may cause such parts of the street works authorised by this Part of this Act to be laid out for

Carriage-  
ways  
footways  
sewers and  
other works.



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carriageway and such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act and within the limits of deviation defined on the deposited plans and the additional deposited plans respectively construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of or in connection with the said works.

As to completion and surfacing of central carriageways of Street Works Nos. 14 15 and 16 authorised by this Act and laying of surface-water sewers therein.

17. The construction of the central carriageways of Street Works Nos. 14 15 and 16 authorised by this Act (including any surface-water sewer or sewers requisite for proper surface-water drainage) shall be completed and the said central carriageways shall be finally surfaced by the thirty-first day of July nineteen hundred and thirty-nine.

As to construction of certain service roads.

18.—(1) The owner of any land abutting upon Street Work No. 14 Street Work No. 15 or Street Work No. 16 authorised by this Act (as the case may be) shall be entitled so soon as the Corporation shall have commenced the construction of the street work upon which such land abuts to serve notice on the Corporation requiring the construction and completion of a service road adjacent to any land of such owner specified in the notice abutting upon such street work (which land is in this section referred to as "the specified land") and the Corporation shall within a reasonable time after service of such notice construct and complete a service road accordingly. If such notice be served the sum which but for subsection (6) of the section of this Act of which the marginal note is "Alteration and application of provisions of the Act of 1930 with respect to charge on owners of land fronting bye-pass and other roads" would have become payable under that section in respect of the specified land on the completion of the portion of the street work upon which the specified land abuts shall upon the completion of the central carriageways (including any surface-water sewer or sewers requisite for proper surface-water drainage) of that portion of that street work and of the said service road become payable notwithstanding that the specified land may be agricultural land within the meaning



of the Rating and Valuation (Apportionment) Act A.D. 1936.  
1928.

18 & 19  
Geo. 5. c. 44.

(2) The Corporation shall construct such a number of connections for enabling vehicles and pedestrians to pass between the service roads and the said central carriageways of the said street works in such positions as the Corporation may reasonably determine and pending the final determination and completion of such connections in any such street work the Corporation shall provide therein a reasonable number of temporary connections.

19. The following provisions shall apply to so much of Street Work No. 8 authorised by the Act of 1930 as has been constructed at the passing of this Act and to Street Works Nos. 14 15 and 16 authorised by this Act in substitution for the unconstructed parts of the said street work instead of the provisions of section 15 (Charge on owners of land fronting bye-pass road towards cost of construction) of the Act of 1930 and the said section 15 is hereby repealed:—

Alteration  
and  
application  
of provisions  
of the Act  
of 1930 with  
respect to  
charge on  
owners  
of land  
fronting  
bye-pass  
and other  
roads.

(1) Towards defraying the expenses of and in connection with the construction of so much of Street Work No. 8 authorised by the Act of 1930 as has been constructed and Street Works Nos. 14 15 and 16 authorised by this Act the owners of the respective lands comprised within the area shown on the plans deposited in connection with the Bill for the Act of 1930 as the improvement area shall pay to the Corporation the sum of thirty shillings per foot of frontage of their said lands to any of the said works:

(2) (a) When so much of the parts of the said Street Work No. 8 and the said Street Works Nos. 14 15 and 16 authorised by this Act as shall be situate respectively between the points respectively referred to in this subsection shall have been completed respectively notice of the sum which any owner of land abutting upon any portion of the said works between any of the said respective points is required by this section

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c. 57.

to pay shall be served upon him by the Corporation and the land in respect of which such notice is served shall stand and remain charged subject as in this section provided with the total sum due in respect thereof under subsection (1) of this section in the manner provided by section 13 of the Private Street Works Act 1892 and the Corporation shall for the recovery of such sum and interest thereon have all the same powers and remedies as are provided by section 12 or section 13 of that Act in respect of sums due in consequence of the putting into force of the powers of that Act;

(b) The respective points referred to in paragraph (a) of this subsection are as follows:—

(i) Between the main road from Coventry to Birmingham and Broad Lane;

(ii) Between Broad Lane and Tile Hill Lane;

(iii) Between Tile Hill Lane and Kenilworth Road;

(iv) Between Kenilworth Road and Green Lane;

(v) Between Green Lane and Leamington Road;

(vi) Between Leamington Road and Baginton Road;

(vii) Between Baginton Road and Howes Lane;

(viii) Between Howes Lane and the main road from Coventry to London at Willenhall;

(c) The said parts of the said Street Work No. 8 as constructed at the passing of this Act shall be deemed to have been completed within the meaning of this subsection and the said Street Works Nos. 14 15 and 16 authorised by this Act shall be deemed within the meaning of this section to have been completed respectively between the several points mentioned in paragraph (b)



of this subsection when the central carriage-ways (including any surface-water sewer or sewers requisite for proper surface-water drainage) of the said portions of the said works shall have been completed respectively :

- (3) Notwithstanding anything contained in subsection (1) of this section any sum due from an owner under the said subsection may be varied by agreement between the Corporation and such owner and the Corporation as one of the terms of any such agreement (if they think fit) may themselves defray the whole or any part of the sum so due from such owner :
- (4) (a) Within one month after the service of the notice referred to in subsection (2) of this section on any owner of land within the said improvement area such owner may by written notice served on the town clerk object to the sum named in such notice on the ground that such land ought to be excluded from the said improvement area or that part of such land ought to be exempted from the liability to pay the sum of thirty shillings per foot of frontage referred to in subsection (1) of this section by reason of the fact that such land or part thereof will derive no benefit from the construction of so much of the said Street Work No. 8 as has been constructed or from any of the said Street Works Nos. 14 15 and 16 authorised by this Act ;  
(b) For the purposes of this subsection joint tenants may object through one of their number authorised in writing under the hands of the majority of such joint tenants :
- (5) If any notice shall be served on the town clerk in accordance with the provisions of subsection (4) of this section the objection contained in such notice shall be referred to one of the panel of official arbitrators appointed under section 1 of the Acquisition of Land (Assessment of Compensation) Act 1919 who shall be empowered to decide whether or not



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such owner shall be required to pay the sum named in the notice served upon him by the Corporation or any greater or less sum but not exceeding thirty shillings per foot of frontage whether or not the lands or any part thereof in respect of which the counter-notice under subsection (4) of this section has been served on the Corporation shall be excluded from the said improvement area or part of such lands shall be exempted from the liability to pay the sum of thirty shillings per foot of frontage referred to in subsection (1) of this section. The provisions of the said Act as to procedure before official arbitrators and as to costs shall apply to any reference under this subsection :

- (6) No sum shall be payable under subsection (1) of this section in respect of land which is agricultural land within the meaning of the Rating and Valuation (Apportionment) Act 1928 or which is occupied by agricultural buildings within the meaning of the same Act. If a part of such land becomes rated a sum shall be payable under subsection (1) of this section only in respect of such part of such land :
- (7) No sum shall be payable under subsection (1) of this section in respect of any freight transport hereditament occupied and used wholly or partly for railway transport purposes within the meaning of the Rating and Valuation (Apportionment) Act 1928 :
- (8) The Corporation may if they think fit postpone the date on which any sum payable under subsection (1) of this section shall become recoverable.

Further provisions with regard to charge imposed by section 15 of Act of 1930.

**20.** Notwithstanding anything contained in the Act of 1930 or this Act the fact that the enhancement in value of any lands adjoining so much of Street Work No. 8 authorised by the Act of 1930 as has been constructed or any of the Street Works Nos. 14 15 and 16 authorised by this Act shall have been estimated and set off against any compensation or purchase money in respect of such lands shall not exempt the

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owners of any such lands from the charge imposed by the section of this Act of which the marginal note is "Alteration and application of provisions of the Act of 1930 with respect to charge on owners of land fronting bye-pass and other roads." A.D. 1936.

21.—(1) In this section "scheduled lands" means lands of which the whole or part is described in the First Schedule to this Act and "the tribunal" means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this section is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919. Further provisions relating to lands through which Street Works Nos. 14

(2) The owner of any part of the scheduled lands may within twenty-eight days after the service by the Corporation of notice to treat in respect of that land by notice in writing served upon the Corporation elect that in lieu of the application of the provisions of section 13 (Benefits to be set off against compensation) of the Act of 1927 to the compensation and purchase money to be paid to such owner in respect of that land the provisions of this section shall apply. Notice of the effect of this section shall be stated in every such notice to treat. 15 and 16 are to be constructed.

(3) Where an owner of scheduled lands makes the election for which provision is made in subsection (2) of this section the tribunal shall in the first instance determine what would be the amount of compensation and purchase money to be paid by the Corporation to the owner in respect of the whole of the lands described in the notice to treat (in this subsection called "the total value") and the tribunal shall then determine the part of the total value (in this subsection called "the value of the sixty feet") which is attributable to the purchase money in respect of so much of the lands described in the notice to treat as would be required for constructing Street Works Nos. 14 15 or 16 authorised by this Act (as the case may be) if the street work were constructed of a width of sixty feet and the amount of compensation and purchase money to be paid by the Corporation to the owner in respect of the whole of the lands described in the notice to treat shall be the total value less an amount equal to the value of the sixty feet.



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—  
Building  
line.

22.—(1) No buildings or structures other than boundary walls or fences or temporary structures erected in connection with building operations shall save as in this section provided be erected nearer to the new road than the building line.

(2) Notwithstanding anything contained in subsection (1) of this section the Corporation may if they think fit permit—

(a) The projection in front of the building line of any bay window porch or other projecting portion of a building;

(b) In the case of industrial buildings the erection of the building at such distance not being less than ten feet from the road boundary as the Corporation may specify;

(c) The erection of groups of shops and business premises at such distances not being less than five feet from the road boundary as the Corporation may specify;

(d) The erection in front of the building line of any building where by reason of the levels of the site or of any adjoining land or by reason of any other exceptional circumstances or for purposes of architectural effect such permission is in the opinion of the Corporation advisable;

(e) The erection in front of the building line of a lodge or other building to be used in connection with a dwelling-house provided that the lodge or building shall not exceed two storeys in height and shall not be nearer to the road boundary than ten feet.

(3) The Corporation shall make compensation to the owner of any land lying between the road boundary and the building line for any damage sustained by him by reason of his being unable to build upon such land the amount of such compensation in default of agreement to be determined by arbitration in accordance with the provisions of the Lands Clauses Acts.

