



CHAPTER lxxii.

An Act to authorise the Corporation of Don- A.D. 1922.
caster to provide and run omnibuses within
and outside the borough to confer upon the
Corporation further powers with reference to
their water and electricity undertakings to
make better provision for the health local
government and finance of the borough and
for other purposes. [4th August 1922.]

WHEREAS the borough of Doncaster is a municipal
borough under the management and local govern-
ment of the mayor aldermen and burgesses of the borough
acting by the council (hereinafter respectively referred to
as "the Corporation" and "the borough"):

And whereas it is expedient to authorise the Corpora-
tion to provide and work omnibuses within and outside
the borough and to confer upon them further powers in
connexion with their light railway undertaking:

And whereas the local authorities of the districts
in which the omnibus routes specified in this Act are
situate have not opposed the Bill for this Act:

And whereas it is expedient that the Corporation
should be empowered to acquire further lands for the
purpose of extending their sewage works as in this Act
provided:

And whereas it is expedient to extend the limits within
which the Corporation are authorised to supply water

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A.D. 1922. and to confer further powers upon them with respect
to their water and electricity undertakings :

And whereas it is expedient that further and better provision should be made with reference to streets buildings and sanitary matters and for the local government health and improvement of the borough and that the powers of the Corporation in relation thereto should be enlarged and extended :

And whereas an estimate has been prepared by the Corporation in relation to the following purpose in respect of which they are by this Act authorised to borrow money and such estimate is as follows :—

For the provision of omnibuses and the	£
erection and equipment of buildings	
therefor - - - - -	20,000

And whereas the works included in such estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Corporation :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas plans of the lands required or which may be taken for the purposes or under the powers of this Act and a book of reference containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the West Riding of the county of York which plans sections and book of reference are in this Act respectively referred to as the deposited plans and book of reference :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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 A.D. 1922.
of the same as follows (that is to say):—

PART I.

PRELIMINARY.

1. This Act may be cited as the Doncaster Corpora- Short title.
tion Act 1922.

2. This Act is divided into Parts as follows:—

Division of
Act into
Parts.

- Part I.—Preliminary.
- Part II.—Light railways and omnibuses.
- Part III.—Lands.
- Part IV.—Water.
- Part V.—Electricity.
- Part VI.—Streets and buildings.
- Part VII.—Sewers and drains.
- Part VIII.—Streams and prevention of floods.
- Part IX.—Infectious disease and sanitary provisions.
- Part X.—Human food.
- Part XI.—Police.
- Part XII.—Finance.
- Part XIII.—Miscellaneous.

3. The following Acts so far as they are applicable to the purposes of and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act (that is to say):—

Incorpora-
tion of
general Acts.

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):

The Waterworks Clauses Acts 1847 and 1863 except—

(A) The words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44 of the Waterworks Clauses Act 1847;

(B) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts.

4. In this Act unless the subject or context otherwise requires the several words and expressions to which by the Acts incorporated with this Act and by the Public Interpretation.

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A.D. 1922. Health Acts meanings are assigned shall have in relation to the relative subject matter the same respective meanings And the expressions—

- “The borough” means the borough of Doncaster;
- “The Corporation” means the mayor aldermen and burgesses of the borough;
- “The council” means the council of the borough;
- “The town clerk” “the medical officer” “the surveyor” “the sanitary inspector” and “the veterinary inspector” mean respectively the town clerk the medical officer of health the surveyor the sanitary inspector and the veterinary inspector of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;
- “The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;
- “The Public Health Acts” means the Public Health Act 1875 and any Acts amending the same;
- “The water undertaking” means the water undertaking of the Corporation as from time to time authorised;
- “The gas undertaking” means the gas undertaking of the Corporation as from time to time authorised;
- “The electricity undertaking” means the electricity undertaking of the Corporation as from time to time authorised;
- “The light railway undertaking” means the light railway undertaking of the Corporation as from time to time authorised;
- “Mechanical power” includes steam electrical and every other motive power not being animal power;
- “Omnibus” means any stage carriage moved by animal power or by mechanical power obtained from some internal source;
- “The Order of 1899” means the Doncaster Corporation Light Railways Order 1899;

- “ The Act of 1904 ” means the Doncaster Corporation Act 1904; A.D. 1922.
- “ The Act of 1908 ” means the Doncaster Corporation Act 1908;
- “ The Act of 1915 ” means the Doncaster Corporation Act 1915; and
- “ Daily penalty ” means a penalty for every day on which any offence is continued after conviction.

PART II.

LIGHT RAILWAYS AND OMNIBUSES.

5. For the purposes of this Part of this Act the expression “ road authority ” means with reference to any road or part of a road over which any proposed omnibus service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road. Definition of road authority.

6.—(1) Subject to the provisions of this Act the Corporation may provide and maintain (but shall not manufacture) and may run omnibuses within the borough and along the following routes outside the borough (that is to say):— Power to run omnibuses.

