



## CHAPTER xiii

An Act to extend the boundaries of the city of Wakefield  
and for other purposes. [12th July 1950.]

**W**HEREAS the city of Wakefield (hereinafter called "the city") is a county borough under the government of the mayor aldermen and citizens thereof (hereinafter called "the Corporation"):

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 parish of Crigglestone in the rural district of Wakefield is situate in the administrative county of the west riding of Yorkshire and adjoins the city:

And whereas it is expedient to alter and extend the boundaries of the city so as to include therein part of the said parish:

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 Part XIII 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 (that is to say):—

*Preliminary*

1.—(1) This Act may be cited as the Wakefield Extension Act 1950. Short and  
collective titles.

(2) The unrepealed provisions of the local Acts as defined in the next succeeding section and this Act may be jointly cited as the Wakefield Corporation Acts and Orders 1848 to 1950.

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

19 & 20 Geo. 5.  
c. 17.

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

“ The added area ” means the added part of the rural district ;

“ The added part of the rural district ” and “ the added part of the parish ” mean respectively the part of the rural district and the part of the parish which are included within the inner edge of the red line on the city map and “ the excluded part of the rural district ” and “ the excluded part of the parish ” mean respectively the remaining part of the rural district and the remaining part of the parish ;

“ The appointed day ” means the first day of April nineteen hundred and fifty-one ;

“ The city ” means before the appointed day the existing city of Wakefield and on and after the appointed day that city as extended by this Act ;

“ The city map ” means the map signed in triplicate by the Right Honourable the Earl of Drogheda the chairman of the committee of the House of Lords to which the Bill for this Act was referred one copy of which map has been deposited in the office of the Clerk of the Parliaments House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office ;

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

“ The council ” means the council of the city ;

“ The county ” means the administrative county of the west riding of Yorkshire and “ the county council ” means the county council of the county ;

“ Existing ” in relation to any area altered by this Act means existing immediately before the appointed day ;

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

“ The local Acts ” means the local Acts specified in Part I of the schedule to this Act and the Orders specified in

Part II of that schedule and so much of the confirmation Acts specified in that Part as relates to those Orders ;

“ The Minister ” means the Minister of Health ;

“ The parish ” and “ the parish council ” mean respectively the parish of Crigglestone and the parish council of the parish ;

“ The Rating Act 1925 ” means the Rating and Valuation Act 1925 ; 15 & 16 Geo. 5.  
c. 90.

“ Revenues of the Corporation ” includes all such funds rates contributions and revenues receivable by the Corporation as are mentioned in section 218 of the Act of 1933 ;

“ The rural district ” and “ the rural council ” mean respectively the rural district of Wakefield and the rural district council of that district ;

“ The town clerk ” means the town clerk of the city.

(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 there may be anything in the subject matter or context inconsistent therewith this Act shall come into operation on the appointed day : Commence-  
ment of Act.

Provided that for the purposes of—

- (a) the compilation alteration or rearrangement of any register of electors made under the Representation of the People Acts ;
- (b) the qualification of candidates for election on or after the appointed day to the office of alderman or councillor of the city ;
- (c) any election to be held on or after the appointed day for any area affected by this Act and all proceedings preliminary or relating thereto ; and
- (d) 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*

4.—(1) The boundary of the existing city the area whereof is included within the outer edge of the grey line on the city map shall be altered so as to include in addition to that area the added part of the rural district. Extension of  
city.



(2) 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 Wakefield.

City map.

5.—(1) Copies of the city map certified by the town clerk 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 Transport to the Minister of Agriculture and Fisheries to the Minister of Town and Country Planning to the Minister of Fuel and Power to the Postmaster-General and to the Boundary Commission for England.

(2) Copies of or extracts from the city map certified by the town clerk 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 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 the general rate fund.

Alteration of  
parishes.

6.—(1) The added part of the parish shall be added to and form part of the parish of Wakefield.

(2) The excluded part of the parish shall form the parish of Crigglestone.

