



CHAPTER xlvi

An Act to extend the boundaries of the city of Liverpool and for purposes incidental thereto.

[1st August 1951.]

WHEREAS the existing city of Liverpool (in the preamble to this Act referred to as "the city") is a county borough under the government of the lord mayor aldermen and citizens of the city :

And whereas the unrepealed provisions of the local Acts specified in Part I of the schedule to this Act and of the Orders specified in Part II of that schedule are in force in the city :

And whereas the parishes of Hale and Halewood in the rural district of Whiston are respectively situate in the administrative county of the county palatine of Lancaster and adjoin or are in close proximity to the city :

And whereas it is expedient that the boundaries of the city should be extended so as to include therein parts of the said parishes of Hale and Halewood and that the areas so added to the city should be included within the parish of Liverpool :

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

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

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

23 & 24 Geo. 5.
c. 51.

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:—

Preliminary

Short title. 1. This Act may be cited as the Liverpool Extension Act 1951.

Interpretation. 2.—(1) In this Act unless the subject or context otherwise requires—

- 19 & 20 Geo. 5.
c. 17.
- “ Act of 1929 ” and “ Act of 1933 ” mean respectively the Local Government Act 1929 and the Local Government Act 1933 ;
 - “ added areas ” means the added part of Hale and the added part of Halewood ;
 - “ added part of Hale ” and “ added part of Halewood ” mean respectively the part of the existing parish of Hale and the part of the existing parish of Halewood which are respectively included within the inner edge of the red line on the city map ;
 - “ appointed day ” means the first day of April one thousand nine hundred and fifty-two ;
 - “ city ” means before the appointed day the existing city of Liverpool and on and after the appointed day the existing city of Liverpool as extended by this Act ;
 - “ city map ” means the map marked “ Map of the city of Liverpool as extended by the Liverpool Extension Act 1951 ” and signed in triplicate by the Right Honourable Lord O’Hagan the chairman of the committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited with the Clerk of the Parliaments one in the Private Bill Office of the House of Commons and one with the town clerk ;
 - “ Corporation ” means the lord mayor aldermen and citizens of the city ;
 - “ council ” means the council of the city ;
 - “ county ” and “ county council ” mean respectively the administrative county of the county palatine of Lancaster and the county council of that county ;
 - “ enactment ” includes this Act and any public general local or private Act and any order or other instrument having the force of an Act ;
 - “ excluded part of ” followed by the name of either of the existing parishes means the part of such parish which is not included in the added part thereof ;

- “existing” in relation to any area altered by this Act means existing immediately before the appointed day;
- “existing parishes” means the existing parishes of Hale and Halewood in the rural district;
- “general rate fund” and “general rate” mean respectively the general rate fund and the general rate of the city;
- “local Acts” means the local Acts specified in Part I of the schedule to this Act the orders specified in Part II of that schedule and so much of the confirmation Acts specified in the last-mentioned Part as relates to those orders;
- “Minister” means the Minister of Local Government and Planning;
- “parish councils” means the parish councils of the existing parishes;
- “Provisional Order” includes a special order and any order having the effect of an Act of Parliament;
- “Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same prior to the Public Health Act 1936;
- “revenues of the Corporation of the existing city” and “revenues of the Corporation of the city” include respectively the general rate fund and all rates exchequer contributions and other revenues whether arising from land or undertakings or from any other source receivable by the lord mayor aldermen and citizens of the existing city or of the city respectively;
- “rural district” means the rural district of Whiston and
“rural council” means the rural district council of that district;
- “town clerk” means the town clerk of the city.

38 & 39 Vict.
c. 55.26 Geo. 5. &
1 Edw. 8. c. 49.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

3. Save as otherwise expressly provided and except so far as Commence- there may be anything in the subject matter or context incon- ment of Act. sistent therewith this Act shall come into operation on the appointed day:

Provided that for the purposes of—

- (a) the preparation of the register of local government electors to be published in the year one thousand nine hundred and fifty-two;

(b) any election under the Act of 1933 for any area consisting in whole or in part of any area affected by this Act held on or after the appointed day and proceedings preliminary or relating thereto and the qualification of candidates for election at any such election ;

(c) the preparation of any precept or contribution order to be issued or made in respect of any period commencing on or after the appointed day ;

this Act shall operate from the date of its passing.

Extension of city

Extension
of city.

4.—(1) Subject to the provisions of this section—

(a) the boundary of the existing city the area whereof is included within the outer edge of the green line on the city map shall be altered so as to include in addition to that area so much of the rural district as comprises the added part of Hale and the added part of Halewood ;

(b) the boundary of the city shall be that shown by the inner edge of the red line on the city map and the whole of the area within that boundary shall for all purposes be the city and the county borough of Liverpool.