Route No. 1 In the parishes of Warmsworth and Edlington in the rural district of Doncaster from the borough boundary where it crosses the Doncaster and Tinsley main road along such road and Edlington Lane to the southern end of Edlington Old Village;

Route No. 2 In the urban districts of Bentley with Arksey and Adwick-le-Street and in the parish of Sprotborough in the rural district of Doncaster from the borough boundary where it crosses the Great North Road on the western side of the borough along such road to the light railway terminus at Woodlands Village thence along Windmill Balk Lane to Adwick-le-Street thence along Church Lane Adwick Lane Doncaster and Selby main road and Victoria Road to the light railway terminus in the Avenue Bentley Colliery Village thence along Arksey Lane Doncaster and Selby main road and the Great North Road to the borough boundary where it crosses such road on the western side of the borough;

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Route No. 3 In the parishes of Cantley and Rossington in the rural district of Doncaster from the borough boundary where it crosses the Great North Road on the south-eastern side of the borough along such road to the junction therewith of Rossington Road and along that road through the village of Rossington to the level crossing at Rossington Station;

Route No. 4 In the parish of Barnby Dun with Kirk Sandall in the rural district of Doncaster and in the parishes of Stainforth and Hatfield in the rural district of Thorne from the borough boundary where it crosses the Barnby Dun Road thence along that road to Stainforth and along Church Balk and Station Road to Hatfield and along the Doncaster and Thorne main road to the borough boundary where it crosses such road;

and (with the consent of the Minister of Transport and the local authority of the district) along any other route outside the borough Provided that the consent of a local authority shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

(2) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice in writing of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any persons affected by such proposals may object thereto and if any objection shall be made by any such person or the consent of the local authority is withheld the Minister of Transport may direct an inquiry to be held.

(3) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running equipment maintenance and repair of such omnibuses

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but the Corporation shall not create or permit any nuisance on any lands upon which they erect any such houses buildings or sheds. A.D. 1922.

(4) Every omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(5) The Corporation shall perform in respect of the omnibuses provided under this section such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

(6) The provision of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Corporation as if they were carriages used on tramways.

(7) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon such omnibuses or in or against any premises held by the Corporation in connexion therewith.

7. Subject to the provisions of this Act the omnibus undertaking authorised by this Act shall be deemed to form part of the light railway undertaking Provided that in the accounts of the Corporation relative to the light railway undertaking the income and expenditure upon and in connexion with omnibuses shall (so far as may be reasonably practicable) be distinguished from the income and expenditure upon or in connexion with the remainder of such undertaking. Omnibuses to form part of light railway undertaking.

8.—(1) (A) Before the Corporation commence to run omnibuses over any road or part of a road it shall be determined by agreement between the Corporation and the road authority or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Act of an omnibus service over any such road or part of a road) to adapt alter or reconstruct such road or part of a road or to strengthen any county bridge or district bridge and if so what sum of money (if any) per mile of road so to be adapted altered or reconstructed or what sum of money (if any) in respect of any such bridge shall be Provisions as to adaptation of roads &c.

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A.D. 1922: payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration reconstruction or strengthening.

(B) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (A) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to run omnibuses over the road or part of a road or bridge in question.

(c) If the Corporation give notice in writing to the road authority that they intend to run omnibuses over the road or part of a road or bridge in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (A) of this subsection the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road or of strengthening such bridge pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work. Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(D) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Corporation shall commence to run omnibuses over the road or part of a road to be adapted altered or reconstructed or over the bridge to be strengthened.

(E) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c) of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or reconstructed or of any such bridge so strengthened.

(F) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge a district council shall be deemed to be the road authority.

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(2) Any payment made to a road authority under this section in respect of any main road retained by them under subsection (2) of section 11 of the Local Government Act 1888 or maintained by them under subsection (4) of that section shall be credited to the county council in ascertaining the amount payable by them under either of the said subsections of the Local Government Act 1888.

(3) If any such adaptation alteration reconstruction or strengthening as aforesaid shall involve an alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(4) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any road over which any motor omnibus is run under the powers of this Act.

(5) An agreement under this section with respect to any main road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

9. Nothing contained in this Part of this Act shall impose any obligation on or enlarge any obligation of any railway or canal company to strengthen adapt alter or reconstruct any bridge maintainable by them respectively.

As to
bridges of
railway and
canal com-
panies.

10.—(1) The powers of running omnibuses under the provisions of this Act on any road or part of a road outside the borough may at the expiration of ten years from the date on which such running commences and

Cesser of
powers.

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A.D. 1922. at the expiration of any subsequent period of ten years be determined by the Minister of Transport on the application of the local authority of the district in which such road or part of a road is situate upon such terms as the said Minister may determine.

(2) Before issuing an order to determine the said powers the Minister of Transport shall hold a local inquiry at which opportunity shall be afforded to the road authority and any person interested to object to the continuance or cesser of such powers.