County  
electoral  
division.

7. The added area shall be separated from the Horbury electoral division of the county.

#### *Councillors and other members of local authorities*

Existing mayor  
aldermen and  
councillors.

8. The persons who hold office immediately before the appointed day as mayor aldermen and councillors of the existing city shall on the appointed day become the 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.

Alteration  
of wards.

9.—(1) This section shall come into operation on the date of the passing of this Act but any scheme or Order in Council made under the provisions hereinafter mentioned as applied by this section shall not take effect until the appointed day except for the purposes of any election of councillors which may be required by such scheme or Order in Council.

(2) The council shall not later than the first day of August nineteen hundred and fifty 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) inclusive of subsection (1) of that section.

(3) Failing presentation by the council of a petition under subsection (2) 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.

(4) Any Order in Council made under the said provisions as applied by this section may be altered or varied by a subsequent Order in Council made on the application of the council by petition under the provisions of section 25 of the Act of 1933.

(5) For the purposes of this section the provisions of this Act altering the boundaries of the city shall be deemed to have come into operation on the date of the passing of this Act.

**10.** For the purposes of the application to the city of the provisions of paragraph (c) of section 57 of the Act of 1933 the added area shall be deemed always to have formed part of the city. Qualification  
for election  
and office.

**11.** Subject to the provisions of any order made under section 11 of the Act of 1933 the persons who immediately before the appointed day are the county councillors representing the Horbury electoral division of the county shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the date on which they would have retired if this Act had not been passed and any casual vacancy which may exist on the appointed day in the representation of the said electoral division shall be deemed to exist in the representation of that division as so altered. County  
councillors.

**12.** 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 parish shall be deemed to have been elected to represent that parish as altered by this Act on the rural council and shall retire on the date on which they would have retired if this Act had not been passed and any casual vacancy which may exist on the appointed day in the representation of the said parish shall be deemed to exist in the representation thereof as so altered ;



- (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.

Parish council  
and parish  
councillors.

13. Subject to the provisions of any order which may be made by the county council under section 141 of the Act of 1933—

- (a) the persons immediately before the appointed day in office as parish councillors for the existing parish shall on the appointed day become parish councillors for the parish as altered by this Act but shall retire from office on the day on which they would have retired from office if this Act had not been passed and any casual vacancy which may exist on the appointed day in the office of parish councillor for the said parish shall be deemed to exist in the office of parish councillor for that parish as so altered ;
- (b) the parish council of the existing parish shall be the parish council of the parish as altered by this Act.

*Powers property liabilities &c. of existing authorities*

Corporation  
property  
liabilities &c.

14. 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 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.

Debts of  
county rural  
and parish  
councils.

15. Subject to the provisions of this Act and to any necessary adjustment—

- (1) the liability for the repayment of so much of any moneys borrowed by the county council or by the rural council or by the parish council or their respective predecessors for a purpose relating exclusively to any part of the added area 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 and shall be a matter for adjustment under this Act ;
- (2) 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 ;

- (3) all borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable ;
- (4) 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 subsection (1) 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.

**16.** The county council the standing joint committee of the county the rural council (except as provided in section 30 (Contribution orders precepts and arrears of rates) of this Act) and the parish council shall cease to exercise any powers or discharge any duties within any part of the added area.

Powers of  
county rural  
and parish  
councils.

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

Property &c.  
of rural  
council and  
parish council.

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

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

Executive  
councils.

(a) for providing that the names of medical practitioners who immediately before the appointed day are providing general medical services in the added area under



9 & 10 Geo. 6.  
c. 81.

the National Health Service Act 1946 shall be included in the medical list of the executive council of the city ;

- (b) for providing that any services under Part IV of the said Act of 1946 commenced before the appointed day shall or may be completed as if this Act had not been passed ;
- (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 relates exclusively to the added area ;
- (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 area until such date as may be specified in the order not being later than the thirty-first day of December nineteen hundred and fifty-one ; 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 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.

Scheme under  
Education  
Act 1944.