(4) Notwithstanding anything contained in any other Act the Corporation shall not in respect of any

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
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[Ch. cix.]

part of the new road prescribe a building line which is further from the road boundary than thirty feet. A.D. 1936.

(5) The provisions of sections 1 and 2 of the Restriction of Ribbon Development Act 1935 shall not apply to the new road. 25 & 26  
Geo. 5. c. 47.

(6) Section 18 (Building line) of the Act of 1930 is hereby repealed.

(7) The provisions of subsection (1) of this section shall not apply in respect of any building or structure not being a dwelling-house to be erected by the London Midland and Scottish Railway Company on land held by the said company for the purposes of their railways and required by the said company primarily for railway purposes.

**23.** Nothing contained in section 20 (As to construction and maintenance of parts of bye-pass road in the county) of the Act of 1930 or section 76 (Coventry bye-pass road) of the Act of 1931 shall affect the right of the Corporation to exercise the powers of this Act relating to Street Works Nos. 14 15 and 16 authorised by this Act and the county council (subject to the terms of any agreement between the Corporation and the county council) shall pay to the Corporation in respect of so much of the said Street Works Nos. 14 15 and 16 as at the passing of this Act would be situate in the county two-fifths of the cost thereof after deducting any grant received towards such cost. As to obligations of Warwickshire County Council with regard to Street Work No. 8 authorised by Act of 1930.

**24.** For the protection of Charles Edward Harris of 50 Cope Street in the city (in this section referred to as "the owner") the following provisions shall notwithstanding anything in this Act apply and have effect (that is to say):— For protection of Charles Edward Harris.

All references to section 15 (Charge on owners of land fronting bye-pass road towards cost of construction) of the Act of 1930 contained in—

(a) The deed made between the owner of the one part and the Corporation of the other part and dated the thirty-first day of May nineteen hundred and thirty-five; and



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(b) Any conveyances of land fronting upon so much of Street Work No. 8 authorised by the Act of 1930 as has been constructed at the date of the passing of this Act and lies between Broad Lane and Tile Hill in the city executed by the owner before the said date;

shall be construed as references to the section of this Act of which the marginal note is "Alteration and application of provisions of the Act of 1930 with respect to charge on owners of land fronting bye-pass and other roads" and the said deed and conveyances shall take effect accordingly.

For  
protection  
of Sir W. G.  
Armstrong-  
Whitworth  
Aircraft  
Limited.

**25.** The following provisions for the protection of Sir W. G. Armstrong-Whitworth Aircraft Limited or any other company or association becoming owners of the land belonging to Sir W. G. Armstrong-Whitworth Aircraft Limited at the date of the passing of this Act and comprised within the area shown on the plans deposited in connection with the Bill for the Act of 1930 as the improvement area and using such land for the purposes of any trade or business (all of whom are in this section included in the expression "the company") shall notwithstanding anything contained in this Act and unless otherwise agreed in writing between the Corporation and the company apply and have effect in relation to the exercise of the powers of this Act (that is to say):—

(1) No sum shall be payable by the company under subsection (1) of the section of this Act of which the marginal note is "Alteration and application of provisions of the Act of 1930 with respect to charge on owners of land fronting bye-pass and other roads" in respect of any land owned by the company at the date of the passing of the Act of 1930 and of this Act notwithstanding that such land may for the time being be a rateable hereditament for the purposes of the Rating and Valuation Act 1925 so long as the said land is land which the company shall have laid out as and shall be maintaining and using as a private flying ground for the purposes of

15 & 16  
Geo. 5. c. 90.

the company's own business or of that of any of its allied concerns Provided nevertheless that if the company shall construct any means of access from the said land or from any part thereof to the bye-pass road the sum specified in subsection (1) of the said section of this Act shall (subject to the provisions of subsection (5) of that section) be payable by the company in respect of the full width of every such means of access :

- (2) If the company cease to occupy any part of the land referred to in subsection (1) of this section or if any portion less than the whole of the said land (being land which is laid out as and is being maintained and used as a private flying ground for the purposes of the company's own business or of that of any of its allied concerns) ceases to be used by the company for that purpose the company shall (subject to the provisions of subsection (5) of the said section of this Act) pay to the Corporation the sum payable under subsection (1) of the said section in respect of the portion of land which ceases so to be occupied or used.

**26.** The following provisions for the protection of the Standard Motor Company Limited (in this section referred to as "the Standard Company") or any other company or association for the time being owners of the land which belonged to the Standard Company at the date of the passing of the Act of 1930 and is comprised within the area shown on the plans deposited in connection with the Bill for that Act as the improvement area and using the same for the purposes of any trade or business (all of whom are in this section included in the expression "the owners") shall notwithstanding anything contained in this Act and unless otherwise agreed in writing between the Corporation and the owners apply and have effect in relation to the exercise of the powers of this Act (that is to say) :—

For protec-  
tion of  
Standard  
Motor  
Company  
Limited  
&c.

- (1) No sum shall be payable by the owners under subsection (1) of the section of this Act of which the marginal note is "Alteration and application of provisions of the Act of 1930



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—

“ with respect to charge on owners of land  
“ fronting bye-pass and other roads ” in  
respect of any land owned by the Standard  
Company at the date of the passing of the Act  
of 1930 notwithstanding that such land may  
for the time being be a rateable hereditament  
for the purposes of the Rating and Valuation  
Act 1925 so long as the said land—

(a) is used by the owners solely for the  
purpose of the provision of sport or recreation  
for the employees of the owners; or

(b) is land upon which the owners shall  
have constructed and shall be maintaining  
and using a private motor car testing track  
for the purposes of the owners' own  
business :

Provided nevertheless that if the owners shall  
construct any means of access from the said  
land or from any part thereof to Street Work  
No. 8 authorised by the Act of 1930 or Street  
Work No. 15 authorised by this Act the sum  
specified in subsection (1) of the said section  
of this Act shall (subject to the provisions of  
subsection (5) of that section) be payable by  
the owners in respect of the full width of every  
such means of access :

- (2) If the owners cease to occupy any part of the  
land referred to in paragraph (a) or paragraph  
(b) of subsection (1) of this section or if any  
portion less than the whole of the said land  
(being land used for sport or recreation as  
aforesaid) ceases to be used for those purposes  
or (being land on which a private motor car  
testing track has been constructed and is being  
maintained and used for the purposes of the  
owners' own business) ceases to be used by  
the owners for that purpose the owners shall  
(subject to the provisions of subsection (5)  
of the said section of this Act) pay to the Cor-  
poration the sum payable under subsection (1)  
of the said section in respect of the portion  
of land which ceases so to be occupied or used :
- (3) Notwithstanding anything shown on the  
deposited plans the Corporation shall not

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation  
Act, 1936.*

[Ch. cix.]

enter upon take or use any greater quantity of the land owned by the Standard Company at the date of the passing of the Act of 1930 than shall be required for Street Work No. 15 authorised by this Act in the position finally determined as the site thereof and of the dimensions finally determined together with the embankments and other works required for the purpose of the said street work.

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—

27. Section 14 (For protection of London Midland and Scottish Railway Company) of the Act of 1930 shall (so far as applicable and with the necessary modifications) apply to Street Works Nos. 15 and 16 authorised by this Act as if those works were named in the said section 14 in addition to Street Work No. 8.

For  
protection  
of London  
Midland  
and  
Scottish  
Railway  
Company.

#### PART IV.

#### WATER.

28.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and according to the levels shown upon the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the following waterworks (namely):—

Power to  
make  
waterworks.

Waterwork No. 1 A well and pumping station with boreholes adits tunnels shafts and other works situated in the parish and rural district of Meriden in the county in the westerly portion of the enclosure numbered 604 on the 1/2500 Ordnance map of the county (edition of 1925) sheet No. XXI.1 to be called the Meriden Shafts pumping station;

Waterwork No. 2 A line or lines of pipes wholly situated in the said parish commencing at the said well and pumping station Waterwork No. 1 and terminating in the existing main of the Corporation at a point on the Birmingham-Coventry road at or about the junction of that road with Showell Lane;



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—

Waterwork No. 3 A waste water conduit wholly situated in the said parish commencing at the said well and pumping station Waterwork No. 1 and terminating in the eastern corner of the enclosure numbered 604 on the said sheet of the said map;

Waterwork No. 4 A well and pumping station with boreholes adits tunnels shafts and other works situated in the parish of Stoneleigh in the rural district of Warwick in the county in the northerly portion of the enclosure numbered 558 on the 1/2500 Ordnance map of the county (edition of 1925) sheet No. XXXVI.3 to be called the Green Lane pumping station;

Waterwork No. 5 A line or lines of pipes wholly situated in the said parish of Stoneleigh commencing at the said well and pumping station Waterwork No. 4 and terminating at a point in the existing main of the Corporation in Green Lane at about 200 yards south of the London Midland and Scottish Railway (Coventry and Leamington branch);

Waterwork No. 6 A waste water conduit wholly situated in the said parish of Stoneleigh commencing at the said well and pumping station Waterwork No. 4 and terminating at a point 70 yards north-east of the north-west corner of the said enclosure numbered 558.

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

**29.** In the construction of the waterworks authorised by this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans (and where on any street or road no such limits are shown the boundaries of such street or road shall be deemed to be such limits) and they may also deviate from the levels shown on the deposited sections to any extent Provided that except for the purposes of crossing over a stream or railway no part of the lines of pipes or conduits authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

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Power to deviate in construction of waterworks.

**30.**—(1) If the waterworks authorised by this Act and shown on the deposited plans and sections are not completed by the thirty-first day of December nineteen hundred and forty-six then subject to the provisions of subsection (2) of this section the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Period for completion of waterworks and enlargement of works.

(2) The Corporation may extend enlarge alter reconstruct renew or remove any of the waterworks and plant constructed under this Act and in the case of the Waterworks Nos. 2 3 5 and 6 authorised by this Act lay down additional lines of pipes as and when occasion may require.

**31.** The Corporation may collect impound take use divert and appropriate for the purposes of their waterworks all such underground springs and waters as will or may be intercepted by the wells and pumping stations and works connected therewith by this Act authorised.

Power to take waters.

**32.** The Corporation shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament.

Limiting powers of Corporation to abstract water.