Determina-
tion of
powers in
certain
events.

11. If the Corporation do not within a period of three years from the passing of this Act provide a service of omnibuses on any route described in the section of this Act of which the marginal note is "Power to run omnibuses" or having provided shall discontinue such service the Minister of Transport may on the application of any local authority within whose district the route or any part of the route is situate and after considering any representation which may be made on behalf of the Corporation by order declare that unless a service of omnibuses be provided within such period as the Minister of Transport may by such order prescribe the powers of the Corporation under this Act in respect of the provision and running of omnibuses on such route or part of such route shall determine and if within the prescribed period such service be not provided as from the expiration of such period the powers of the Corporation under this Act in relation to the provision and running of omnibuses on such route or part of a route shall cease :

Provided that this section shall not apply or have effect in the event of the failure of the Corporation to provide a service of omnibuses on any route being due to strikes unforeseen accident or circumstances beyond the control of the Corporation.

Omnibus
fares and
charges.

12.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on the omnibuses fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.

Any application for a revision of such maximum fares or charges may be made by the Corporation or by

the local authority of any district in which such omnibuses are run. A.D. 1922.

(2) Every passenger may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit carry on the omnibuses dogs in the care of passengers and small parcels not exceeding fifty-six pounds in weight the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares and charges authorised by this Act shall be paid to such persons and in such manner as the Corporation may by notice annexed to the list of fares and charges appoint.

13.—(1) The Corporation and any other local authority company body or person for the time being empowered to provide or run omnibuses in any district adjacent to the borough or in any district in which any of the omnibus routes authorised by this Act are situate may enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

Working
and other
agreements.

(A) The working user management and maintenance of all or any of the omnibus services which the contracting parties are authorised to provide and run and of any omnibuses lands depôts buildings sheds and property provided by either of the contracting parties and of the right to provide and use the same and to demand and take the fares and charges authorised in respect of such omnibuses :

(B) The supply by any of the contracting parties under and during the continuance of any such agreement of omnibuses and conveniences in connexion therewith necessary for the purpose of such agreement and the employment of officers and servants :

(C) The interchange of accommodation conveyance transmission and delivery of traffic arising on

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or coming from or destined for any omnibus service of the contracting parties :

(D) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service.

(2) The Corporation shall not enter into or carry into effect any agreement (other than with a local authority) under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property beyond the borough otherwise than with the consent of the local authority of the district within which such omnibus service lands depôts buildings sheds or property are situate Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

Increase of light railway fares.

14. Section 59 (Rates for passengers) and section 62 (Cheap fares for labouring classes) of the Order of 1899 and any enactment which incorporates or applies those sections shall be read and construed as if the amount of any rate charge or fare which the Corporation are by those sections authorised to charge were in each case increased by fifty per centum Provided that in computing the actual rates charges or fares to be charged a fraction of one halfpenny shall be deemed to be one halfpenny.

Periodical revision of rates and charges.

15. In reading and construing with this Act section 66 (Periodical revision of rates and charges) of the Order of 1899 and any enactment which incorporates or applies that section the period of three years from the opening for public traffic referred to in the said section 66 shall be read and have effect as if such period were three years from the passing of this Act.

Power to reserve carriages and omnibuses for special purposes.

16.—(1) Notwithstanding anything contained in this or any other Act or any Order to the contrary the Corporation may on any occasion run and reserve carriages on any light railway of the Corporation and omnibuses on any route on which the Corporation are from time to time authorised to run omnibuses for any special purpose which the Corporation may consider necessary or desirable provided that such special carriages and omnibuses shall be distinguished from others in such

manner as may be directed by the Corporation and that during the running of such special carriages or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of carriages or omnibuses as the case may be. A.D. 1922.

(2) The Corporation may make byelaws and regulations for prohibiting the use of any such carriages or omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions as to tolls fares rates or charges for passengers contained in this Act or in the Acts and Orders relating to the light railway undertaking shall not extend to any such carriages or omnibuses and in respect thereof the Corporation may demand and take such tolls fares rates or charges as they shall think fit.

17.—(1) The Corporation may provide (but shall not manufacture) maintain work and use trailer carriages and coupled carriages on any light railway of the Corporation under such conditions with respect to the safety of the public as the Minister of Transport may from time to time approve. Power to use trailer carriages on light railways.

(2) The trailer carriages and coupled carriages used by the Corporation under the provisions of this section shall be fitted with such brakes and safety appliances as the Minister of Transport may approve and no trailer carriage or coupled carriage shall be used by the Corporation unless the design thereof has been approved by the Minister of Transport.

(3) The number of carriages which may be used or run attached together shall not in any case exceed two.

18. The Corporation may at such times and in such manner as they think fit use any light railway of the Corporation for sanitary or road-watering purposes and for the conveyance of scavenging stuffs road metal coal and other materials required for the works of the Corporation free of all tolls rates and charges in respect of such use. Use of railways for carriage of road materials.