7 & 8 Geo. 6.  
c. 31.

**19.** The County Council of the West Riding of Yorkshire Divisional Administration Scheme 1945 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 area.

*Administration of justice and county administration*

Jurisdiction of  
city justices  
&c. extended.

**20.**—(1) The powers and duties of the justices of the peace appointed 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 area 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 justice in relation to any matter arising in or concerning the added area 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 area shall cease to form part of the Lower Agbrigg petty sessional division of the county.

(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 area 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. 11 & 12 Geo. 6.  
c. 58.

(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.

*Local Acts adoptive Acts byelaws &c.*

21.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts or any other local Act or Order having the effect of an Act of Parliament and affecting the existing city or the Corporation thereof 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 the rural council or the parish council or the predecessors of any of such councils contained in any local Act or Order by whomsoever obtained so far as they relate to or affect any part of the added area 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 of such councils or their predecessors as the case may be.

(3) The provisions of the West Riding County Council (General Powers) Act 1948 shall cease to apply to the added area. 11 & 12 Geo. 6.  
c. lii.

22.—(1) Subject to the provisions of subsection (3) of this section 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.

(2) Subject to the provisions of this section the provisions of any public general Act in force in the added area by virtue of an adoption by the rural council or their predecessors and any order in force under such Act in the added area shall cease to have effect in relation to such area.

(3) This section shall not apply to any order made under the 7 Edw. 7. c. 53. Public Health Acts Amendment Act 1907 or the Public Health 15 & 16 Geo. 5. Act 1925. c. 71.

Orders under Shop Hours Act 1904 and Shops Acts 1912 to 1938. 4 Edw. 7. c. 31.

**23.** Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1938 and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Wild Birds Protection Acts.

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

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

**25.** The Sunday Entertainments Act 1932 shall from the appointed day apply to the city as before that day it applies to the existing city.

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

**26.** 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:—

(1) 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:

(2) 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 area:

(3) The provisions of any order made before the appointed day and declaring to be in force within any part of the added area any parts or sections of either of those Acts shall cease to apply to any such part of the added area 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 area but this section shall not prejudice or affect any proceedings which are pending on the appointed day.

**27.**—(1) All local government byelaws in force within the existing city or within any part of the added area immediately before the appointed day shall continue to apply to the existing city or to such part of the added area as the case may be until repealed or altered by the Corporation. Byelaws regulations and scales of charges.

(2) Notwithstanding the foregoing provisions of this section any such byelaw in force in the existing city may by a byelaw be extended with or without modification to the added area.

(3) In their application to the added area any byelaws continued in force by the foregoing provisions of this section shall have effect as if they had been made by the Corporation and as if the added area or the part thereof to which such byelaws apply were referred to therein instead of the area to which they originally applied.

(4) All byelaws other than local government 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 such byelaw made by the county council or the standing joint committee of the county or by the rural council shall on that day cease to apply within the added area.

(5) 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 area may be taken by the Corporation.

(6) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the phrase "local government byelaws" means byelaws which if they had been made immediately before the appointed day would have required to be confirmed by the Minister.

**28.**—(1) The area of the Corporation as burial board for the existing city shall be altered by the inclusion in such area of the added area and the Corporation shall have within such area as so altered to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906. Burial board.

(2) Any table of fees and charges in force in respect of any existing burial ground maintained by the Corporation shall extend and apply to inhabitants of the burial area of the Corporation as altered by this section as such table applies to inhabitants of the existing burial area of the Corporation.

(3) Except as by this Act expressly provided nothing therein 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.

*Rating and valuation*

Apportionment of balances and sums received under precepts.

**29.**—(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 after deduction of undischarged liabilities normally payable thereout and accruing up to the appointed day estimate the proportion thereof derived from contributions paid by any part of the added area and shall transfer such amount to the Corporation.

(2) Any sum received 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 area shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) 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.

**30.**—(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) All rates not collected immediately before the appointed day in respect of hereditaments within the added area shall be collected and recovered as if this Act had not been passed.