**33.** The waterworks to be constructed by the Corporation under the authority of this Act shall for all purposes be deemed part of the water undertaking of the Corporation.

Waterworks to form part of water undertaking.



A.D. 1936.

**34.** From and after the passing of this Act—

Transfer  
of certain  
parishes  
from  
Coventry  
limits of  
supply to  
Leamington  
limits of  
supply.

(1) the parishes of Cubbington Weston under Wetherley Wappenbury Eathorpe Hunningham and Offchurch in the rural district of Warwick in the county and the parishes of Ufton and Harbury in the rural district of Southam in the county shall be deemed to form part of the limits within which the mayor aldermen and burgesses of the borough of Royal Leamington Spa (in this section called "the Leamington Corporation") may supply water:

(2) the provisions of the Acts and Orders relating to the Leamington Corporation and of sections 20 (3) (For protection of London and North Western Railway Company) and 21 (For protection of Great Western Railway Company) of the North Warwickshire Water Act 1900 shall apply to the supply of water by the Leamington Corporation in the said parishes Provided that the said last-mentioned sections shall be read and have effect as if instead of "the company" the Leamington Corporation were mentioned therein and section 20 as if instead of "the London and North Western Railway Company" the "London Midland and Scottish Railway Company" were mentioned therein Provided further that such of the provisions of the North Warwickshire Water Act 1898 the North Warwickshire Water Act 1900 the North Warwickshire Water Act 1902 and the North Warwickshire Water Order 1918 as are set forth in the Third Schedule to the Act of 1921 and apply to the said parishes or any of them shall continue to apply with the substitution of the Leamington Corporation for the Corporation in respect of any right or obligation conferred or imposed by those provisions on the Corporation as the successors of the North Warwickshire Water Company:

63 & 64 Vict.  
c. cclxii.

61 & 62 Vict.  
c. cx.  
63 & 64 Vict.  
c. cclxii.  
2 Edw. 7.  
c. xxiii.  
8 & 9 Geo. 5.  
c. lii.

(3) all other powers rights and obligations of the Corporation with reference to the supply of water in the said parishes shall absolutely cease and determine: A.D. 1936, —

(4) the provisions of section 22 (For protection of Warwick and Napton Canal Company) of the North Warwickshire Water Act 1900 as saved from repeal by section 10 (Partial repeal of Company's Acts) of the Coventry Corporation Act 1921 shall apply and have effect as if the Leamington Corporation were referred to in that section instead of the North Warwickshire Water Company. 11 & 12 Geo. 5. c. lxxxvii.

**35.**—(1) The Corporation may enter into and carry into effect agreements with any local authority body company or person for the supply of water beyond the limits within which the Corporation are authorised to supply water to any such authority body company or person respectively for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon: Contracts for supplying water.

Provided that such supply shall not be given except with the consent of any authority body company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water within the limits within which the Corporation are authorised to supply.

(2) Section 27. (As to supply outside water limits) of the Act of 1907 is hereby repealed.

**36.** The Corporation may enter into and carry into effect agreements with any authority company body or person supplying water under parliamentary authority for the purchase of water in bulk by the Corporation for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Corporation for the purposes of their water undertaking. Purchase of water in bulk.

**37.**—(1) If it shall be proved by the owner (which term shall include any lessee or occupier) that the pumping by the Corporation at Waterwork No. 1 Provision where local sources of supply affected.



A.D. 1936.

or Waterwork No. 4 by this Act authorised has caused any diminution of the quantity of water yielded at the date of the passing of this Act by any well borehole or spring of the owner then used as an effective source of supply for the purposes of the owner such well borehole or spring being situate within a radius of one mile from the work the pumping at which shall have been proved by the owner to have caused such diminution the Corporation shall upon the written request of the owner afford to the owner a supply of water equal to the amount of the diminution so proved at such cost or rate (if any) as that the total cost to the owner of obtaining the quantity of water which such well borehole or spring was yielding at the date of the passing of this Act shall be the same (as nearly as may be) after as before the construction of the work the pumping from which has caused such diminution and upon such other terms as may be agreed or failing agreement may be settled by arbitration as hereinafter in this section provided.

(2) The Corporation may if they think fit in lieu of making good the diminution so proved deepen any affected well or borehole or make such borings therein or headings therefrom as will increase the supply from the said well or borehole so as to make good the diminution so proved and the owner shall without making any charge therefor give the Corporation access and every facility for carrying out such deepenings borings or headings and in the event of any such deepenings borings or headings increasing the cost of obtaining or continuing to obtain from the said well or borehole the quantity of water yielded at the date of the passing of this Act the Corporation shall pay to the owner the amount of such increase.

(3) The Corporation shall also make compensation in money for any injury caused to the owner by the exercise by the Corporation of the powers conferred by the last preceding subsection the amount of such compensation to be settled in case of difference by arbitration as hereinafter in this section provided.

(4) (a) The owner shall afford the officers servants or other representatives of the Corporation at all reasonable times after the passing of this Act access to the source of supply in respect of which any claim

is or may be made under this section for the purpose of ascertaining particulars thereof and the levels of the water therein. A.D. 1936.

(b) The Corporation within three days after they shall have ascertained any such particulars and levels shall send a memorandum thereof by post in a registered letter addressed with a sufficient direction to the owner at his usual place of abode and if the owner shall not within one month after such letter has been so sent give notice in writing to the Corporation that he does not accept such particulars and levels as correct he shall be deemed to have agreed that they are correct.

(5) The Corporation shall not be liable in respect of any claim made by the owner under this section if he shall after reasonable demand have continued to refuse to afford to the officers servants or other representatives of the Corporation at all reasonable times after the passing of this Act access to the source of supply in respect of which the claim is made for the purpose of ascertaining particulars thereof and the levels of the water therein.

(6) Any question or dispute arising under this section shall be referred to and determined by a single arbitrator to be agreed upon between the parties or in default of agreement to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 and the Arbitration Act 1934 shall apply to any such reference.

52 & 53 Vict.  
c. 49.  
24 & 25  
Geo. 5. c. 14.

(7) The Corporation and the owner may enter into and fulfil agreements with reference to the supply of water by the Corporation to such owner or with reference to any matter referred to in this section and may by any such agreement alter or modify any of the provisions of this section so far as they relate to such owner or to the Corporation in relation to such owner.

**38.** For the protection of the Leicestershire and Warwickshire Electric Power Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the

For pro-  
tection of  
Leicester-  
shire and



A.D. 1936. company and the Corporation apply and have effect  
(that is to say) :—

—  
Warwick-  
shire  
Electric  
Power  
Company.

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall during the construction and use of the works (in this section referred to as "the works") authorised by this Part of this Act take all reasonable precautions to prevent interference with any electric line and other works of the company upon across under above or adjoining any lands through which the works shall be constructed and so as to cause no interruption to any supply of electricity afforded by the company :
- (2) If any injury or interruption as aforesaid shall arise from or in any way be due to any of the acts works and operations of the Corporation the Corporation shall make compensation to the company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration as hereinafter provided :
- (3) If the Corporation shall at any time after the passing of this Act purchase or lease any lands through which the works shall be constructed and on which the company have erected or laid and are using any electric line or other works in exercise of facilities conferred on the company by an agreement with or licence from the owner of such lands the Corporation shall grant similar facilities to the company on terms and conditions not less favourable than those contained in such agreement or licence :
- (4) The provisions of this section shall be in addition to and not in substitution for the rights and powers of the company under the Electricity (Supply) Acts 1882 to 1935 and any statutory modification thereof :
- (5) The expression "electric line" shall have the same meaning as in the Electricity (Supply) Acts 1882 to 1935 and for the purpose of this section shall include poles standards guards

stays wires cables and apparatus used by the company in connection therewith: A.D. 1936.

- (6) Any difference which shall arise between the Corporation and the company shall be referred to and determined by an arbitrator to be appointed (failing agreement) on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such arbitration.

## PART V.

### GAS.

39.—(1) The limits within which the Corporation are empowered to supply gas shall be extended so as to include so much of the parish of Meriden in the rural district of Meriden in the county as lies to the east of an imaginary straight line of infinite length passing through two points on the boundary of the said parish situated as follows:—

Extension  
of gas  
limits.

(a) on the centre line of the footpath leading from the Birmingham-Coventry main road to the Meriden-Maxstoke road opposite Old Farm; and

(b) south-east of and five thousand one hundred feet from the most westerly point of the said parish.

(2) Subject to the provisions of this section the Corporation shall have and may exercise within the said part of the said parish all and the like powers privileges and authorities for and in relation to the supply of gas and be subject to all and the like duties and obligations in respect thereof as they now have and are subject to within the limits within which the Corporation are at the date of the passing of this Act authorised to supply gas.

1936  
1939

## PART VI.

### STREETS BUILDINGS AND SEWERS.

40.—(1) Any person who lays out or intends to lay out a new street shall before any building is begun to be erected abutting on such new street if required

Formation  
of new  
streets.



A.D. 1936.

by the Corporation so to do construct the foundation of the carriageway of such new street or such part thereof as may be required by the Corporation with such materials and of such depth as may be reasonably suitable and shall also if required by the Corporation kerb such street :

Provided that where any new street is or is intended to be constructed of a length exceeding one hundred yards the Corporation shall not be empowered to require the foundation and kerbing of such new street to be constructed in its entire length by one operation but such foundation and kerbing may be constructed in parts of not less than one hundred yards in length or such shorter lengths as may be approved by the Corporation and in such event nothing in this section shall prevent the erection of a new building abutting on any part of such street in reference to which the foregoing provisions of this section have been complied with.

(2) The construction to the satisfaction of the Corporation of the carriageway and the kerbs channels pavements and footways of a new street or part of a new street shall be completed by the person laying out the new street when in the opinion of the Corporation that is reasonable having regard to the erection of buildings in the street and upon such construction to the satisfaction of the Corporation the Corporation shall declare the said new street or part of a new street to be a highway repairable by the inhabitants at large.

38 & 39 Vict.  
c. 55.

(3) The execution of any works under the provisions of this section shall not relieve any person of any liability under section 150. of the Public Health Act 1875 or under the Private Street Works Act 1892 or under the local Acts for the time being in force within the city.