19.—(1) For the purpose of using mechanical power in connexion with or for the purposes of the light railway undertaking the Corporation may acquire hold and exercise patent and other rights or licences relative to motive Power to acquire patent rights.

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A.D. 1922. power or otherwise but not so as to acquire any exclusive right therein.

(2) Section 19 (Power to hold patent rights) of the Act of 1908 is hereby repealed.

Shelters or waiting-rooms.

20.—(1) The Corporation may erect and maintain sheds shelters or waiting-rooms and gangways for the accommodation of passengers on the route of any light railway of the Corporation and on any omnibus route established under the authority of this Act and may use for that purpose portions of the public streets or roads Provided that the powers of this section shall not be exercised without the consent of the road authority and (in the case of any street or road outside the borough) of the local authority of the district.

(2) Section 18 (Shelters or waiting-rooms) of the Act of 1908 is hereby repealed.

Cloakrooms.

21. The Corporation may provide cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connexion with the light railway undertaking and at suitable places on any of their light railway or omnibus routes and the Corporation may make charges for the use of such cloakrooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of the highway without the consent of the road authority.

Power to require intending passengers to wait in queues.

22. For the better regulation of persons desiring to travel in the light railway carriages or the omnibuses of the Corporation the Corporation may erect and maintain barriers and posts at any stopping-place or terminus and for that purpose may with the consent of the road authority use part of the highway and the Corporation may make byelaws requiring persons waiting to enter carriages or omnibuses at any stopping-place or terminus to wait in lines or queues and to enter such carriages or omnibuses in the order in which they stood in such line or queue.

Byelaws under Part II. of this Act.

23. All byelaws and regulations under this Part of this Act shall be made subject to and in accordance with the provisions of section 56 (General provisions as to byelaws) of the Order of 1899.

24.—(1) The consent of a local or road authority under the sections of this Act of which the marginal notes respectively are “Shelters or waiting-rooms” “Cloakrooms” and “Power to require intending passengers to wait in queues” shall not be unreasonably withheld and any question as to whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

A.D. 1922.
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Consents of
authorities
&c.

(2) The provisions of this section shall not apply in respect of any main road maintained under section 11 (1) of the Local Government Act 1888 by the county council of the West Riding of Yorkshire. Provided that if the Corporation submit to the county council a plan showing their proposals the county council shall consider such plan and unless in their opinion such proposals would be detrimental to the use of the road in question for the purpose of ordinary traffic the county council shall give their consent. Such consent may be given on such conditions as the county council think fit including a condition that in the event of the structure to which the consent relates becoming an obstruction owing to any road improvement or the fixing of a building line by the local authority of any district outside the borough the county council may require that the structure be removed or altered as the case may reasonably require.

25. Any property found in any light railway carriage or omnibus of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue account of the light railway undertaking.

Lost
property.

26. Notwithstanding anything contained in this Part of this Act no shed shelter waiting-room or room and no barrier or post for the regulation of passengers on the light railways or omnibuses of the Corporation shall be erected maintained or provided nor shall the Corporation require persons waiting at any stopping-place or terminus to wait in any line or queue so as to cause interference with or render less convenient the access to or exit from any station or depôt of a railway company

For protec-
tion of
railway
companies.

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A.D. 1922. — nor shall any such shed shelter waiting-room room barrier or post be erected maintained or provided on any bridge carrying any street or road over the railway of a railway company.

PART III.

LANDS.

Acquisition of lands for sewage works.

27. Subject to the provisions of this Act the Corporation may enter upon take and use for the purposes of the extension of their Balby Sewage Disposal Works certain lands in the borough delineated upon the deposited plans and comprised within the enclosures numbered 53 56 80 81 82 85 87 and 89 on the $\frac{1}{2500}$ Ordnance map of the parish of Doncaster sheet CCLXXXV—5 (second edition 1903) and on such lands may erect make provide lay down and maintain such bacteria-beds screens filter-beds tanks sludge lagoons sewers drains outfalls overflows sluices culverts conduits valves channels engines pumps works conveniences and other sewage works as may be necessary or convenient.

Period for compulsory purchase of lands.

28. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

As to private rights of way over lands taken compulsorily.

29. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished Provided that the Corporation shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Incorporation of provisions of Acts of 1904 and 1915.

30. The provisions contained in the sections of the Acts of 1904 and 1915 the numbers and marginal notes of which are respectively set forth in this section shall so far as applicable and with the necessary modifications extend and apply to and for the purposes of this Act or in relation to the lands by this Act authorised to be acquired as if those enactments were in this Act re-enacted with reference thereto.

The sections hereinbefore referred to are:—

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The Act of 1904—

Section 24 (Correction of errors in deposited plans and book of reference);

Section 26 (Persons under disability may grant easements &c.); and

Section 30 (Power to retain sell &c. lands):

The Act of 1915—

Section 36 (Power to Corporation to enter upon property for survey and valuation).