(2) Where the foreshore of the river Mersey forms the boundary of that part of the city comprising the former parish of Speke and the added part of Hale such boundary shall be taken to be the low-water mark for the time being.

Alteration of
parishes etc.

5.—(1) The added areas shall be added to and form part of the parish of Liverpool.

(2) The excluded part of Hale and the excluded part of Halewood shall respectively form the parishes of Hale and Halewood.

City map.

6.—(1) Copies of the city map deposited with the town clerk certified by him to be true shall be sent by him as soon as may be after the passing of this Act to the clerk of the county council to the clerk to the rural council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister to the Minister of Health to the Minister of Transport to the Minister of Fuel and Power to the Minister of Agriculture and Fisheries to the Postmaster-General and to the Boundary Commission for England.

(2) Copies of or extracts from the city map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of such map so far as it relates to the boundary of any area altered by this Act.

(3) The city map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the city and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(4) All fees so received shall be carried to and form part of the general rate fund.

Provisions consequent on extension

7. The persons who hold office immediately before the appointed day as lord mayor aldermen and councillors of the existing city shall on the appointed day become the lord mayor aldermen and councillors of the city but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed.

Existing
lord mayor
aldermen and
councillors.

8. Subject to the provisions of the Act of 1933 with respect to the alteration of the boundaries of wards the following provisions shall have effect:—

Municipal
wards
aldermen and
councillors.

(a) The number of aldermen and councillors of the city shall remain unaltered;

(b) For the purposes of the election of councillors the city shall continue to be divided into forty wards;

(c) The added areas shall be added to and form part of the Garston Ward of the existing city;

(d) The councillors representing the Garston Ward immediately before the appointed day shall be deemed on and after that day to have been elected to represent that ward as altered by this section and shall continue in office until they would have gone out of office if this Act had not been passed.

9.—(1) The council shall not later than the thirtieth day of September one thousand nine hundred and fifty-two or such later date as the Secretary of State may allow present a petition under and in accordance with the provisions of section 25 of the Act of 1933 praying for any of the things mentioned in paragraphs (b) to (e) of subsection (1) of that section.

Alteration
of wards.

(2) Failing presentation by the council of a petition under subsection (1) of this section section 25 of the Act of 1933 shall have effect as if a petition praying for an alteration of the boundaries of the wards of the city had been presented by the council to His Majesty and the requirements of subsection (1) of the said section 25 had been complied with and the petition stood referred to the Secretary of State.

Qualification
for election
and office.

10. For the purposes of the application to the areas altered by this Act of the provisions of paragraph (c) of section 57 of the Act of 1933 the added areas shall be deemed always to have formed part of the city.

County
electoral
division.

11. The added areas shall be separated from the Whiston electoral division of the county.

Jurisdiction of
city justices
etc. extended.

12.—(1) The powers and duties of the quarter sessions recorder clerk of the peace stipendiary magistrate and coroner of the existing city of the Court of Passage and of the judge registrar and other officers thereof and of the justices of the peace for the existing city and of the clerk to those justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city:

Provided that—

(a) every person alleged to have committed an offence in any part of the added areas before the appointed day shall be tried and dealt with as if this Act had not been passed;

(b) any proceeding which before the appointed day has been begun by or is pending before any coroner or any justice in relation to any matter arising in or concerning the added areas or any part thereof may be carried on continued and completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added areas shall cease to form part of any petty sessional division or coroner's district of the county or of any probation area which comprises the county or any part thereof.

11 & 12 Geo. 6.
c. 58.

(3) (a) Where immediately before the appointed day a probation order made or having effect as if made under section 3 of the Criminal Justice Act 1948 is in force and the probationer is residing in any part of the added areas the supervising court may if a petty sessional division of the county is named in the order amend the order under paragraph 2 of the First Schedule to that Act as if the probationer had changed his residence.

(b) Nothing in the proviso to subsection (1) of this section shall be construed in relation to any probation order whenever made as preventing the justices of the peace for the city as the supervising court from dealing with the probationer in pursuance of any power conferred upon them by the said Act of 1948.

County
councillor.

13. Subject to the provisions of any order made under section 11 of the Act of 1933 the person who immediately before the appointed day is the county councillor for the Whiston electoral division of the county shall continue to represent that division as

altered by this Act until the day upon which he would have gone out of office if this Act had not been passed.

14. Subject to the provisions of any order which may be made by the county council under section 141 of the Act of 1933— District
councillors and
continuance
of rural
council.

(a) the persons who immediately before the appointed day are the rural district councillors for the existing parishes shall continue to represent those parishes respectively as altered by this Act on the rural council until the day upon which they would have gone out of office respectively if this Act had not been passed; and

(b) the rural council shall continue and shall be deemed to have been elected for and shall be the rural district council for the rural district as altered by this Act.