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

(5) For the purposes of this section—

The widening or alteration of an existing street which has already been built up on

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
*Act, 1936.*

[Ch. cix.]

both sides thereof or of part of any existing street which exceeds fifty yards in length and which has been so built up shall not be deemed to be the laying out of a new street;

A.D. 1936.  
—

“ A new street ” or “ an existing street ” includes part of a new street or existing street.

41.—(1) The powers conferred upon the Corporation by section 67 of the Act of 1900 by order to vary or alter the intended position or direction or level of any intended new street for the purpose of causing it to communicate in a direct line or more direct line with any other street adjoining or leading thereto shall be extended so as to enable them (subject to the provisions contained in that section) to require that the corners formed at the junction of a new street with another street (whether new or existing) shall be splayed off to the satisfaction of the Corporation or shall be rounded off so as to be coincident with the arc of a circle tangential to the adjacent boundaries of the two streets and having such radius not being less than forty feet as may be determined by the Corporation.

Rounding  
off corners  
at street  
junctions.

(2) If section 17 (Power to vary position or direction and to fix the beginning and end of new streets) of the Public Health Acts Amendment Act 1907 shall be declared to be in force in the city subsection (1) of this section shall be read and have effect as if the said section 17 were therein referred to instead of section 67 of the Act of 1900.

7 Edw. 7.  
c. 53.

42.—(1) It shall be lawful for the Corporation at all times of ceremonies public processions rejoicings fairs exhibitions carnivals races sports illuminations or on emergencies to cause barricades to be erected or ropes to be placed across any of the streets of the city and to continue the same for such time as may be deemed reasonably necessary and any person who wilfully removes any such barricade or rope or any part thereof respectively shall be liable to a penalty not exceeding forty shillings.

As to  
barriers in  
streets.

(2) For the purpose of the erection of such barricades or the placing of such ropes the Corporation



A.D. 1936. — may construct or place and maintain in and under the surface of the streets of the city such sockets or slots as may in their opinion be necessary or convenient.

As to  
pavement  
lights.

**43.**—(1) From and after the passing of this Act it shall not be lawful for the owner or occupier of any property to construct in any pavement forming part of any street in the city any work for the admission of light through such pavement to any room or premises situate under or adjoining the same (in this section referred to as "pavement lights") without the consent in writing of the Corporation.

(2) In giving their consent to the construction of any pavement lights the Corporation may attach thereto such terms and conditions as they may think fit.

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

(4) Any agreements entered into by the Corporation with any person prior to the passing of this Act which would have been valid under the provisions of this section if made after the passing thereof are hereby confirmed.

Restriction  
on barrel-  
ways cellar  
entrances  
&c.

**44.**—(1) From and after the passing of this Act it shall not be lawful for the owner or occupier of any property to construct a barrel-way cellar entrance or basement entrance in any pavement forming part of any street in the city without the consent of the Corporation.

(2) In giving their consent to the construction of any barrel-way cellar entrance or basement entrance the Corporation may for the purpose of preventing or minimising inconvenience or danger to vehicles and pedestrians using the street attach to such consent such reasonable terms and conditions as the Corporation may think fit in regard to the time extent or manner of the user of the barrel-way cellar entrance or basement entrance.

(3) Any person offending against the provisions of this section shall be liable to a penalty not exceeding

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation  
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[Ch. cix.]

five pounds and to a daily penalty not exceeding forty shillings. A.D. 1936.

(4) Any agreement entered into by the Corporation with any person prior to the passing of this Act which would have been valid under the provisions of this section if made after the passing thereof is hereby confirmed.

45. The provisions of section 74 (Crossings for horses and vehicles) of the Act of 1900 shall extend and apply to the construction of communications for horses and vehicles across any grass verge or similar work so as to afford access to any premises from a street repairable by the inhabitants at large. Amend-  
ment of  
section 74  
of Act of  
1900.

46. Section 11 (Byelaws as to petroleum filling stations) of the Petroleum (Consolidation) Act 1928 in its application to the city shall be extended so as to empower the Corporation to make byelaws in accordance therewith for the purpose of preserving for the enjoyment of the public or residents the amenities of any street. Regulation  
of  
petroleum  
filling  
stations.  
18 & 19  
Geo. 5. c. 32.

47. The power of the Corporation to make byelaws with respect to secondary means of access under section 23 of the Public Health Acts Amendment Act 1890 shall extend to enable them to require every person who shall erect fronting a street or intended street terraces or other continuous blocks of houses not giving access through their own grounds to the backs of such houses to make and construct a back road and side roads at the back and at each end of such terraces or continuous blocks of houses of such widths as may be prescribed by such byelaws and to require the owner or owners for the time being of such houses and of such back roads and side roads to keep such roads open and unobstructed for the full width thereof. Secondary  
means of  
access.  
53 & 54 Vict.  
c. 59.

48.—(1) The Corporation may advance money to the purchaser or lessee of any lands acquired by them under this Act and with the consent of the Minister to the purchaser or lessee of any other lands belonging to the Corporation and not required for the purposes for which they were acquired for the purpose of enabling or assisting him to erect buildings on such Power to  
Corporation  
to advance  
money for  
erection of  
buildings.



A.D. 1936. — land provided that any advance shall not exceed two-thirds of the amount which in the opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

60 & 61 Vict.  
c. 51.

(2) Every such advance shall be repaid within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee with interest at a rate not less than one-half per centum in excess of the rate of interest fixed by the Treasury under section 1 of the Public Works Loans Act 1897 in respect of loans to local authorities advanced out of the local loans fund for a period not exceeding thirty years for purposes other than housing.

(3) The repayment may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such periods not exceeding half a year as may be agreed between the said purchaser or lessee and the Corporation.

(4) Any such purchaser or lessee to whom an advance has been made may at any of the periods agreed in subsection (3) of this section after one month's written notice and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the instrument hereinafter referred to) or a multiple of one hundred pounds (or such less sum as aforesaid) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced where a part of the advance shall be paid off shall be determined by a table to be annexed to the instrument securing the repayment of the advance.

(5) Before making any advance under this section the Corporation shall be satisfied that the repayment to them of the advance is secured by a mortgage of the building in respect of the erection of which the advance is made and of the land upon which such building is to be erected or of the lessee's interest therein

to the Corporation subject to the right of redemption by the said purchaser or lessee and shall require the said purchaser or lessee to keep the building insured against fire to the satisfaction of the Corporation and to produce the receipt for the premium paid in respect of such insurance to the Corporation when required by them and to keep the building in good repair. A.D. 1936.

(6) The Corporation shall have power to enter the building in respect of the erection of which any advance is made by them by any person authorised by them in writing for the purpose at all reasonable times for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are complied with.

(7) The said purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building in respect of which such advance is made and the land upon which the same is erected but any such transfer shall be made subject to the foregoing provisions of this section.

**49.**—(1) No tank or other receptacle by means of which rain water can be stored shall except with the approval of the Corporation in writing be placed or kept within or under any dwelling-house in the city Provided that this section shall not apply to any such tank or receptacle placed in any such dwelling-house before the passing of this Act. As to rainwater tanks.

(2) Any person acting in contravention of or offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

**50.**—(1) Section 157 of the Public Health Act 1875 in its application to the city shall be extended so as to empower the Corporation to make byelaws enabling the city engineer or other officer authorised by the Corporation to take samples of any materials being used in connection with any premises in the city on which building shall be taking place for the purpose of ascertaining that such materials are in accordance with the requirements of the byelaws of the Corporation with regard to new buildings The city engineer or Power to take samples of building materials.



A.D. 1936. — other authorised officer if required to do so by the person responsible for the building so taking place shall divide any sample so taken into two parts then and there to be separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall deliver one of such parts to such person or his authorised agent.

(2) In and for the purposes of this section the expression "new building" has the same meaning as is assigned thereto in the byelaws of the Corporation for the time being in force within the city relating to new streets and buildings.

(3) The provisions of this section shall cease to have effect on the coming into operation of any general Act passed in the present session dealing with the subject matters of this section to the extent to which such subject matters are dealt with by such general Act and if such general Act shall come into operation before this Act the provisions of this section shall to the extent aforesaid not come into force.

Apportionment to frontagers of expenses of sewer constructed under public highway.

**51.**—(1) Where the Corporation resolve to construct a sewer in a street or part of a street within the city repairable by the inhabitants at large which has not been previously sewered and the resolution states that the construction of the sewer will in the opinion of the Corporation increase the value of premises fronting adjoining or abutting on such street or part of a street then subject to the provisions of this section the expenses incurred by the Corporation in constructing the sewer so far as they do not exceed the sum authorised by subsection (3) of this section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street or part of a street according to the frontages of the respective premises as existing at the date when the resolution becomes operative.

(2) Such resolution as aforesaid shall not become operative unless and until notice thereof has been published in a local newspaper circulating in the city but shall become operative as from the date of such publication. Copies of the newspaper containing the notice shall be sufficient evidence of the publication thereof.

(3) The sum apportionable under this section shall not exceed the sum certified by the city engineer to be at the time the average cost per lineal yard of providing a sewer having an internal diameter of nine inches in a private street in the city multiplied by the extent in lineal yards (as so certified) of the sewer or length of sewer in question. A.D. 1936.

(4) As soon as the apportionment has been made the Corporation shall serve on the owners of the several premises affected notice in writing of the sums respectively apportioned to them and the notice shall state the right of appeal hereinafter conferred.

(5) Any owner on whose premises any sum has been apportioned shall be entitled within fourteen days of the service upon him of such notice as aforesaid to appeal to a court of summary jurisdiction against the amount of the sum so apportioned and may on such appeal dispute the correctness of the city engineer's certificate. If the court finds that the city engineer's certificate is erroneous the court shall order the revision of the sums apportioned not only to the appellant but also to the owners of the other premises affected.

(6) Whenever a new building (other than a building not requiring a foul water drainage system) is erected on any premises fronting adjoining or abutting on the street or part of the street after the date when the resolution became operative the sum apportioned on those premises shall be recoverable to an extent proportional to the frontage on the street or part of the street of the site of and the land occupied with the new building :

Provided that where the drains of such new building are at the time of its erection made to connect with a sewer other than the sewer the expenses of the construction of which are apportioned no sum shall be recoverable in respect of the building unless and until the drains thereof are connected with the last-mentioned sewer.