31. In settling any question of disputed purchase-money or compensation for lands acquired by the Corporation under any Act or Order from time to time in force within the borough the tribunal settling the same shall not award any sum of money for or in respect of any improvement or alteration made or any building erected after the date of the first newspaper advertisement of the notice of the intention of the Corporation to apply for powers to acquire the lands if in the opinion of the tribunal the improvement alteration or building in respect of which the claim is made was made with a view to obtaining or increasing compensation nor in the case of any estate or interest in the lands created after the said date which in the opinion of the tribunal was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition by the Corporation of such lands.

Compensation in case of recently altered buildings.

32. The powers conferred upon the Corporation by the Act of 1915 for the compulsory purchase of the lands and easements required for the purposes of Part II. (Street Improvements) (other than for the Widenings Nos. 9 and 10 of High Fishergate Silver Street East Laith Gate and Nether Hall Road) and for the purposes of Part IV. (Municipal buildings) of that Act are hereby revived and extended and may be exercised by the Corporation during but not after a period of three years from the passing of this Act.

Revival and extension of time for purchase of lands under Act of 1915.

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PART IV.

WATER.

Extension
of limits for
supply of
water.

33. The limits within which the Corporation may supply water are hereby extended so as to include so much of the parish of Barnby Dun with Kirk Sandall in the rural district of Doncaster as is not now within such limits (being the portion of that parish which was formerly the parish of Barnby Dun) and for the purposes of such supply the Corporation shall have and may exercise all the powers rights privileges and authorities and shall be subject to the same obligations as they now have and may exercise and are subject to in connexion with the water undertaking under the provisions of the Acts and Orders relating thereto and the Acts incorporated therewith respectively and those provisions and the provisions of this Act relating to the water undertaking shall extend and apply within the said limits of supply as extended by this section and to the supply of water therein :

Provided that section 10 (Power to local authority &c. to supply water in case Corporation fails to supply) of the Act of 1904 shall apply as if the whole of the said parish had formed part of the limits for the supply of water by the Corporation at the date of the passing of that Act :

Provided also that in the event of the Corporation exercising their rights to supply water to any premises in any part of the parish of Barnby Dun with Kirk Sandall which at the date of such supply are supplied by the Doncaster Rural District Council or Pilkington Brothers Limited the Corporation shall if so required acquire at a price to be agreed upon or failing agreement determined by arbitration under the provisions of the Arbitration Act 1889 or any statutory modification thereof so much of the water mains laid down by such council or Pilkington Brothers Limited for the supply of such premises as can reasonably be used by the Corporation for the purposes of such supply.

For protec-
tion of
Great Cen-
tral Railway
Company.

34. The provisions of section 10 of the Doncaster Order 1921 confirmed by the Ministry of Health Provisional Orders Confirmation (No. 7) Act 1921 shall so far as applicable apply to any works constructed by the

Corporation in pursuance of the section of this Act of which the marginal note is "Extension of limits for supply of water" so far as the same may be constructed across under or over the railways of the Great Central Railway Company. A.D. 1922.

35.—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination. Byelaws for preventing waste of water.

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

36. Section 35 of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one-sixth part" and "five successive years" were substituted therein for the words "one-tenth part" and "three successive years" respectively. Application of section 35 of Waterworks Clauses Act 1847.

37. The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe or apparatus and for that purpose to open or break up any street in the limits for the supply of water by the Corporation As to communication pipes.

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A.D. 1922. execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Corporation to connect communication pipes with mains.

38. Notwithstanding anything contained in any Act relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication or service pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Penalty for closing valves and apparatus.

39. Every person who shall wilfully (without the consent of the Corporation) or negligently close or shut off any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Notice of discontinuance.

40. A notice to the Corporation from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation or be given by the consumer personally at the office of the Corporation.

Repeal of certain water provisions.

41. The following sections of the Doncaster Corporation Waterworks Act 1873 are hereby repealed:—

Section 31 (Regulations for preventing waste &c. of water);

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- Section 33 (Notice of discontinuance);
Section 36 (Recovery of sums due by action or distress);
Section 45 (Contents of summons &c.);
Section 46 (Costs of distress);
Section 47 (Judges &c. not disqualified);
Section 48 (Contracts for water &c. not to disable members of Corporation); and
Section 51 (Form and service &c. of notices by Corporation):

A.D. 1922.

Provided that any regulations made under the said section 31 shall remain in force until superseded by any byelaws made in pursuance of the section of this Act the marginal note of which is "Byelaws for preventing waste of water."

PART V.

ELECTRICITY.

42.—(1) The Minister of Transport on the application of the Corporation may at any time by order fix the maximum rates for the supply of electricity by the Corporation and for that purpose modify the provisions of section 25 (Maximum prices) of the Doncaster Corporation Electric Lighting Order 1898 and the Fourth Schedule to that Order.

Power to Minister of Transport to fix rates for supply of electricity.