15. Subject to the provisions of any order which may be made by the county council under section 141 of the Act of 1933— Parish
councils
and parish
councillors.

(a) any person who immediately before the appointed day is a parish councillor for either of the existing parishes shall continue to represent that parish as altered by this Act until the day upon which he would have gone out of office if this Act had not been passed;

(b) the parish councils of the existing parishes shall be the parish councils of those parishes as respectively altered by this Act;

(c) the powers or duties of the parish councils or either of them so far as they relate to or affect any part of the added areas shall be vested in the Corporation.

16. Any casual vacancy which may exist on the appointed day in the office of city councillor county councillor rural district councillor or parish councillor for any ward electoral division or parish which by virtue of this Act is altered shall be deemed to exist in the office of councillor for that ward electoral division or parish as altered by this Act. Casual
vacancies.

17. Subject to the provisions of this Act all property immediately before the appointed day vested in the Corporation for the benefit of the existing city (not being property held on any charitable trust) shall by virtue of this Act be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and may exercise for the benefit of the city all the powers which immediately before that day are exercisable by or vested in the Corporation for the benefit of the existing city and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing city shall on that day attach to them in respect of the city. Corporation
property
liabilities etc.

Loan debts of
Corporation.

18. So much of any sums borrowed by the Corporation or by their predecessors as immediately before the appointed day is owing and charged upon a fund or rate of the existing city or the revenues of the Corporation of the existing city shall be charged upon the revenues of the Corporation of the city and all interest due on any such moneys outstanding at any time shall be paid out of the revenues of the Corporation of the city.

Loan debts of
county and
rural councils.

19. Subject to the provisions of this Act and to any necessary adjustments thereunder—

- (a) the liability for the repayment of so much of any moneys borrowed by the county council or by the rural council (or their respective predecessors) for a purpose relating exclusively to the added areas or any part thereof as immediately before the appointed day is owing and for the payment of interest thereon shall by virtue of this Act be transferred to and attach to the Corporation ;
- (b) so much of any moneys borrowed as aforesaid as immediately before the appointed day is owing shall by virtue of this Act be charged upon the revenues of the Corporation of the city ;
- (c) nothing in this Act shall prejudice or affect the validity of any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by paragraph (a) of this section or prejudice or diminish the powers of any person entitled under any such mortgage or other security to enforce the same as if this Act had not been passed and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Act the power may continue to be exercised as if this Act had not been passed and the general rate shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Act had not been passed.

Powers of
county rural
and parish
councils.

20. The county council the standing joint committee of the county the rural council and the parish councils shall cease to exercise any powers or discharge any duties within any part of the added areas.

Property etc.
of county
council rural
council and
parish councils.

21. Subject to the provisions of this Act and to any necessary adjustments—

- (a) any property or liabilities which immediately before the appointed day is or are vested in or attach to the county council or the rural council or either of the parish

councils in relation exclusively to any part of the added areas shall by virtue of this Act be transferred to and vest in or attach to the Corporation and shall be a matter for adjustment under this Act ;

- (b) any property or liabilities which immediately before the appointed day is or are vested in or attach to any of the said councils in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment under this Act.

22. All the powers rights duties capacities liabilities and obligations of an urban district council and the powers in relation to the chargeability of expenses with which the rural council is invested in pursuance of any order issued by the Local Government Board the Minister of Health or the Minister under the Public Health Acts in respect of either of the existing parishes shall be deemed to vest in and attach to the rural council in respect of those parishes as altered by this Act. Urban powers in excluded parts of parishes.

23.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts or any other local Act or Provisional Order affecting the existing city or the Corporation thereof so far as the same respectively are in force within the existing city immediately before the appointed day shall extend and apply to the city and any reference in any such Act or Order to the existing city and the Corporation thereof shall be deemed to refer to the city and the Corporation thereof. Local Acts.

(2) The provisions of any protective section for the benefit of the county council or of the rural council or of either of the parish councils or the predecessors of any such council contained in any local Act confirmation Act or Provisional Order by whomsoever obtained so far as they relate to or affect any part of the added areas shall enure on and after the appointed day to the benefit of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to any such council or their predecessors as the case may be.

24.—(1) Subject to the provisions of subsection (2) of this section— Adoptive Acts.

(a) the provisions of any public general Act in force throughout the existing city by virtue of an adoption by the council or their predecessors and any order in force under such Act throughout the existing city shall apply to the city ;

(b) the provisions of any public general Act in force in the added areas or any part thereof by virtue of an adoption by the rural council or their predecessors and any order in force under such Act in the added areas shall cease to have effect in relation to such areas.

(2) This section shall not apply to any order made under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925.