For the purposes of this subsection—

(a) a building shall be deemed to be a new building erected after the date when the



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—

said resolution became operative unless the erection of the building was completed before that date;

- (b) any such re-erection alteration or extension of a building as is mentioned in the Third Schedule to the Restriction of Ribbon Development Act 1935 shall be deemed to be the erection of a new building :

Provided that references in the said schedule to the date on which the restrictions came into force shall for the purposes of this subsection be construed as references to the date when the resolution became operative.

(7) The sum apportioned on any premises shall to the extent to which it is not for the time being immediately recoverable be treated as a local land charge for the purposes of the Land Charges Act 1925.

15 & 16  
Geo. 5. c. 22.

(8) No interest shall be chargeable on any apportioned sum or any part thereof until it becomes recoverable.

(9) Where such a resolution as is mentioned in subsection (1) of this section has been passed but the construction of the sewer to which it relates has not been completed within two years from the date when the resolution became operative all liabilities of frontagers consequent thereon shall cease to have effect.

(10) If any person from whom an apportioned sum or any part thereof becomes recoverable proves that by reason of the length of frontage of the land occupied with the building in respect of which the sum so recoverable is payable the amount recoverable is disproportionate to the benefit accruing to the premises the Corporation or on appeal a court of summary jurisdiction may remit such part of that sum as they may think just but in such case if another new building is subsequently erected on the land occupied with the first-mentioned building the sum remitted or such part thereof as is proportional to the frontage of the site of and land occupied with that other building shall become recoverable.

[26 GEO. 5. &  
1 EDW. 8.]

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*Act, 1936.*

[Ch. cix.]

(11) Where any sum becomes recoverable in respect of any premises that sum together with interest from the date of service of a demand therefor may be recovered summarily as a civil debt by the Corporation from the person who is the owner of the premises at the date when a demand for payment is served and as from that date that sum and interest accrued due thereon shall until recovered be a charge on the premises and on all estates and interests therein. The time within which summary proceedings may be taken for the recovery of any such sum shall be reckoned from the date of the service of the demand and in any such proceedings it shall not be open to the defendant to raise any question which could have been raised on an appeal under subsection (5) of this section. A.D. 1936.

(12) The Corporation may by order declare any sums recoverable under this section to be payable with interest by instalments within a period not exceeding thirty years until the whole amount is paid and any such instalments and interest or any part thereof may be recovered summarily as a civil debt from the owner or occupier for the time being of the premises charged and if recovered from the occupier may be deducted by him from the rent of those premises :

Provided that an occupier shall not be required to pay at any one time any sum in excess of the amount which was due from him on account of rent at or which has become due from him on account of rent since the date on which he received a demand from the Corporation together with notice requiring him not to pay rent to his landlord without deducting the sum so demanded.

An order may be made under this subsection at any time with respect to any unpaid balance of the sum recoverable and accrued interest so however that the period of repayment shall not in any case extend beyond thirty years from the service of the first demand for the sum recoverable.

(13) The rate of interest chargeable under subsection (11) or subsection (12) of this section shall be such rate as the Corporation may determine :

Provided that the Minister may from time to time by order fix a maximum rate of interest for the purposes of this section.



A.D. 1936.  
—  
15 & 16  
Geo. 5. c. 20.

(14) The Corporation shall for the purposes of enforcing a charge under this section have all the same powers and remedies under the Law of Property Act 1925 and otherwise as if they were mortgagees by deed having powers of sale and lease of accepting surrenders of leases and of appointing a receiver.

(15) Nothing in this section with respect to the recovery of sums from owners of premises affects the provisions of the Land Charges Act 1925 as amended by any subsequent enactment with respect to local land charges.

(16) The provisions of this section shall not apply—

- (a) to any foul or surface-water sewer or sewers provided by the Corporation as part of the new road;
- (b) to the "Sowe Valley Sewer" or the "Keresley Sewer" as respectively defined in section 75 of the Act of 1931; or
- (c) to any sewers for the construction of which by the Corporation provision is made in the agreement dated the thirtieth day of April one thousand nine hundred and thirty-one and made between the Corporation of the one part and Major Charles Hugh Gregory-Hood and John George Gray of the other part.

Saving for  
railway  
companies.

**52.** Nothing in the sections of this Part of this Act of which the marginal notes are—

"Formation of new streets";

"Rounding off corners at street junctions";

"Power to take samples of building materials";

shall extend or apply to any building (not being a dwelling-house) or land belonging to a railway company and used by them for the purposes of their undertaking.

## PART VII.

### SANITARY MATTERS.

Medical  
practi-  
tioners  
to notify  
cases of food  
poisoning.

**53.**—(1) Every medical practitioner attending on a person in the city 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

[26 GEO. 5. &  
1 EDW. 8.]

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send to the medical officer a notification of the case stating the name of such person and the place at which such person is.

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

(3) Every person required by this section to send a notification who fails to do so in accordance with this section shall be liable to a penalty not exceeding forty shillings.

(4) Public notice of the effect of the foregoing provisions of this section 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 city.

(5) Copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of subsection (4) of this section have been complied with.

54.—(1) Where the council by resolution determine that the provisions of this section shall apply in the city and such resolution has been advertised at least once in each of three successive weeks in a newspaper circulating in the city the following provisions shall have effect therein:—

Hawking  
of meat.

(a) No person other than a person keeping open shop for the sale of meat or meat food products shall by himself or by any person employed by him sell or offer or expose for sale any meat or meat food product from any cart or other vehicle or from any basket or barrow unless he holds a certificate from the Corporation approving of the accommodation used by him for the storage of the meat or meat food products or if such accommodation is situate outside the city unless he holds such a certificate from the medical officer of health for the district in which such accommodation is situate;



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(b) (i) A certificate of approval by the Corporation of storage accommodation shall not be withheld unless the Corporation are satisfied that the storage accommodation is having regard to the interests of public health unsatisfactory for the purpose of storing meat or meat food products;

(ii) A certificate of approval shall have effect only as respects the person to whom and the accommodation in respect of which such certificate has been granted;

(c) (i) Every certificate of approval shall subject as hereinafter provided be for a stated period not exceeding one year and such fee not exceeding two shillings and sixpence may be charged therefor as the Corporation may determine;

(ii) The Corporation may at any time during the period for which such certificate of approval is granted by them withdraw the certificate if they are satisfied that in the interests of public health it should be withdrawn provided that they shall first have given the person from whom the certificate is proposed to be withdrawn an opportunity of being heard and on any such withdrawal or upon the use of the premises in respect of which the certificate of approval has been granted being discontinued such certificate shall subject as hereinafter provided cease to have effect and shall forthwith be returned to the Corporation;

(d) Any person from whom a certificate of approval granted by the Corporation has been withheld or withdrawn may within seven days from the date on which such withholding or withdrawal has been intimated to him appeal to a court of summary jurisdiction against such withholding or withdrawal and the decision of such court shall be final. Where such court decides that such certificate of approval should not have been withheld or shall not be withdrawn the Corporation shall comply with the decision of such court. Pending the final

- determination of any appeal with respect to the withdrawal of a certificate of approval the certificate shall continue to have effect;
- (e) The medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose shall have power at all reasonable times to enter and inspect any storage accommodation in the city in respect of which an application has been received for a certificate of approval or in respect of which such a certificate is in operation and also any premises in the city which he shall have reason to believe are being used as storage accommodation for meat or meat food products intended for sale from a cart or other vehicle or from a basket or barrow;
- (f) Every person in charge of a cart or other vehicle or of a basket barrow or other receptacle from which meat or any meat food product is being sold or offered or exposed for sale shall on demand produce to the medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose or to any officer of police the certificate of approval of the appropriate storage accommodation or a copy thereof certified by or on behalf of the Corporation for which copy the Corporation shall be entitled to charge a fee not exceeding one shilling;
- (g) The Corporation shall keep a register of storage accommodation in respect of which certificates of approval are granted under this section and of the persons to whom such certificates are granted.
- (2) In and for the purposes of this section—
- “Meat” means the flesh of cattle swine sheep or goats including bacon and ham and edible offal and fat which is sold or intended for sale for human consumption;
- “Meat food product” means any article of food intended for sale for human consumption\*and derived or prepared in whole or in part from meat.



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(3) Any person offending against the provisions of paragraph (a) or paragraph (f) of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and (in the case of an offence against the provisions of the said paragraph (a)) to a daily penalty not exceeding twenty shillings.

Byelaws  
as to  
inspection  
of meat.

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

(2) No byelaw made by the Corporation under subsection (1) of this section shall apply to meat or any part of a carcase to which the Public Health (Imported Food) Regulations 1925 apply or which has been inspected and passed as fit for food by the medical officer of health of the district in which the animal has been slaughtered or by a duly qualified inspector being an official of or authorised to act on behalf of the sanitary authority of such district but the Corporation shall be entitled to require reasonable proof that the meat has been inspected and passed as aforesaid.

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

(4) Before making any such byelaws the Corporation shall give not less than one month's notice to the Coventry Master Butchers' Association and to the Warwickshire Branch of the National Farmers' Union of the Corporation's intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws and the Corporation shall confer with the said association and branch thereon before the Corporation submit such byelaws to the Minister for confirmation and such association and branch shall

[26 GEO. 5. &  
1 EDW. 8.]

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be entitled to make representations to the Minister with regard thereto. A.D. 1936.

(5) Nothing in this section shall affect the operation of the Diseases of Animals Acts 1894 to 1935 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

**56.**—(1) At any time after the passing of this Act and after the expiration of six months from the date of publication by the Corporation in a local newspaper circulating in the city of notice to that effect no person (except as hereinafter provided) shall slaughter in the way of trade any cattle sheep goats or swine within the city except in a slaughter-house provided by the Corporation but this restriction shall not apply to the slaughtering on premises by the owner lessee or occupier thereof of any cattle sheep goats or swine belonging to him and not slaughtered for the purpose of trade or by a farmer on premises occupied by him for agricultural purposes only and if any person act in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds Provided that if such notice is published before the expiration of three years from the date of the passing of this Act it shall not apply to Arthur Hanson or his personal representatives or assigns or any person lawfully acting on his or their behalf or with his or their authority who may continue to slaughter in the way of trade at the slaughter-house situate and being No. 213 Longford Road in the city until the said Arthur Hanson or any such person as aforesaid shall be served by the Corporation (after the expiration of the said period of three years) with notice in writing (which it shall not be necessary to publish in a newspaper) requiring the discontinuance of slaughtering in the way of trade at the said slaughter-house after the expiration of six months from the date of the service of the said notice.