(2) Any rate or rates so fixed may at any time after the expiration of three years from the date of any order made by the Minister of Transport under subsection (1) of this section be revised by the said Minister on the application of the Corporation or of such number (not being less than twenty) of consumers of electricity supplied by the Corporation as the said Minister may consider sufficient and any rate or rates so revised may be in like manner from time to time again revised at any time after the expiration of three years from the last revision.

(3) The Corporation shall as soon as practicable after an order has been made in pursuance of subsection (1) or subsection (2) of this section cause such order to be published in two successive weeks in one or more local newspapers circulating within the limits for the supply of electricity by the Corporation and the order shall come into operation on the quarter day next following the date of the said publications.

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—
Method of
charging for
electricity.

43. Notwithstanding anything contained in the Electricity (Supply) Acts 1882 to 1919 or in any other Act or any Order relating to the Corporation or the electricity undertaking the Corporation may in all or any cases where they supply electricity charge for and in respect of such supply by any method for the time being selected by the Corporation and approved by the Minister of Transport Any such method may be other than by the actual amount of electricity supplied or the electrical quantity contained in such supply and may authorise a periodical charge in respect of the maximum power required by the consumer in addition to a charge for the electricity supplied to him.

PART VI.

STREETS AND BUILDINGS.

Adjustment
of bound-
aries of
streets.

44.—(1) The Corporation may enter into and carry into effect agreements with any owner of lands adjoining any street for the adjustment of the boundary of any such street and for such purpose may give up to such owner land including land forming part of the street in exchange for other land Provided that no such agreement shall be entered into until the expiration of one month from the date on which notice of the proposals has been given by advertisement in some local newspaper circulating in the borough and if during such period of one month four inhabitant householders of the borough by themselves or their agent give notice to the Corporation of their intention to appeal under this section the Corporation shall not proceed with their proposals (unless the notice of appeal is withdrawn) pending a decision on or a withdrawal of the appeal The advertisement in the newspaper shall include notice of this proviso.

(2) Any four inhabitant householders of the borough may appeal to a petty sessional court against any proposal of the Corporation as to an adjustment of the boundaries of a street under this section and on any such appeal the petty sessional court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just and the costs of any such appeal shall be paid in

such manner and by such parties to the appeal as the petty sessional court may direct. A.D. 1922.

(3) Notwithstanding anything in this section contained no land forming part of any main road maintained under section 11 (1) of the Local Government Act 1888 shall be given up in exchange for other land without the consent of the county council of the West Riding of Yorkshire.

45.—(1) The Corporation may for the purposes of securing the proper laying out or development of any estate or lands in respect of or in connexion with which plans for any new streets to be constructed are submitted to the Corporation for approval require that provision shall be made for adjusting and altering the boundaries of any such estate or lands or any lands adjacent or near thereto and for effecting such exchanges of land and the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands as may be necessary or convenient for such purposes and the provision to be so made and the terms and conditions upon which such provision is to be made shall failing agreement between the Corporation and the respective persons interested in such estates or lands be determined on the application of the Corporation or any such person by an arbitrator to be appointed by the Minister of Health and the Corporation may for securing the execution of any such purposes agree to pay and may and shall pay to any such person or persons such sums as may be agreed upon or in default of agreement be determined by arbitration as aforesaid provided that the payment of money by any such person shall not be made a term or condition of any award made under this section otherwise than with his consent. Adjustment of boundaries of estates.

(2) Any award made under the provisions of this section shall operate to effect any adjustment or alteration of boundaries or exchange of lands or the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands which may be provided for by such award or be necessary for giving effect thereto and shall be duly stamped accordingly and the costs charges and expenses of any such arbitration shall unless and except in so far as the award shall otherwise provide be borne and paid by the Corporation.

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(3) Any lands or moneys received by any person in or in respect of an adjustment or alteration of boundaries or exchange of lands under the provisions of this section shall be held by such person subject to the same trusts (if any) and any lands so received shall also be held subject to the same covenants restrictions and conditions (if any) so far as the same are applicable as the lands exchanged therefor. Where any such covenants restrictions or conditions shall in any case be agreed to be inapplicable or be determined by the arbitrator to be inapplicable the same shall be indicated in any agreement or award made under the provisions of this section.

(4) For the purpose of the adjustment or alteration of the boundaries of any such estate or lands as aforesaid the Corporation may themselves purchase any land and may sell or lease the land so purchased in whole or in part at such time or times at such price or prices and on such conditions as they may think fit or may appropriate the same for any public purpose approved by the Minister of Health and until such sale or appropriation may occupy manage or let the same or any part thereof in such manner as the Corporation may think reasonable.

Power to
Corporation
to grant
licences for
bridges over
streets.