7 Edw. 7. c. 53.
15 & 16 Geo. 5.
c. 71.
Orders under
Shops Act
1950.
14 Geo. 6.
c. 28.

25. Any order which is in force under the Shops Act 1950 immediately before the appointed day in the existing city shall extend to the added areas and be revocable in the manner provided by that Act and the regulations made thereunder and any order which is then in force under that Act in the county shall cease to extend to the added areas.

Orders under
Wild Birds
Protection
Acts.

26. Any order which is in force under the Wild Birds Protection Acts 1880 to 1939 immediately before the appointed day in the existing city shall extend to the added areas and any order which is then in force under those Acts in the county shall cease to extend to the added areas.

Sunday
Entertainments
Act 1932.
22 & 23 Geo. 5.
c. 51.

27. Section 1 of the Sunday Entertainments Act 1932 shall from the appointed day extend to the city as before that day it extended to the existing city.

Transfer of
duties under
section 1 of
Children
Act 1948.

28.—(1) The provisions of this section shall apply in the case of a child who is on the appointed day in the care of a local authority and who was when received into their care under subsection (1) of section 1 of the Act of 1948 ordinarily resident in the added areas.

Any question arising under this subsection as to the ordinary residence of a child shall be determined as though it arose under subsection (4) of section 1 of the Act of 1948.

(2) The Corporation may take over the care of a child with the concurrence of the local authority in whose care he then is.

(3) A local authority with a child in their care may recover from the Corporation any expenses in respect of a child duly incurred by them under Part II of the Act of 1948 on or after the appointed day (including any expenses so incurred after he has ceased to be a child within the meaning of the Act of 1948 and if the Corporation take over the care of him including also any travelling or other expenses incurred in connection with the taking over).

(4) Where the care of a child is taken over from another local authority under subsection (2) of this section the provisions of the Act of 1948 shall apply as respects that child as though he were in the care of the Corporation under section 1 of the Act of 1948 and any resolution with respect to him passed by that other local authority under section 2 of the Act of 1948 and still in force shall as from the date on which his care was taken over be deemed for the purposes of all the provisions of the Act of 1948 relating to such a resolution to have been passed by the council.

(5) In this section "the Act of 1948" means the Children 11 & 12 Geo. 6.
Act 1948. c. 43.

29. Subject to the provisions of any order which the Minister may make after the passing of this Act the provisions of any order made before the passing of this Act by the Local Government Board the Minister of Health or the Minister and conferring upon the council of the existing city any of the powers relating to the matters mentioned in section 33 of the Local Government Act 1894 or in section 271 of the Act of 1933 and in that order so far as such powers are still in force or still have effect shall be deemed to have effect as if any reference in those provisions to the existing city the council of the existing city and the existing parish of Liverpool extended and applied respectively to the city the council of the city and the parish of Liverpool as extended by this Act.

Powers under
section 33
of Local
Government
Act 1894 and
section 271 of
Act of 1933.
56 & 57 Vict.
c. 73.

30. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925 :—

Orders under
Public Health
Acts
Amendment
Act 1907 or
Public Health
Act 1925.

(a) The provisions of any order made before the appointed day and declaring to be in force throughout the existing city any Parts or sections of either of those Acts shall have effect as if any reference in that order to the existing city extended and applied to the city and as if such Parts or sections were accordingly declared to be in force within the city ;

(b) The provisions of any other order made under either of those Acts which is in force immediately before the appointed day throughout the existing city shall extend and apply to the added areas ;

(c) The provisions of any order made before the appointed day and declaring to be in force within any part of the added areas any Parts or sections of either of those Acts shall cease to apply to any such part of the added areas and the Parts or sections declared by any such order to be in force shall (save as in this section provided) cease to be in force within any such part of the added areas but this section shall not prejudice or affect any proceedings which are pending on the appointed day.

31.—(1) All byelaws made by the Corporation or by the watch committee of the existing city and in force immediately before the appointed day shall apply to the city until repealed or altered and any byelaw made by the county council or the standing joint committee of the county or by the rural council

Byelaws
regulations
and scale of
charges.

and in force immediately before the appointed day shall on that day cease to apply within the added areas.

(2) Any proceedings which if this Act had not been passed might have been taken for any offence against any byelaw committed before the appointed day within the added areas may be taken by the Corporation.

(3) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments.

Licences
certificates
exemptions
and permits.

32. Any licence certificate exemption or permit granted or issued by an authority to any person residing in or in respect of any property matter or thing within the added areas and subsisting at the appointed day which could have been granted or issued by the Corporation or some other authority for the same purpose to any person residing in or in respect of any property matter or thing within the existing city shall continue in force for the period for which it was granted or issued as fully and effectively as if it had been granted or issued by the Corporation or such other authority.

Schemes under
Education
Act 1944.

7 & 8 Geo. 6.
c. 31.

33. The Lancashire County Council Divisional Administration Scheme 1944 and any scheme amending that scheme made by the county council and approved by the Minister of Education under Part III of the First Schedule to the Education Act 1944 shall cease to have effect in the added areas.