(3) Any rates or sums so collected or recovered shall be a matter for adjustment under this Act.

Deduction in ascertaining rateable value of certain properties.

**31.** For the purposes of all valuation lists of the city under the Rating Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from the net annual value of such rateable hereditaments within the added area as are included in class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule to that Act shall notwithstanding the provisions of any Act be thirty-seven and one-half per centum.

Rating area and valuation lists.

**32.**—(1) The added area shall be deemed to form part of the 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 area (modified as may be necessary to



give effect to the provisions of section 31 (Deduction in ascertaining rateable value of certain properties) of this Act) shall together form the valuation list of the city as from the appointed day.

(3) The remaining portion of the valuation list of the rural district shall be the valuation list of that district as from the appointed day.

#### *Officers*

**33.** 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.

**34.** The auditors of the existing city appointed under section 239 of the Act of 1933 who are in office on the appointed day shall continue in office until their successors are appointed. Professional auditors.

#### *Supplementary provisions*

**35.—**(1) All public books writings and papers of the existing parish in relation exclusively to any part of the added area and all documents relating to any part of the added area and directed by law to be kept with the public books writings and papers of the 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 area shall be deposited in such custody as the Corporation may direct. Parish books and documents.

(2) Any ratepayer of the existing parish 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.

**36.—**(1) For the purposes of the register of local government electors of the city prepared in the year nineteen hundred and fifty-one and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the city as from the qualifying date for elections for which that register is to be used. Provisions as to register of electors.

(2) If the register of local government electors for any electoral area affected by this Act is not so framed as to show the persons entitled to vote at an election to be held for an electoral area the town clerk shall make such alteration or rearrangement of the register as may be necessary for the purposes of such election.

**37.** For the purpose of summoning jurors and of jury service the parish shall be deemed to continue unaltered until a new jurors' book for the parish as altered comes into force. Jury service.

Extension  
of limits for  
supply of  
water.

**38.**—(1) As from the appointed day the limits of the Corporation for the supply of water shall include the added area.

(2) The Corporation shall have and may exercise within their limits for the supply of water as extended by this Act all and the like powers privileges and authorities for and in relation to the supply of water and shall be subject to all and the like duties liabilities and obligations in respect thereof as they may exercise and are subject to within their limits for the supply of water as existing immediately before the appointed day.

Agreements  
&c. for supply  
of water and  
for sewage  
disposal.

**39.**—(1) Notwithstanding anything in this Act—

(a) the deed (relating to the supply of water) dated the fourth day of July nineteen hundred and thirty-five ;

(b) the agreement (relating to sewage disposal) dated the seventh day of August nineteen hundred and thirteen ;  
and

(c) the agreement (relating to sewage disposal) dated the thirtieth day of September nineteen hundred and forty-three ;

and respectively made between the Corporation and the rural council shall be varied in such manner as may be agreed between the parties or as failing agreement may be determined by arbitration to be just in consequence of the alteration of areas made by this Act.

(2) Any question referred to arbitration under this section shall be referred to a single arbitrator to be agreed upon between the parties to the question or in default of such agreement appointed on the application of either party by the Minister and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such arbitration.

Cemetery  
in parish.

**40.**—(1) The cemetery (known as “the Crigglestone cemetery”) provided in the parish shall be vested in and belong to and be maintained and managed by the Corporation as if such cemetery had been acquired or constructed by the Corporation under the powers of the Public Health (Interments) Act 1879 or any Acts incorporated therewith or applied thereby or any Acts amending or extending the same.

(2) The Corporation may by byelaw made under the said Act of 1879 repeal any byelaws regulations tables of fees or payments and scales of charges in force with respect to the said cemetery immediately before the appointed day but until and except to the extent that they are so repealed all such byelaws regulations tables of fees or payments and scales of charges shall continue in force notwithstanding anything contained in section 27 (Byelaws regulations and scales of charges) of this Act.

42 & 43 Vict.  
c. 31.