46.—(1) The Corporation may grant to the owner or with the consent of the owner to the lessee or occupier of any premises abutting upon any street repairable by the inhabitants at large or any public highway a licence to construct and use a way (exclusive or otherwise) for himself his servants and agents at all times with or without trucks by means of a bridge over such street or highway for such term as shall be co-extensive with or less than the interest of such owner lessee or occupier in the premises in respect of which such licence shall be given on such terms and with under and subject to such covenants conditions and agreements as to the Corporation may seem fit. Provided that no fine rent or other sum of money (except a reasonable sum in respect of legal or other expenses incurred) shall be payable for or in respect of such licence.

(2) Provided also that any licence given under this section shall not in any way interfere with the convenience of persons using such street or affect the rights of the owners of the property adjoining and up to the line of the street or highway.

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(3) Provided further that in the event of the construction of any such bridge involving the alteration of a telegraphic line of the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration and any such bridge shall for the purposes of the placing or maintenance of overground telegraphic lines under the powers conferred by the Telegraph Acts 1863 to 1921 be deemed part of the street or road which it crosses.

(4) If any person shall construct a bridge over any such street or highway without such licence or shall construct or use the same otherwise than in accordance with the terms and conditions of the licence he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(5) Notwithstanding anything contained in any licence given under this section no pier abutment or other structure shall be erected on any part of the carriageway or footway of any main road maintained under section 11 (1) of the Local Government Act 1888 without the consent of the county council of the West Riding of Yorkshire.

47. The owners or occupiers of all lands abutting upon any public street and the owners or occupiers of all lands abutting upon any private street communicating with any public street shall so fence off channel or embank their lands as to prevent soil sand clay cinders or other like substances from such lands from falling upon or being washed or carried into any public street or sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

For preventing soil from being washed into streets.

For the purposes of this section "public street" means so much of a street repairable by the inhabitants at large as is sewered and "private street" means a street not so repairable :

Provided that such owner or occupier shall not be responsible for any soil sand clay cinders or other substances from land other than his own although such soil sand clay cinders or other substances may have passed over the land of such owner or occupier Provided

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A.D. 1922. — further that this section shall not apply to any land of a bonâ fide agricultural character or to any woodland.

Lopping of trees overhanging highways.

48.—(1) Where any tree hedge or shrub overhangs any street or footpath so as to obstruct or interfere with the light from any public lamp or to interfere with vehicular traffic or with the free passage or comfort of passengers the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub within fourteen days so as to prevent such obstruction or interference and in default of compliance the Corporation may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Corporation under this section may appeal to a court of summary jurisdiction within fourteen clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable as a civil debt. Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this section.

As to erection of buildings at street corners.

49.—(1) The Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed at or within a distance of fifteen yards from the corner of any street. The line which in any case the Corporation propose so to prescribe and define shall be definitely marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to the owners of the premises affected. No new building erection excavation or obstruction shall be made or remade nearer to the centre of the street or streets at such corner than such line.

(2) The Corporation may and if required by the owner shall purchase the land lying between any such line as aforesaid and the street or road and the same

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when purchased shall vest in the Corporation as part of the street or road and the amount of purchase-money shall in case of difference be settled by arbitration under the Lands Clauses Acts as varied by the Acquisition of Land (Assessment of Compensation) Act 1919 :

Provided that the Corporation shall not be required by any owner to purchase any such land until he shall have completed subsequent to the prescription of a line as aforesaid a new building on premises immediately behind such line.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make compensation to the owner of and to persons interested in any land or building for any loss or damage they may sustain in consequence of such line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such land or building compensation in respect thereof for all damage loss or injury (if any) sustained by them by reason of the Corporation requiring the said line to be observed and kept.

(4) If after any such line shall be so defined and prescribed as aforesaid any person shall act contrary to this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty of the like amount.

(5) In estimating the amount of compensation or purchase-money to be paid by the Corporation under this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street corner shall be fairly estimated and shall be set off against the said compensation or purchase-money.

50. The power given by subsection (4) of section 23 of the Public Health Acts Amendment Act 1890 to make byelaws with respect to the alteration of buildings shall be extended so as to authorise byelaws with respect to the alteration of buildings whether or not erected in accordance with byelaws and with respect to the submission in regard to the alteration of such plans and sections as can be required in relation to the erection of a new building.

As to alterations to old buildings.

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As to
erection of
retaining
walls.

51.—(1) Before any person shall erect on any land a retaining wall of greater height than six feet abutting on or adjacent to any street or road he shall submit to the Corporation plans sections and specifications thereof and no such wall shall be erected except in accordance with such plans sections and specifications as approved by the Corporation.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Corporation requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Corporation be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Restriction
on erection
of tempo-
rary stands.

52.—(1) Every person intending to erect any stand or structure for affording sitting or standing accommodation for a number of persons shall within fourteen days prior to the commencement of the erection thereof submit to the Corporation a plan and section thereof and shall comply with such regulations as the Corporation may prescribe for securing the stability of such stand or structure and for securing the safety of persons to be accommodated thereon.