Prohibition  
of private  
slaughter-  
houses.

(2) The Corporation shall pay or tender compensation to the owner and occupier of any slaughter-house in which slaughtering is prohibited under the provisions of this section and the amount of such compensation shall in case of difference be settled as cases of disputed compensation are settled under the Lands Clauses Acts and the provisions of those Acts shall apply



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accordingly Provided that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in respect of the prohibition of slaughtering in such slaughter-house.

(3) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Acts 1894 to 1935 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

## PART VIII.

## SALE OF COKE &amp;C.

Application  
to sale of  
coke of  
Weights and  
Measures  
Act 1889.  
52 & 53 Vict.  
c. 21.

**57.** The provisions of sections 20 to 29 inclusive of the Weights and Measures Act 1889 as amended by this Part of this Act and of any byelaws made by the Corporation thereunder (which provisions and byelaws relate to the sale of coal) shall also apply to the sale of coke within the city.

Penalty  
on  
fraudulent  
sale.

**58.** If any seller of coke or any person in charge of any vehicle from which coke is being sold or offered or exposed for sale wilfully makes any false statement as to the weight of the coke or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded such seller or person in charge shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

Require-  
ments as  
to vehicles  
carrying  
coal or coke  
for sale or  
delivery  
on sale.

**59.** Every vehicle carrying coal or coke for sale or for delivery on sale shall have the seller's name and place of business together with the words "coal merchant" or "coke merchant" as the case may require or words to the like effect clearly marked and visible on the front of such vehicle.

Amendment  
of section 27  
of Weights  
and Measures  
Act 1889 in  
its application  
to city.

**60.** Proviso (a) to section 27 (Power to require weighment of coal or vehicle) of the Weights and Measures Act 1889 in its application to the city shall be read and have effect as if in that proviso the words

[26 GEO. 5. &  
1 EDW. 8.]

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“one mile” were substituted for the words “half a mile.” A.D. 1936.

**61.**—(1) Any person selling or intending to sell or exposing for sale coal or coke from or on a vehicle otherwise than in sacks and not carrying on such vehicle a weighing instrument of a type approved by the Corporation stamped by an inspector of weights and measures shall sell at one time only the whole load of such coal or coke on such vehicle and shall be furnished with a ticket or note stating the gross tare and nett weight of such load and shall produce such ticket or note to any inspector of weights and measures or other officer appointed for the purpose by the Corporation on demand.

As to sale of coal coke or other fuel otherwise than in sacks from a vehicle.

(2) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds.

**62.** Any inspector of weights and measures may with the consent of the Corporation prosecute before a court of summary jurisdiction any proceedings under or in pursuance of this Part of this Act.

Proceedings under this Part of Act.

**63.** The provisions of this Part of this Act relating to coke shall apply to any solid fuel derived from coal or of which coal or coke is a constituent as if it were coke.

Application of this Part of Act.

**64.**—(1) Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in a newspaper published or circulating in the city.

Notice to be given.

(2) Copies of the newspaper containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

## PART IX.

### SUPERANNUATION.

**65.** Words and expressions to which meanings are assigned by the Act of 1922 have in and for the purposes of this Part of this Act the same respective meanings unless there is something in the subject or context repugnant to such construction.

Meaning of expressions in this Part of Act.



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Annuities  
to widows.

**66.**—(1) (a) The amount of every payment of superannuation allowance which becomes payable out of the superannuation fund to a male married officer under paragraph (b) or paragraph (c) of subsection (1) of section 6 of the Act of 1922 (in this section called “the retired officer”) shall be reduced by eleven per centum and if his wife is younger than the retired officer shall be further reduced by an amount ascertained as follows:—

- (i) where the case falls within the table set out in the Second Schedule to this Act calculated in accordance with that table; and
- (ii) in any other case such an amount as shall be certified by an actuary to be just.

(b) If the wife of the retired officer survives him and does not cease before the date of his death to be his wife she shall be entitled after his death to receive for life out of the superannuation fund an annuity equal to one-third of the annual amount of his superannuation allowance calculated as if it had not been reduced as aforesaid.

(2) This section shall not apply to any person who is in the employment of the Corporation on the date of the passing of this Act and who within one month before becoming entitled to a superannuation allowance under paragraph (b) or paragraph (c) of subsection (1) of section 6 of the Act of 1922 gives notice in writing to the city treasurer requesting that the provisions of this section shall not apply to him.

(3) An annuity under this section shall not be capable of assignment or transfer.

(4) In any case in which an annuity becomes payable under this section—

- (i) the Corporation shall not be required to make any payment to the legal personal representative of the deceased retired officer under the provisions of section 12 of the Act of 1922;
- (ii) on the cesser of the annuity by reason of the death of the recipient the Corporation shall pay to her legal personal representative such sum if any as shall be equal to the amount

by which the aggregate amount of the contributions of the retired officer under the Act of 1922 together with compound interest thereon calculated to the date of his retirement at the rate of three per centum per annum with half-yearly rests exceeds the aggregate of the amounts which he received by way of superannuation allowance out of the superannuation fund under the Act of 1922 as amended by this Act and she received by way of annuity under this section.

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(5) In this section the expression "officer" means any person occupying a post which the Corporation has designated under the Act of 1922 as an officer's post.

(6) The Minister may on application made by the Corporation by order as respects any officers retiring after the date of the order alter any of the reductions and diminutions referred to in paragraph (a) of subsection (1) of this section so far as may be necessary to secure that the benefits provided for officers and their widows by this section shall be actuarially equivalent to the benefits to which such officers would have been entitled had this section not been in operation.

(7) Provided that if the Corporation are satisfied that the retired officer who is married is not at the date of his retirement living with his wife they may on the application of the retired officer order that this section shall not apply to him.

67.—(1) In the event—

- (a) of the salary or wages of an officer or servant who has attained the age of fifty-five years and has completed aggregate service of not less than twenty years being reduced in consequence of a reduction of the duties which he has to perform and not on the ground of misconduct; or
- (b) of the salary or wages of an officer or servant being reduced on account of his mental or physical infirmity;

Reduction  
of salary  
or wages.

he may in either of such cases if he so desires with the consent of the Corporation continue to contribute



A.D. 1936. — to the superannuation fund in all respects as if such reduction had not taken place.

(2) In the event of an officer or servant continuing to contribute as aforesaid the amount of his salary or wages for the period in respect of which he so continues to contribute shall for the purposes of the Act of 1922 be deemed to be the amount of the salary or wages which he would have received in respect of that period if such reduction had not taken place.

Joint  
appoint-  
ments.

**68.**—(1) When making any joint appointment of two or more officers the Corporation shall determine the salary to be paid to each of such officers.

(2) In regard to a joint appointment already made of two or more officers to whom a combined salary is paid the Corporation may determine the apportionment of such salary between such officers and the amount apportioned to each such officer shall be deemed to be his salary for the purposes of the Act of 1922 and this Part of this Act.

(3) If the holder of a joint appointment—

(a) loses his office or employment by reason of the death removal retirement resignation or incapacity of another holder of office; and

(b) has either attained the age of fifty years or has completed aggregate service of not less than twenty years;

he shall unless he is re-appointed to the same office or employment or is appointed to a similar office or employment at not less salary be entitled to receive a superannuation allowance under the Act of 1922 :

Provided that this subsection shall not apply when the joint appointment is of husband and wife and is determined in consequence of an offence of one of them of a fraudulent character or grave misconduct.

(4) In this section—

“ officer ” includes servant; and

“ joint appointment ” includes any office or employment the tenure whereof is determined by the death removal retirement resignation or incapacity of another person in the service of the Corporation.

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
*Act, 1936.*

[Ch. cix.]

**69.**—(1) Any person appointed as a registration officer at any time after the passing of this Act who immediately before his appointment was subject by virtue of section 124 of the Act of 1929 or of that section and section 122 of the Act of 1929 or of those provisions as amended by any local Act (including the provisions of this section) to the Poor Law Officers' Superannuation Act 1896 as modified by or in pursuance of the Act of 1929 or to the Act of 1922 as modified by the Act of 1929 shall be deemed for the purposes of section 124 of the Act of 1929 to be in the service of the Corporation as respects that appointment.

A.D. 1936.

—  
As to super-  
annuation  
of registra-  
tion  
officers.

59 & 60 Vict.  
c. 50.

(2) Subject to the provisions of subsection (1) of this section any person appointed as a registration officer at any time after the passing of this Act shall for the purposes of the Act of 1922 as respects that appointment be deemed to be in the service of the Corporation occupying a post which was designated as an established post on the passing of this Act.

(3) For the purposes of this section the expression "registration officer" means a superintendent registrar or a registrar of births and deaths (including a registrar exercising any of the functions of registrars of marriages) for a district or sub-district in relation to which registration functions are discharged by the Corporation.

**70.**—(1) Subject to the provisions of this section where a person entitled to receive from the Corporation any sum to which this section applies is lawfully detained as a person of unsound mind in accordance with the Lunacy Act 1890 as amended by any enactment the Corporation may pay the whole of that sum or so much thereof as they think fit to the institution or person having the care of the person so detained as aforesaid and may pay or apply the whole or so much as they think fit of the surplus if any thereof to or for the maintenance or benefit of the wife or husband or relations of the person so detained as aforesaid.

Payment of  
pension &c.  
of person  
of unsound  
mind.

53 & 54 Vict.  
c. 5.

(2) This section applies to any sum payable by the Corporation to an employee or former employee or pensioner of the Corporation or the widow or a child



A.D. 1936. of a deceased employee or pensioner by way of salary wages pension superannuation or other allowance or annuity or by way of repayment with or without interest of contributions made to any superannuation or other fund being either a lump sum not exceeding one hundred pounds or an instalment of a periodical payment not exceeding one hundred pounds per annum.

(3) Not less than fourteen days before exercising for the first time in relation to a person detained as aforesaid their power under subsection (1) of this section the Corporation shall give to the master in lunacy notice in writing of their intention in that behalf specifying the name and address of that person and the amount and nature of the sums in respect of which the Corporation intend to exercise the said power.