(3) Notwithstanding anything contained in this Act the inhabitants of the parish shall be entitled to use the said cemetery at the same fees and charges and under the same regulations as for the time being are applicable to the inhabitants of the city.

41.—(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 situated within the added area 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 copy 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 area :—

- (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.

42.—(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 area 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 area 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 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 area 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 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 area 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 of Transport under or in pursuance of the said Act of 1947 or any enactment thereby repealed affecting the county council as local planning authority and in force immediately before the appointed day shall so far as it relates to any land within the added area have effect as if the same had been given to the Corporation as local planning authority.

**43.** 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.

**44.** 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 sections 151 and 152 of the Act of 1933 as amended by the Local Government Act 1948 as if this Act were an order under Part VI of the Act of 1933. Financial adjustments.  
11 & 12 Geo. 6.  
c. 26.

**45.—**(1) No alteration effected by this Act shall affect any notices given or proceedings taken by or on behalf of the county council under the Private Street Works Act 1892 in relation to any street situate within the added area or any part thereof but such proceedings may be continued and completed by such council in accordance with the provisions of the said Act as if this Act had not been passed. Saving for private street works.  
55 & 56 Vict.  
c. 57.

(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 area 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 authority who would have been entitled to recover the same if this Act had not been passed and in the like manner. 38 & 39 Vict.  
c. 55.

**46.** 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 Saving for qualification of aldermen and councillors.

for being an alderman or councillor by reason of the alterations of area made by this Act.

Savings for  
actions  
contracts &c.

**47.**—(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 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 area 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 area 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 for  
Yorkshire  
Electricity  
Board.

**48.** Nothing in this Act shall prejudice or affect the existing rights and powers of the Yorkshire Electricity Board in relation to the supply of electricity within the added area or any part thereof.

Other saving  
provisions.

**49.** 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 with regard to the division of a constituency into polling districts;

12 & 13 Geo. 6.  
c. 68.



- (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 or of Parts III and IV of the Local Government Act 1948 ; or
- (e) affect land tax.

### Finance

**50.**—(1) 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 requisite for those purposes and shall repay any sum so borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the second column of the said table (namely):—

1	2
Purpose	Period for repayment
(a) The purpose of making any payment to any authority under this Act or under any enactment the provisions of which are applied thereby.	Forty-five years from the date or dates of borrowing.
(b) The payment of the costs charges and expenses of this Act.	Five years from the passing of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as they 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 fixed period for the purposes of the said Part IX.

**51.** 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 as hereinafter defined) 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.

Inquiries by  
Minister.

**52.** The Minister may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him by or the giving of any consents under this Act and section 290 of the Act of 1933 shall apply accordingly.

Costs of Act.

**53.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for 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.



## SCHEDULE

## PART I LOCAL ACTS

Session and chapter	Title or short title
11 & 12 Vict. c. xciii	An Act to confirm the Incorporation of certain Boroughs.
25 & 26 Vict. c. xcix	The Wakefield Waterworks Act 1862.
36 Vict. c. xix	The Wakefield Waterworks Act 1873.
37 & 38 Vict. c. cxciii	The Wakefield Waterworks Act 1874.
39 & 40 Vict. c. ccxxii	The Wakefield Waterworks Act 1876.
40 & 41 Vict. c. cxcviii	The Wakefield Improvement Act 1877.
43 & 44 Vict. c. lvii	The Wakefield Corporation Waterworks Act 1880.
50 & 51 Vict. c. lxxi	The Wakefield Corporation Act 1887.
52 & 53 Vict. c. lxxviii	The Wakefield Corporation Act 1889.
57 & 58 Vict. c. xcix	The Wakefield Corporation Water Act 1894.
62 & 63 Vict. c. ccxlv	The Wakefield Corporation Act 1899.
63 & 64 Vict. c. lxxx	The Wakefield Corporation Market Act 1900.
9 Edw. 7. c. xliii	The Wakefield Corporation Act 1909.
6 & 7 Geo. 5. c. xx	The Wakefield Corporation Act 1916.
13 & 14 Geo. 5. c. xciii	The Wakefield Corporation Act 1923.
14 & 15 Geo. 5. c. lxxi	The Wakefield Corporation Act 1924.
20 & 21 Geo. 5. c. lxxv	The Wakefield Corporation Act 1930.
1 & 2 Geo. 6. c. xl	The Wakefield Corporation Act 1938.