Corporation
to be burial
board.

34. The added areas shall be included within the limits for which the Corporation act as burial board:

Provided that nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired before the appointed day or prejudicially affect any right privilege or authority which immediately before the appointed day is exercisable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

Executive
councils.

35.—(1) The Minister of Health may by order made before the appointed day make such provision as seems to him expedient for all or any of the following matters:—

- (a) for providing that the names of medical practitioners who immediately before the appointed day are providing general medical services in the added areas under the National Health Service Act 1946 shall be included in the medical list of the executive council of the city;
- (b) for providing that the alteration of the boundaries of the city authorised by this Act shall not affect any services under Part IV of the said Act of 1946 which have been commenced but not completed before the appointed day;

9 & 10 Geo. 6.
c. 81.

- (c) for providing for the transfer to the executive council of the city of any property rights or liabilities of the executive council of the county which relate exclusively to the added areas;
- (d) for the making of financial adjustments between the said executive councils;
- (e) for providing that the executive council of the county shall continue to act as the executive council for the added areas until such date as may be specified in the order not being later than the thirty-first day of December one thousand nine hundred and fifty-two; and
- (f) for any supplementary or incidental matters.

(2) Any order made under this section may be revoked or varied by a subsequent order of the Minister of Health made before or after the appointed day.

(3) Subject to any order made under this section the persons who immediately before the appointed day are members of the respective executive councils of the county and the city shall be deemed to have been appointed as and shall be members of the respective executive councils of the county and the city as altered by this Act.

Officers

36. In section 37 (Officers of Corporation continued) section 38 (Existing officers) and section 39 (Compensation to existing officers) of this Act the expression "officer" unless the context otherwise requires includes a servant. Meaning of "officer" in certain sections of this Act.

37. The town clerk and all other officers of the Corporation of the existing city who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the city and shall hold their offices by the same tenure as before that day. Officers of Corporation continued.

38.—(1) All persons who at the passing of this Act are officers employed whole time by the county council or by the rural council exclusively in the added areas shall be transferred to and become officers of the Corporation. Existing officers.

(2) Every officer so transferred shall hold his office by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing analogous duties to those which he was required to perform immediately before the appointed day shall receive not less salary or remuneration and be entitled to not less superannuation allowance (if any) than the salary remuneration or superannuation allowance to which he would have been entitled if this Act had not been passed.

(3) The Corporation may distribute the business to be performed by any officer so transferred in such manner as the Corporation may think proper and every officer shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office or determine the appointment of any officer subject nevertheless to the consent of the Minister if the officer is removable only with the consent of or by the Minister.

Compensation
to existing
officers.

39.—(1) Every existing officer who suffers loss of employment or diminution of emoluments which is attributable to the passing of this Act shall be entitled to have his case considered for the payment of compensation by the Corporation such compensation to be determined in accordance with the provisions of the schedule to the Local Government (Compensation) Regulations 1948 and subject to the provisions of this section those regulations shall apply accordingly with any modifications which the Minister may by order consider it necessary or expedient to make for the purpose of the application of the said regulations to compensation under this Act.

(2) For the purposes of this section and the said regulations as applied thereby the expression "existing officer" means a person who immediately before the passing of this Act devoted the whole of his time and had devoted the whole of his time for a period of not less than eight years previously after attaining the age of eighteen years without a break of more than twelve months at any one time either—

- (a) to any of the following employments or to two or more or to any combination of such employments namely:—
- (i) employment under the Crown or in the local government service in Great Britain; or
 - (ii) employment by any authority or body for the purposes of the Crown or of local government service in Great Britain; or
 - (iii) employment under any officer engaged in any such employment as aforesaid for the purposes of the functions of the employing authority or body; or
- (b) partly to any such employment as aforesaid or to two or more or to any combination of such employments and partly to—
- (i) employment as a superintendent registrar or registrar of births and deaths or as a registrar of marriages or as a person designated by a local authority to act as a deputy superintendent registrar or registrar of births and deaths; or

(ii) war service as defined by the said regulations undertaken on ceasing to follow any of the employments mentioned in paragraph (a) of this subsection or any combination thereof.

(3) Nothing in this section or in the said regulations as applied thereby shall entitle a person to have his case considered for the payment of compensation unless—

- (a) the cause of the claim arises not later than ten years after the passing of this Act ;
- (b) the claim is made not later than two years after the date on which the cause of claim arises ; and
- (c) the other conditions prescribed by paragraph (b) of regulation 5 of the said regulations are fulfilled.

40. The auditors of the existing city appointed under City auditors. section 211 of the Liverpool Corporation Act 1927 who are in 17 & 18 Geo. 5. office on the appointed day shall continue in office and shall c. lxxxviii. be the city auditors until their successors are appointed.