(4) If at any time the master in lunacy gives to the Corporation notice in writing that he objects to the exercise by the Corporation of the said power in relation to any person the said power shall as from the date of the receipt by the Corporation of the notice cease to be exerciseable by the Corporation in relation to that person unless and until the master withdraws the notice.

(5) The Corporation shall be discharged from all liability in respect of any payment or application of money effected by them in exercise of the said power.

Power to  
pension  
employees.

71.—(1) The Corporation if they think fit may make or pay to any employee being a contributor to the superannuation fund who shall lose his office or employment by reason of a reduction of staff or the abolition of his office without becoming entitled to a superannuation allowance under the provisions of the Act of 1922 a retiring allowance of such amount (not exceeding (a) an annual sum equivalent to one-sixtieth of the average amount of his salary or wages during the five years which immediately preceded the day on which the employee ceased to hold his office or employment multiplied by the number of years of his service with the Corporation or (b) forty-sixtieths of such average amount whichever shall be the less) and on such terms and conditions as the Corporation

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
*Act, 1936.*

[Ch. cix.]

may think fit but any employee to whom any such retiring allowance may be so made or paid shall thereupon relinquish any claim to any repayment of contributions or any other benefit from the superannuation fund :

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—

Provided that where a person in receipt of a retiring allowance under the provisions of this section is appointed to any office or employment by the Corporation or by any authority where his salary or wages are paid directly or indirectly out of any rate or rates or out of any public moneys such allowance shall cease to be paid so long as he continues to hold such office or employment if the salary or wages thereof are equal to or in excess of the amount of such allowance and if such salary or wages are less than the amount of such allowance then only so much of such allowance shall be paid (so long as he holds such office or employment) as will make up the deficiency and that any such person on ceasing to hold such office or employment shall be entitled to revert to and to receive the full amount of his original retiring allowance.

(2) Any retiring allowance made or paid by the Corporation under the provisions of this section shall be made or paid out of the fund rate revenue or account out of which the salary or wages of such employee was or were paid at the date of his retirement.

72. The Corporation may if they think fit pay any gratuity granted by them by virtue of section 135 of the Act of 1900 by such instalments over such period of time as the Corporation may determine.

Power to pay gratuities by instalments.

## PART X.

### FINANCE.

73.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of that table and they shall pay off all moneys so

Power to borrow.



A.D. 1936. borrowed within the respective periods mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for repayment.
(1) The acquisition of lands and easements for the purposes of this Act.	£ 880,200	Sixty years from the date or dates of borrowing.
(2) The construction of the street works authorised by this Act.	372,577	Thirty years from the date or dates of borrowing.
(3) The construction of the waterworks authorised by this Act.	63,750	Twenty years from the date or dates of borrowing.
(4) For paying the costs charges and expenses of obtaining this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The periods set forth in the third column of the table contained in subsection (1) of this section are in relation to this Act the prescribed periods referred to in section 112 (Periods for repayment of principal moneys) of the Act of 1900.

Renewals  
and  
repairs  
fund.

**74.**—(1) The Corporation may if they think fit establish a fund or funds for the purpose of defraying the expenditure to be incurred from time to time in repairing maintaining and renewing any buildings works plant appliances or things the cost of repairing maintaining and renewing which is payable out of the general rate fund and may from time to time apply any fund so established or any part thereof in defraying such expenditure but this section shall not apply to any buildings works plant appliances or things for the purposes of the electricity undertaking or for the purposes of any undertaking in respect of which the Corporation have power to provide a reserve fund under section 133 of the Act of 1927 or to buildings in respect of which the Corporation are required by the Housing Act 1935 to keep a housing repairs account.

25 & 26  
Geo. 5. c. 40.

(2) The Corporation may from time to time pay out of the general rate fund such sums as they think fit into a fund or funds to be established under this

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
*Act, 1936.*

[Ch. cix.]

section provided that the total of such sums which may be carried to any such fund or funds in any one financial year shall not exceed a sum of fifteen thousand pounds and the amount standing to the credit of such fund or funds shall not at any time exceed fifty thousand pounds : A.D. 1936.

Provided that a deficiency arising in any year on such fund or funds shall be made good out of the general rate fund and that a payment made to cover such deficiency may be additional to the sum of fifteen thousand pounds before mentioned.

(3) Any moneys standing to the credit of any existing fund formed by the Corporation for the purposes for which the renewals and repairs fund is authorised to be formed shall be carried to the credit of that fund in the accounts of the Corporation.

(4) (a) Pending the application of moneys forming part of the renewals and repairs fund to the purposes authorised in subsection (1) of this section such moneys shall (unless used in the manner authorised by section 125 of the Act of 1927 as amended by section 24 of the Act of 1930) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the manner provided by this subsection shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (2) of this section) an amount equivalent to such income shall be credited to the renewals and repairs fund.

**75.** Section 129 of the Act of 1927 shall be read and have effect as if the following subsection were substituted therein for subsection (7) thereof :— Amend-  
ment of  
section 129  
of Act of  
1927.

“(7) For the purpose of this section the Corporation may if they deem it expedient include in the risks provided for under paragraph (iv) of subsection (1) of this section risks of accident to any person employed in any school college educational institute or hostel maintained by the Corporation notwithstanding that such school college educational institute or hostel has not been provided by the Corporation as the local education authority.”



A.D. 1936.

As to  
joint  
deposit for  
gas and  
electricity  
supplies.

**76.**—(1) Notwithstanding anything in any Act or Order the Corporation may in any case in which they are authorised to demand from any person a deposit as security for the payment of any sum due in respect of a supply of gas or electricity or for the price or rent of a gas or electricity meter or other apparatus in connection with the supply of gas or electricity accept a single deposit as security for the payment of all moneys which may become due to the Corporation in respect of such supplies and rents.

(2) If any person is required by the Corporation to give to them any such security the Corporation shall pay interest after the rate of four pounds per centum per annum on every sum of ten shillings deposited for every six months during which the same remains in their hands subject however to the right of the Corporation to set off the same together with any interest payable under this section against any money due to the Corporation from such persons.

As to  
recovery  
summarily  
of sums  
due for  
gas and  
electricity  
fittings.

**77.** If the Corporation commence proceedings for the summary recovery of a sum due to them for the supply of gas or electricity any other payment due to the Corporation by the same consumer for the sale hire connection repair or maintenance of gas or electricity meters pipes fittings apparatus appliances or electric lines for lighting heating or motive power may be included in the same summons and may be recovered summarily as a civil debt provided the amount due in respect thereof does not exceed twenty pounds.

## PART XI.

## MISCELLANEOUS.

As to  
aerodrome  
under-  
taking.  
10 & 11  
Geo. 5. c. 80.

**78.**—(1) In the event of the Corporation establishing in pursuance of section 8 of the Air Navigation Act 1920 or in pursuance of any Act amending replacing or consolidating that Act an aerodrome and any subsidiary business in connection therewith (in this section referred to as "the aerodrome undertaking") they may make such charges in respect thereof as they may think fit and may grant a lease of or let the same or any part thereof for such period

and upon and subject to such terms and conditions as they may think fit : A.D. 1936.

Provided that the charges to be made in respect of the aerodrome shall be subject to the approval of the Secretary of State for Air.

(2) The Corporation may make byelaws with respect to the aerodrome undertaking and for maintaining order in and for regulating the use of any premises used in connection therewith.

(3) The aerodrome undertaking shall be in the same relation to the Air Council and the said Secretary of State and subject to the like control by them under the Air Navigation Act 1920 or any Act amending replacing or consolidating the same as if this Act had not been passed.

**79.**—(1) Notwithstanding anything contained in the following conveyances (namely) :—

Use of  
technical  
college  
lands for  
municipal  
and other  
purposes.

(a) The conveyance dated the twenty-first day of April eighteen hundred and eighty-seven from David Spencer to the Corporation of the capital messuage No. 38 Earl Street in the city with a manufactory and other buildings and a yard and garden at the back of the said messuage ;

(b) The conveyance dated the thirtieth day of April eighteen hundred and ninety-two from Albert Samuel Tomson and John Rotherham to the Corporation of a warehouse buildings and premises situate on the south side of Earl Street in the city and numbered 39 in the said street ;

(c) The conveyance dated the thirtieth day of April eighteen hundred and ninety-two from John Rotherham and James Cramp to the Corporation of a piece of land with a factory and buildings thereon situate at the rear of a messuage numbered 37 Earl Street and at the rear of a ribbon warehouse fronting to Earl Street in the city ; and

(d) The conveyance dated the twentieth day of December eighteen hundred and ninety-two



A.D. 1936.  
—

from John Rotherham and Albert Samuel Tomson to the Corporation of a piece of land of the measurements specified in the said conveyance on the south side of Earl Street in the city;

the lands conveyed to the Corporation by the said deeds may be used by the Corporation for the erection and maintenance by them of buildings for and in connection with all or any municipal or local government purposes and the Corporation if they think fit as part of any building so erected may provide shops offices and other like buildings and may let the same.

(2) The powers granted to the Corporation by subsection (1) of this section shall also apply to the lands in the city at the rear of Earl Street and adjacent to the Technical Institute and the Palace Yard conveyed by William Fitzthomas Wyley William Coker Iliffe and Richard Alexander Rotherham to the Corporation by the conveyance dated the seventh day of June nineteen hundred and twenty-four:

Provided that so soon as the lands referred to in this subsection shall be used by the Corporation for any of the purposes referred to in subsection (1) of this section a transfer of the outstanding loan in respect of those lands shall be effected to the proper account in the books of the Corporation and no further sums shall be charged thereafter to the accounts of the Corporation as the local education authority as interest or sinking fund payments in respect of the sum of six thousand three hundred pounds borrowed with the sanction of the Minister on the twenty-fourth day of April nineteen hundred and twenty-four.

Power to  
establish  
information  
bureaux.

**80.** The Corporation may establish and maintain within the city an information bureau or information bureaux for the purpose of supplying such information with regard to the city as may be desired by visitors or intending visitors to the city and others or may subscribe towards the establishment of any such bureau and may employ and pay such number of clerks assistants and servants as they may think fit for the purpose and may if they think fit make charges for the use of such bureau or bureaux or for information supplied by means thereof.

**81.**—(1) A noise nuisance in connection with any sport entertainment or exhibition 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 such complaint is signed by not less than three householders or occupiers of premises within hearing of the noise nuisance complained of.

