



Public Health Act 1936

1936 CHAPTER 49

PART XII

GENERAL.

Expenses and borrowing.

307 Contributions by county councils to certain expenses of county district councils.

- (1) A county council may agree to contribute a sum equal to the whole or any part of any expenses incurred by the council of a county district within the county in connection with hospital accommodation, sewers or sewage disposal works, or a supply of water, if it appears to the county council to be reasonable so to do having regard to the resources of the district and the other circumstances of the case.
- (2) For the purposes of the preceding subsection, contributions by the council of a county district towards the expenses of a joint board shall be deemed to be expenses incurred by the contributing council.

308 Special expenses of rural authorities.

- (1) The following expenses of a rural authority, that is to say—
 - (a) expenses incurred in connection with sewers or sewage disposal works for any contributory place;
 - (b) expenses incurred in connection with a supply of water to any such place;
 - (c) charges and expenses arising out of, or incidental to, the possession of property held by the council in trust for any such place; and
 - (d) all other expenses incurred or payable by the council in, or in respect of, any such place, and determined to be special expenses by order of the Minister made under subsection (3) of section one hundred and ninety of the Local Government Act, 1933,

Status: This is the original version (as it was originally enacted).

shall, so far as they fall to be defrayed out of rates, be special expenses chargeable on that contributory place, but without prejudice to the powers of the authority under subsection (4) of the said section one hundred and ninety.

- (2) For the purposes of paragraph (a) or paragraph (b) of the preceding subsection, contributions towards the expenses of a joint board shall be deemed to be expenses incurred by the contributing council.
- (3) Where a rural authority determine to defray as part of their general expenses the whole of any expenses which would otherwise be defrayed as special expenses chargeable upon a contributory place, or upon two or more contributory places, it shall not be necessary for the authority to keep parochial accounts in respect of those expenses and, if those expenses were incurred in respect of separate undertakings for supplying water, those undertakings shall for the purposes of this Act and of the Local Government Act, 1933, be deemed to be one undertaking.

309 Expenses of joint boards.

- (1) Any expenses incurred by a joint board shall, unless otherwise determined by the order constituting the board, be defrayed out of a common fund to be contributed by the constituent districts, or contributory places, in proportion to the rateable value of the property in each district or contributory place, as ascertained according to the valuation list for the time being in force.
- (2) For the purpose of obtaining payment from constituent districts or contributory places of the sums to be contributed by them, a joint board shall issue precepts to the local authority of each district concerned, stating the sum to be contributed by the authority and requiring the authority, within a time limited by the precept, to pay the sums therein mentioned to the joint board, or to such person as the joint board may direct.
- (3) Any sum mentioned in a precept issued under this section by a joint board to a local authority shall be a debt due from that authority, and may be recovered accordingly, without prejudice, however, to the right of the board to exercise any powers conferred upon them by section thirteen of the Rating and Valuation Act, 1925.
- (4) In their application to joint boards constituted under section eight of this Act, the foregoing provisions of this section shall have effect as if references therein to constituent districts and to the local authority of a constituent district included respectively references to constituent counties and to the council of a constituent county.
- (5) Where the order constituting a united district provides for contributions to be made to the common fund of the joint board by a county council, the amount of any such contribution as fixed by the order shall be a debt due to the joint board and may be recovered accordingly.

310 Power to borrow on sewage land and plant.

- (1) Without prejudice to the exercise by local authorities of the borrowing powers conferred on them by the Local Government Act, 1933, a local authority who own any land, works or other property for the purposes of the disposal of sewage may borrow money on mortgage thereof for any purposes of this Act, or of the Public Health Acts, 1875 to 1932, so far as those Acts are not repealed, for which they might borrow money under the Local Government Act, 1933.

- (2) Any money borrowed under this section shall be applied only to such purposes as aforesaid and shall be repaid within thirty years.
- (3) Sections one hundred and ninety-nine, two hundred and two hundred and three of the Local Government Act, 1933, shall apply to any borrowing under this section, but, save as aforesaid, the provisions of sections one hundred and ninety-six to two hundred and eighteen of that Act shall not apply thereto.

311 Loans by Public Works Loan Commissioners.

The power of the Public Works Loan Commissioners to lend money to a county council or local authority for any works authorised by this Act which are works for which that council or authority may borrow money shall extend to the lending of money to a port health authority or joint board constituted by an order under this Act, or any enactment repealed by this Act, for any works authorised by this Act and the order which are works for which that authority or board may borrow money.