Supplementary provisions

41. For the purposes of all valuation lists of the city under Deduction in the Rating and Valuation Act 1925 the amount of the deduction ascertaining to be made under paragraph (c) of subsection (1) of section 22 of rateable value of land within the added areas as are included in class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule covered with water etc. 15 & 16 Geo. 5. c. 90. to that Act shall notwithstanding the provisions of any Act be the same as the amount of the deduction made from the net annual value of similar hereditaments in the existing city.

42.—(1) The added areas shall be deemed to form part of the Rating areas and valuation lists. rating area of the city.

(2) The valuation list of the existing city and the portions of the valuation list of the rural district which relate to hereditaments within the added areas modified as may be necessary to give effect to the provisions of the last preceding section shall together form the valuation list of the city as from the appointed day.

(3) The portion of the valuation list of the rural district which relates to that district as altered by this Act shall be the valuation list of that district as from the appointed day.

43. Any direction given by the Corporation or the rural Rating of owners and allowance of discount. council as to the rating of owners or the allowance of a discount in respect of rates which may be in force within the existing city or in the existing rural district shall extend and apply to the

city or the rural district as altered by this Act until that direction is revoked or varied by the Corporation or the rural council (as the case may be).

Financial
adjustments.

44.—(1) Where in consequence of any alteration of areas or authorities made by this Act any adjustment of any property income debts liabilities or expenses so far as they are affected by the alteration is required an adjustment shall be made between the councils or other authorities affected under and in accordance with section 151 of the Act of 1933 as if this Act were an order made under Part VI of that Act.

(2) This section shall not extend to any matter for the adjustment of which provision is made in section 45 (Adjustment for purposes of licensing) of this Act.

Adjustment
for purposes
of licensing.

10 Edw. 7. &
1 Geo. 5. c. 24.

45.—(1) An equitable adjustment shall be made between the county and the city respecting the interest of the added areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

12 13 & 14
Geo. 6. c. 59.

(2) Such adjustment shall be made by agreement between the compensation authorities (as defined by Part II of the Licensing Act 1949) for the county and for the city within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment section 151 of the Act of 1933 shall apply subject to the modification that the arbitrator shall be appointed by the Secretary of State instead of by the Minister.

Extension of
licensing
planning area.
8 & 9 Geo. 6.
c. 15.

46.—(1) The licensing planning area constituted by the Liverpool Licensing Planning Area Order 1945 made by the Secretary of State under sections 1 and 2 of the Licensing Planning (Temporary Provisions) Act 1945 is hereby extended to include the added areas and the said order shall apply to the said licensing planning area as so extended.

(2) The said order in so far as it determines the number of members of the licensing planning committee for the said licensing planning area may be varied by order of the Secretary of State made after consultation with the licensing planning committee.

Saving for
private
street works.
55 & 56 Vict.
c. 57.

47.—(1) No alteration effected by this Act shall affect any notices given or proceedings taken under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 in relation to any street situate within the added areas or any part thereof but such proceedings may be continued and completed in accordance with the provisions of the said Act as if this Act had not been passed.

(2) Where before the appointed day any works under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 have been completed in a street situate within the added areas or any part thereof no alteration effected by this Act shall affect the liability of any owner to defray any sum which may be or has been apportioned upon him in respect of the cost of the works and any such sum shall be recoverable by the Corporation.

48.—(1) At a local government election for any electoral area consisting in whole or part of any area affected by this Act held on or after the sixteenth day of March one thousand nine hundred and fifty-two and before the appointed day the town clerk in the case of an election for an electoral area within the city and the electoral registration officer of the registration area concerned in the case of an election for an electoral area outside the city shall make such alteration or rearrangement of the register of local government electors as may be necessary for the purpose of such election. Provision as to register of electors.

(2) The additional expense (if any) incurred by the town clerk or the electoral registration officer as the case may be which may be solely attributable to an alteration or rearrangement of the register of local government electors under this section shall be defrayed by the Corporation.

49. For the purpose of summoning jurors and of jury service any parish affected by this Act shall be deemed to continue unaltered until a new jurors' book for the parish as altered comes into force. Jury service.

50.—(1) The local registrars for the county and the rural district respectively under the Land Charges Act 1925 and the rules made thereunder shall within one month after the appointed day supply to the local registrar for the city an office copy of every entry in the local land charges register relating to any land situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules. Local land charges registers.
15 & 16 Geo. 5.
c. 22.

(2) The local registrar for the city shall within one month after the receipt of the office copies mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the city.