## PART II ORDERS

Session and chapter	Short title of confirmation Act	Order relating to Wakefield thereby confirmed
16 Vict. c. xxiv	The Public Health Supplemental Act 1853 (No. 1).	The Order dated 20th November 1852.
41 & 42 Vict. c. clxii.	The Local Government Board's Provisional Orders Confirmation (Bournemouth &c) Act 1878.	The Order dated 7th May 1878.
59 Vict. c. xiii	The Local Government Board's Provisional Order Confirmation (No. 19) Act 1895 Session 2.	The City of Wakefield Order 1895.
61 & 62 Vict. c. lxxviii.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1898.	The Wakefield Order 1898.
63 & 64 Vict. c. clxxxi.	The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1900.	The Wakefield Order 1900.

Session and chapter	Short title of confirmation Act	Order relating to Wakefield thereby confirmed
1 Edw. 7. c. cxlviii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1901.	The Wakefield Order 1901.
9 Edw. 7. c. cxxii.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1909.	The Wakefield (Extension) Order 1909.
10 Edw. 7. & 1 Geo. 5. c. lxxxiii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1910.	The Wakefield (Amendment) Order 1910.
4 & 5 Geo. 5. c. clxxxii.	The Local Government Board's Provisional Order Confirmation (No. 3) Act 1914.	The County Borough of Wakefield Order 1913.
10 & 11 Geo. 5. c. cxiv.	The Ministry of Health Provisional Orders Confirmation (No. 7) Act 1920.	The Wakefield Order 1920.
11 & 12 Geo. 5. c. lxi.	The Ministry of Health Provisional Orders Confirmation (No. 5) Act 1921.	The Wakefield Order 1921.
11 & 12 Geo. 5. c. xcvi.	The Ministry of Health Provisional Orders Confirmation (Ossett and Wakefield Extension) Act 1921.	The Wakefield (Extension) Order 1921.
—	—	The City of Wakefield (Scale of Water Charges) Order 1922.
16 & 17 Geo. 5. c. xix.	The Ministry of Health Provisional Orders Confirmation (No. 1) Act 1926.	The Wakefield Order 1926.
—	—	The City of Wakefield (Local Acts) Order 1927.

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# Gateshead and District Tramways Act 1950

14 GEO. 6. Ch. xiv

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## ARRANGEMENT OF SECTIONS

### *Preliminary*

Section

1. Short and collective titles.
2. Incorporation of Companies (Clauses) Acts.
3. Interpretation.

### *Name of Company*

4. Change of name.

### *Public service vehicles*

5. Power to run public service vehicles.
6. For protection of Postmaster-General.
7. Fares and charges.
8. Conveyance of luggage &c.
9. Working and other agreements.
10. Shelters or waiting rooms.
11. Application to public service vehicles of provisions of Act of 1938.
12. For protection of Northern Gas Board and Newcastle and Gateshead Water Company.

### *Other provisions as to transport services*

13. As to abandonment of tramways.
14. As to purchase of undertaking by local authorities.
15. Repeal.
16. For mutual protection of Newcastle Corporation and Company.

### *Financial and miscellaneous*

17. Additional capital.
18. Borrowing powers.
19. Application of financial sections of Acts of 1899 1909 and 1938.
20. Saving for powers of Treasury.

21. Accounts of Company to be sent to Minister.
22. Recovery of penalties &c.
23. Amendment of section 69 of Act of 1938.
24. Application of certain miscellaneous provisions of Act of 1938.
25. Saving for town and country planning.
26. Costs of Act.