A.D. 1936.  
—  
Noise  
nuisance.

(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.

**82.**—(1) The Corporation may be authorised to purchase land within the electricity limits compulsorily for the purpose of the erection thereon in pursuance of the powers of the Acts and Orders relating to the electricity undertaking of a station for transforming converting or distributing electricity by means of an order made by the Corporation and submitted to the Minister of Transport and confirmed by him in accordance with the provisions (so far as they are applicable) of sections 161 162 and 174 and paragraphs (a) (b) and (c) of section 179 of the Act of 1933 and of the Sixth Schedule to that Act and the provisions of those sections and that schedule with any necessary modifications shall have effect for the purposes of this section with the substitution of the Minister of Transport for the Minister Provided that anything which has to be prescribed shall be prescribed by the Minister of Transport in such manner as he may think fit.

Acquisition  
of land  
for sub-  
stations.

(2) Nothing in this section or in any order made thereunder shall authorise the compulsory acquisition of any land which at the date of the order forms part of any park garden or pleasure ground or is otherwise required for the amenity or convenience of any house or which at that date forms part of any land which is in use as an aerodrome licensed pursuant to an order



A.D. 1936. — made under the Air Navigation Act 1920 or any Act amending replacing or consolidating the same.

(3) If an order is made under this section for the purchase of land which any person has specific statutory power to acquire compulsorily such person shall be entitled to make objection to the Minister of Transport to the confirmation of such order and any such objection if duly made shall for the purpose of the said section 161 as applied by this section be deemed to have been made by a person upon whom notice is required to be served.

Power to use lands for transformer stations notwithstanding restrictive covenants &c.

**83.** The Corporation may hold and use for the purposes of electricity transformer stations any lands in the electricity limits acquired or taken on lease or to be acquired or taken on lease by them and any buildings or structures from time to time erected thereon notwithstanding—

- (a) any covenant condition restriction or stipulation inconsistent with such holding or use contained in any deed lease or agreement to which the Corporation are not a party where such deed lease or agreement was granted or entered into in or before the year nineteen hundred and twenty; or
- (b) any covenant by the Corporation or any other party contained in any subsequent deed lease or agreement to comply with any such covenant condition restriction or stipulation as aforesaid:

Provided that in the use for the purposes aforesaid of any lands affected by any such covenant condition restriction or stipulation the Corporation their servants or agents shall not cause permit or suffer any nuisance to the owner or owners or occupier or occupiers of any adjoining land or premises.

As to byelaws.

**84.** As respects byelaws made under this Act the confirming authority for the purposes of section 250 of the Act of 1933 shall be—

- (a) in the case of byelaws made under the section of this Act of which the marginal note is “As to aerodrome undertaking” a Secretary of State; and
- (b) in all other cases the Minister.

**85.**—(1) Any person aggrieved by an order made by a court of summary jurisdiction under the provisions of this Act may appeal against the order to a court of quarter sessions and the Corporation may likewise appeal against any such order or against the refusal of a court of summary jurisdiction to make any such order.

A.D. 1936.  
—  
As to  
appeals.

(2) Any person aggrieved by any order judgment determination or requirement or by the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer thereof under the provisions of Part VI (Streets buildings and sewers) or Part VII (Sanitary matters) of this Act may if no other mode of appeal is provided by this Act appeal in manner provided by the Quarter Sessions Act 1849 to the next practicable court of quarter sessions held not less than thirty days after notice of the decision appealed against has been sent to him and the notice of appeal shall be given to the Corporation and to the clerk of the peace.

12 & 13 Vict.  
c. 45.

**86.** Where under this Act or under any general or local Act for the time being in force in the city the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Breach of  
conditions  
of consent  
of Cor-  
poration.

**87.** The Minister and the Minister of Transport may hold such inquiries as they respectively may consider necessary in regard to the exercise of any powers conferred upon them or the giving of consents under this Act and section 290 of the Act of 1933 shall apply accordingly.

Inquiries by  
Minister  
and  
Minister of  
Transport.

**88.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand

Recovery  
of demands.



A.D. 1936. — does not exceed the amount recoverable in that court in actions founded on contract or tort.

Applica-  
tion of  
provisions  
of Acts of  
1900 1907  
1911 1920  
1927 1928  
and 1930.

**89.** The following provisions of the Act of 1900 the Act of 1907 the Act of 1911 the Act of 1920 the Act of 1927 the Act of 1928 and the Act of 1930 shall so far as they are applicable for the purpose extend and apply with the necessary modifications to this Act:—

The Act of 1900—

Section 139 (Compensation how to be determined);

Section 140 (Powers of Act cumulative).

The Act of 1907—

Section 18 (Reservation of water rights &c. on sale);

Section 21 (Application of Waterworks Clauses Act 1847 to conduits discharge pipes and telephones);

Section 22 (For protection of Postmaster-General);

Section 51 (Recovery of penalties);

Section 52 (Informations by whom to be laid);

Section 55 (Application of section 265 of Public Health Act 1875).

The Act of 1911—

Section 11 (Owners may be required to sell parts only of certain lands and buildings) Provided that in the application of the said section it shall be read and have effect as if—

(a) the properties described in the Third Schedule to this Act were therein referred to instead of the properties mentioned in the schedule to the Act of 1911; and

(b) the expression "the tribunal" were defined in the Act of 1911 to mean the arbitrator or other authority to whom any question of disputed purchase

money or compensation under this Act or any Act applied to this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919; A.D. 1936.  
—

Section 12 (Provisions as to compensation)  
Provided that in the application of the said section it shall be read and have effect as if the words “the twentieth day of November  
“nineteen hundred and thirty-  
“five” were inserted therein instead of the words “the first  
“day of January one thousand  
“nine hundred and eleven”;

Section 13 (Costs of arbitration &c. in certain cases);

Section 15 (Persons under disability may grant easements &c.);

Section 17 (Proceeds of sale of surplus lands);

Section 54 (Consent of Corporation to be in writing);

Section 55 (Apportionment of expenses in case of joint owners);

Section 56 (Saving for indictment &c.).

The Act of 1920—

Section 15 (Power to alter steps pipes areas &c.);

Section 16 (Temporary stoppage of streets);

Section 133 (Damages and charges to be settled by court).

The Act of 1927—

Section 11 (Power to enter upon property for survey and valuation);

Section 12 (Extinction of private rights of way);

Section 13 (Benefits to be set off against compensation);

Section 15 (Land laid into streets to form part thereof);



A.D. 1936.

Section 143 (Power to enter premises) Provided that in the application of the said section it shall be read and have effect as if the words "this Act" were inserted therein instead of the words "Part VII (Streets and buildings) and Part VIII (Infectious disease and sanitary provisions) of this Act";

Section 144 (Penalty on occupier refusing execution of Act) Provided that in the application of the said section it shall be read and have effect as if the words "this Act" were inserted therein instead of the words "Part VII (Streets and buildings) or Part VIII (Infectious disease and sanitary provisions) of this Act."

## The Act of 1928—

Section 11 (Power to agree as to drainage of lands &c.);

Section 12 (Power to purchase lands for protection of waterworks);

Section 13 (Temporary discharge of water into streams);

Section 19 (Power to make subsidiary works in connection with works);

Section 24 (Acquisition of easements);

Section 25 (Application of road materials excavated in construction of street works and river improvement).

## The Act of 1930—

Section 8 (Power to reinstate owners of property).

For  
protection  
of River  
Severn  
Catchment  
Board.

20 & 21  
Geo. 5. c. 44.

**90.**—(1) Nothing in this Act shall take away affect prejudice or diminish any right interest power or jurisdiction of the River Severn Catchment Board or any other drainage authority under the Land Drainage Act 1930 or under any other Act or Order relating to them.

[26 GEO. 5. &  
1 EDW. 8.]

*Coventry Corporation*  
*Act, 1936.*

[Ch. cix.]

(2) Without prejudice to the generality of the A.D. 1936.  
foregoing provisions of this section the provisions of  
section 64 (Restriction on construction of bridges over  
main river of catchment area) of the said Act of 1930  
shall extend and apply to any bridge over the main  
river of the River Severn Catchment Board included  
in any work authorised by Part III (Street and road  
works) of this Act.

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

**92.** The costs charges and expenses preliminary Costs of  
to and of and incidental to the preparing applying for Act.  
obtaining and passing of this Act as taxed and  
ascertained 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  
money to be borrowed under this Act for that purpose.



A.D. 1936.

The SCHEDULES referred to in the  
foregoing Act.

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**THE FIRST SCHEDULE.**

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Lands referred to in the section of this Act of which the marginal note is "Further provisions relating to lands through which Street Works Nos. 14 15 and 16 are to be constructed."

Area.	Numbers on deposited plans.
City of Coventry - -	329 330 331 333 334 336 337 340 341 342 343 344 345 346 347 348 349 350 351 352 386 387 388 389 390 391 392 393 395 396 397 398 399 404 405 406 408 413 414 416 418 420 422.
Parish of Baginton in the county of Warwick.	407 412 417 419.
Parish of Stoneleigh in the said county.	394 400 401.

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**THE SECOND SCHEDULE.**

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**REDUCTION OF SUPERANNUATION ALLOWANCE.**

Difference of age between husband and wife.	Further percentage reduction from husband's pension.
Less than 1 year - - - -	1 per cent.
1 year and less than 2 years - -	2 " "
2 years " " " 3 " - -	3 " "
3 " " " " 4 " - -	3 $\frac{3}{4}$ " "
4 " " " " 5 " - -	4 $\frac{1}{2}$ " "
5 " " " " 6 " - -	5 $\frac{1}{4}$ " "
6 " " " " 7 " - -	6 " "
7 " " " " 8 " - -	6 $\frac{3}{4}$ " "
8 " " " " 9 " - -	7 $\frac{1}{2}$ " "
9 " " " " 10 " - -	8 $\frac{1}{4}$ " "
10 " " " " 11 " - -	9 " "

[26 GEO. 5. &  
1 EDW. 8.]

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THE THIRD SCHEDULE.

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A.D. 1936.

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PROPERTIES OF WHICH PART ONLY MAY BE TAKEN.

Area.	Numbers on deposited plan.
City - - - -	365 383 384 385 and 391.
Parish of Allesley - -	320 and 321.
Parish of Baginton - -	443 445 446 and 448.

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