(3) Until the entries are made as aforesaid or until the expiration of two months from the appointed day whichever be the earlier day the following provisions shall have effect in respect of all land within the added areas:—

(a) The local registrar for the city shall give notice to any person desiring to make a personal search that an

additional search should be made in the register for the rural district and in the register for the county ;

- (b) Where application is made for an official search the local registrar for the city shall issue free of charge a certificate of official search in the register of the city and shall forward to the local registrar for the rural district the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application ;
- (c) The local registrar for the rural district and the local registrar for the county shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed ;
- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation ;
- (e) Where an entry of a local land charge which has been duly made in the local land charges register of the county or of the rural district is required by this section to be transferred from the register of such county or district to the register of the city such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the city.

Town
planning.

10 & 11 Geo. 6.
c. 51.

51.—(1) As from the passing of this Act the Corporation shall be entitled at all reasonable times to inspect and take copies of all plans or documents relating to any land within the added areas which are in the possession or under the control of the county council or the rural council for the purposes of or in connection with the Town and Country Planning Act 1947 and the county council and the rural council shall supply to the Corporation such information and shall afford to them such assistance for the purposes of or in connection with the said Act as the Corporation may reasonably require.

(2) An office copy of every entry in the register relating to any land within the added areas kept by the county council under section 14 of the said Act of 1947 shall within one month after the appointed day be supplied to the town clerk by the

clerk of the county council or the clerk of the rural council having the custody of that part of the register in which the entry appears as the case may be.

(3) The town clerk shall within one month after the receipt of the office copy mentioned in subsection (2) of this section enter the same or cause the same to be entered with any necessary modifications in the register kept by the Corporation under section 14 of the said Act of 1947.

(4) Any application for planning permission or for any consent or approval under the said Act of 1947 or for a determination under section 17 of that Act made to the county council or the rural council on their behalf before the appointed day and not determined before that day shall so far as it relates to land within the added areas be treated as a like application made to the Corporation and shall be treated as having been so made on the appointed day:

Provided that it shall not be necessary for the Corporation to consult with any authority person or body with whom consultation has already taken place in relation to that application.

(5) Any order agreement permission approval determination consent notice proceeding or decision made taken or given by the county council as local planning authority under the said Act of 1947 (except Part II thereof) or having effect as if so made taken or given and in force immediately before the appointed day shall so far as it relates to any land within the added areas have effect as if it had been made taken or given by the Corporation as such authority in respect of that land.

(6) Any direction approval consent or decision given by the Minister of Town and Country Planning or the Minister or the Minister of Transport under or in pursuance of the said Act of 1947 (except Part II thereof) or any enactment thereby repealed affecting the county council as local planning authority and in force immediately before the appointed day shall in so far as it relates to any land within the added areas have effect as if the same had been given to the Corporation as local planning authority.

52.—(1) The clerk of the county council and the clerk of the rural council shall as soon as may be after the passing of this Act and in any case before the appointed day send to the town clerk a copy of every entry which is in any register or list of the county council or of the rural council under any enactment rule order or regulation for the time being in force and which concerns or has effect in relation to the added areas (exclusively or otherwise) or any person property matter or thing therein. Entries in registers etc.

(2) The town clerk shall include in the appropriate register or list of the Corporation the particulars of every such entry respectively furnished by the clerk of the county council and by the clerk of the rural council and every entry so included shall continue in force as fully and effectively as if it had originally been made in the appropriate register or list of the Corporation.

(3) Subsection (1) of this section shall not extend to any matter for which provision is made in section 50 (Local land charges registers) or section 51 (Town planning) of this Act.

Apportionment of
balances etc.

53.—(1) As soon as practicable after the appointed day the county council and the rural council shall as regards any cash balances remaining in their hands respectively at the appointed day after deducting therefrom undischarged debts liabilities and outgoings normally payable thereout and which have accrued up to the appointed day estimate the proportion thereof derived from contributions paid by any part of the added areas and shall transfer such amount to the Corporation.

(2) The county council and the rural council shall pay and discharge all their debts liabilities and outgoings which shall have become payable or accrued due in respect of the added areas immediately before the appointed day.

(3) The Corporation shall pay and discharge all their debts liabilities and outgoings which shall become payable or accrue due on and after the appointed day in relation exclusively to the added areas or any part thereof.

(4) Any sum received on or after the appointed day by the county council or the rural council under a precept issued or rate made before that day in respect of any part of the added areas shall be dealt with in the manner prescribed by subsection (1) of this section.

(5) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Act.

Contribution
orders
precepts and
arrears of
rates.

54.—(1) Notwithstanding the alteration of areas effected by this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

(2) Any rates not collected immediately before the appointed day in respect of hereditaments within the added areas shall be collected and recovered by the council.

(3) All rates so collected and recovered shall be a matter for adjustment under this Act.

