



Public Health Act 1936

1936 CHAPTER 49

PART XII

GENERAL.

Supplemental as to powers of councils.

271 Interpretation of " provide ".

- (1) Any power of a council under this Act to provide buildings or other premises for any purpose includes power to equip them with such furniture, apparatus and instruments as may be reasonably necessary to enable them to be used for that purpose.
- (2) Any power of a council under this Act to provide buildings or other premises, accommodation, equipment, or vehicles for any purpose includes power to enter into agreements with any other council or any person for the use, upon such terms as may be agreed, of any suitable buildings, premises, accommodation, equipment or vehicles provided by, or under the control of, that other council or that person, and, if it appears convenient, for the services of any staff employed in connection therewith.
- (3) A council who provide buildings or other premises, accommodation, equipment or vehicles for any of the purposes of this Act may, on such terms (including terms with respect to the services of any staff employed by them) as may be agreed, permit the use thereof by any other council authorised by or under this, or any other Act, to make such provision.

272 Power of councils to combine for purposes of Act.

Without prejudice to the powers of combination conferred on local authorities by the Local Government Act, 1933, any two or more councils may by agreement combine for the purposes of any of their functions under this Act.

Status: This is the original version (as it was originally enacted).

273 Provisions as to sub-committees.

A committee appointed by a county council or local authority for any of the purposes of this Act may, subject to any directions of the council or authority, appoint such and so many sub-committees consisting either wholly or partly of members of the committee as the committee think fit and, subject as aforesaid, may delegate, with or without restrictions or conditions, any of their functions to a sub-committee so appointed :

Provided that a majority of the members of any such sub-committee shall be members of the county council or, as the case may be, of the local authority.

274 Power of councils to execute works outside their county or district.

Subject to any express provisions of this Act with respect to the execution by a local authority of particular works outside their district, a council may execute outside their county or district any work which under this Act they may execute within their county or district.

275 Power of local authority to execute certain work on behalf of owners or occupiers.

A local authority may by agreement with the owner or occupier of any premises themselves execute at his expense any work which they have under this Act required him to execute, or any work in connection with the construction, laying, alteration or repair of a sewer, drain or communication pipe for water, which he is entitled to execute, and for that purpose they shall have all such rights as he would have.

276 Power of local authority to sell certain materials.

- (1) A local authority may sell any materials which have been removed by them from any premises, including any street, when executing works under, or otherwise carrying into effect the provisions of, this Act, and which are not before the expiration of three days from the date of their removal claimed by the owner and taken away by him.
- (2) Where a local authority sell any materials under this section, they shall pay the proceeds to the person to whom the materials belonged after deducting the amount of any expenses recoverable by them from him.
- (3) This section does not apply to refuse removed by a local authority.

277 Power of councils to require information as to ownership of premises.

A council may, for the purpose of enabling them to perform any of their functions under this Act, require the occupier of any premises, and any person who either directly or indirectly receives rent in respect of any premises, to state in writing the nature of his own interest therein and the name and address of any other person known to him as having an interest therein, whether as freeholder, mortgagee, lessee or otherwise, and any person who having been required by a council in pursuance of this section to give to them any information fails to give that information, or knowingly makes any misstatement in respect thereof, shall be liable to a fine not exceeding five pounds.

278 Compensation to individuals for damage resulting from exercise of powers under Act.

(1) Subject to the provisions of this section, a local authority shall make full compensation to any person who has sustained damage by reason of the exercise by the authority of any of their powers under this Act in relation to a matter as to which he has not himself been in default.

(2) Any dispute arising under this section as to the fact of damage, or as to the amount of compensation, shall be determined by arbitration:

Provided that, if the compensation claimed does not exceed fifty pounds, all questions as to the fact of damage, liability to pay compensation and the amount of compensation may on the application of either party be determined by, and any compensation awarded may be recovered before, a court of summary jurisdiction.

(3) No person shall be entitled by virtue of this section to claim compensation on the ground that a local authority have in the exercise of their powers under this Act declared any sewer or sewage disposal works, whether belonging to him or not, to be vested in them, or on the ground that he has sustained damage by reason of any action of a local authority in respect of which the authority are by this Act authorised to pay compensation if they think fit.

(4) Where an owner of land claims compensation in respect of damage sustained by reason of a local authority having, in the exercise of their powers under this Act, constructed a sewer or laid a water main in, on or over his land, the tribunal determining the amount of the compensation shall determine also by what amount, if any, the value to the claimant of any land belonging to him has been enhanced by the construction of the sewer or the laying of the water main, and the local authority shall be entitled to set off that amount against the amount of any compensation awarded.