55.—(1) All public books writings and papers of either of the existing parishes in relation exclusively to any part of the added areas and all documents relating to any part of the added areas and directed by law to be kept with the public books writings and papers of such parish (except any book or document relating to the affairs of the church or to ecclesiastical charities or to a parochial non-ecclesiastical charity) and all plans papers and writings of the county council and the rural council relating exclusively to any part of the added areas shall be deposited in such custody as the Corporation may direct. Parish books and documents.

(2) Any ratepayer of either of the existing parishes shall at all times have the same right of inspection and of making extracts from the public books writings papers and documents referred to in this section as he would have had if this Act had not been passed.

56. Nothing in this Act shall affect the area of any existing registration district or sub-district without prejudice however to the exercise of the powers contained in sections 24 and 131 of the Act of 1929 as to the alteration thereof. As to registration districts.

57.—(1) The Minister (if he thinks fit) on the application in writing not more than six months and not less than two months prior to the appointed day of the local authority of either of the added areas and after considering any representations that may be made to him by the Corporation may order that for the period or periods stated in the order the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in the part of the city comprising the part of the added areas in respect of which such application may be made shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within that part of the city which comprises the area of the existing city by such sum or sums as may seem equitable to him. Differential rating.

(2) For the purposes of this section “the local authority” means the rural council or either of the parish councils having jurisdiction immediately before the appointed day over the part of the added areas to which the application relates.

58. Any alderman or councillor who is to continue in office after the appointed day shall not during his term of office current immediately before that day be deemed to lose his qualification for being an alderman or councillor by reason of the alterations of areas made by this Act. Saving for qualification of aldermen and councillors.

59.—(1) No alteration effected by this Act in the area of any local or other authority shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is Savings for actions contracts etc.

pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any such authority or their predecessors:

Provided that—

- (a) any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added areas may be continued prosecuted and enforced by or against the Corporation; and
- (b) all contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by any such authority (or their predecessors) in relation exclusively to any part of the added areas shall continue in force as fully and effectually as if instead of such authority (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

Saving
provisions.

60. Nothing in this Act shall—

- (a) be construed as restricting any power under the Act of 1929 or the Act of 1933 of altering any of the areas or the constitution of any authority or committee;
- (b) alter the area of any constituency or affect the powers of the Corporation or the county council under section 11 of the Representation of the People Act 1949 for the division of a constituency into polling districts for parliamentary elections and the appointment of polling places for parliamentary elections;
- (c) alter the area of any ecclesiastical parish or prejudice vary or affect any power right interest or jurisdiction in over or in connection with any charitable endowment;
- (d) (save as in this Act expressly provided) affect the provisions of the Rating and Valuation Acts 1925 to 1940 and of Parts III and IV of the Local Government Act 1948; or
- (e) affect land tax.

12 13 & 14
Geo. 6. c. 68.

11 & 12 Geo. 6.
c. 26.

Power to
borrow.

61.—(1) Subject to the provisions of this Act the Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority 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 the said table and they shall repay any sum so borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the third column thereof:—

Purpose	Amount	Period for repayment
(1) The making of any payment to the county council or to any other authority under this Act.	The sum requisite.	Forty-five years from the date or dates of borrowing.
(2) The making of any payment under the provisions of section 39 (Compensation to existing officers) of this Act.	The sum requisite.	Twenty years from the date or dates of borrowing.
(3) For paying the costs charges and expenses of obtaining this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as such provisions are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX and the period fixed under this section for the repayment of any money borrowed under this section shall as respects that money be the period fixed for the purpose of the said Part IX.

62. It shall not be lawful to exercise the powers of borrowing conferred by this Act (other than the power of borrowing to pay the costs charges and expenses of this Act) otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 or of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Saving for powers of Treasury.
8 & 9 Geo. 6.
c. 18.
9 & 10 Geo. 6.
c. 58.

63. The costs charges and expenses preliminary to and of and incidental to the preparing applying for and 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 such other funds and in such proportions as the Corporation shall determine or out of moneys to be borrowed under this Act for that purpose.

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20 & 21 Geo. 5. c. liv... ...	Liverpool Corporation (Works) Act 1930.
20 & 21 Geo. 5. c. cxii ...	Liverpool Corporation (General Powers) Act 1930.
23 & 24 Geo. 5. c. xxxix ...	Mersey Tunnel Act 1933.
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14 & 15 Geo. 5. c. lxxii	Ministry of Health Provisional Orders Confirmation (No. 6) Act 1924.	Liverpool Order 1924.
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Session and chapter	Confirmation Act	Order
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—	—	Local Government (Liverpool and Bootle) Rates Order 1929.
—	—	Liverpool Corporation Light Railways Order 1936.
—	—	Liverpool Corporation Light Railways (No. 2) Order 1936.
—	—	Liverpool Water Order 1946.
—	—	Liverpool Corporation Light Railways Order 1948.

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14 & 15 GEO. 6 Ch. xlvi

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