(2) Any person acting in contravention of this section or offending against any such regulation shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Power to
require use
of ladders
&c.

53. In exercising any powers of entry and inspection of any building or works in course of construction the surveyor and his assistants shall have from the builder of or contractor for such building or works free of expense all reasonable use and assistance of ladders scaffolding and plant in and about such building or works Any person who shall refuse such use and assistance as aforesaid or shall obstruct the surveyor or his assistants in the use of such ladders scaffolding and plant as aforesaid shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

54.—(1) Every notice board sign bracket or other projection which shall overhang any street shall be securely fixed and maintained by the owner thereof.

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As to pro-
jections
over streets.

(2) If the Corporation have reason to believe that any such notice board sign bracket or other projection is not securely fixed they may enter upon the premises to which it is attached for the purpose of inspecting the same and the means by which it is attached.

(3) Any person acting in contravention of this section shall be liable in respect of each offence to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

55. The Corporation may make byelaws for prescribing the type size and design of water stop tap boxes and covers to be thereafter fixed or replaced in any street dedicated to public use within the limits for the supply of water by the Corporation and the materials of which the same may be made.

Byelaws as
to certain
water
apparatus.

56.—(1) Nothing in the sections of this Act hereinafter mentioned shall apply to any building (not used as a dwelling-house) or work constructed or to be constructed by any railway company as a part of or for the purposes of their railway under any statutory powers or to any lands held or acquired or which may hereafter be held or acquired by them respectively and used for the purposes (other than for a dwelling-house) of their railway with the authority of Parliament.

Saving for
railway
companies.

(2) The sections of this Act hereinbefore referred to have the following marginal notes:—

Power to Corporation to grant licences for bridges
over streets;

As to erection of buildings at street corners;

As to alterations to old buildings;

As to erection of retaining walls;

Restriction on erection of temporary stands; and

As to projections over streets.

PART VII.

SEWERS AND DRAINS.

57. Every person who wilfully or negligently turns or permits to enter into any sewer of the Corporation

Prohibiting
entry of

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A.D. 1922. or any drain communicating therewith any petroleum
petrol or or other substances to which the Petroleum Acts apply
oil into or oil or oily substance from any workshop motor garage
sewers. or other like premises shall be liable to a penalty not
exceeding ten pounds and to a daily penalty not exceeding
five pounds.

As to
houses
connected
with single
private
drain.

58.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer or into a cesspool or other receptacle for drainage the Corporation shall have all the powers conferred by section 41 of the Public Health Act 1875 and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

(2) Section 19 of the Public Health Acts Amendment Act 1890 shall cease to be in force within the borough.

(3) For the purposes of this section the expression “drain” includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

(4) Section 81 (Amendment of section 19 of Public Health Acts Amendment Act 1890) of the Act of 1915 is hereby repealed.

Separate
sewers for
surface
water and
sewage may
be required.

59.—(1) The Corporation may by resolution declare that any sewer from time to time belonging to them shall thenceforth be appropriated and used for sewage (in this section called a “sewage sewer”) and they may also declare that any other sewer for the time being belonging to them shall thenceforth be appropriated and used for surface water (in this section called a “surface-water sewer”).

(2) Where under the provisions of any Act from time to time in force in the borough the Corporation have power to require any street to be sewered they may require the provision of separate sewage sewers and

surface-water sewers and the provisions of that Act shall apply to such sewers accordingly Provided that the powers of this subsection shall not be exercised unless and until the Corporation shall have provided sewers adequate and proper for the purpose of receiving the sewage from such separate sewage sewers and shall have provided sewers or other outlets adequate and proper for the purpose of receiving the surface water from such separate surface-water sewers. A.D. 1922.

(3) (A) Where in any street separate sewers for sewage and surface water shall have been provided (whether before or after the passing of this Act) no sewage shall be allowed to pass from any premises into the surface-water sewers and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers except with the consent in writing of the Corporation.

(B) Any person who shall offend against the provisions of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(C) Provided that in the case of any premises existing at the time of the provision of separate sewers the drains whereof were already connected with a sewer and would but for the provisions of this section have been sufficient effectually to drain such premises the provisions of this subsection shall not apply to such premises until the Corporation have at their own expense made all necessary alterations to the drains and pipes of such premises in order to keep separate the sewage and the surface-water drainage thereof and the Corporation may if they think fit make all such alterations.

PART VIII.

STREAMS AND PREVENTION OF FLOODS.

60.—(1) For the purpose of preventing floods in the borough or any part thereof the Corporation may—

For prevention of flooding.

(A) (i) By agreement purchase and hold lands on and in the neighbourhood of the banks of any river or stream in the borough;

(ii) Widen straighten and strengthen the banks of any such river or stream;

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- (iii) Dredge such river or stream; and
 - (iv) Reconstruct and widen any bridges belonging to the Corporation across such river or stream :
- (B) With the approval of the Minister of Health construct walls embankments or other works upon or in the neighbourhood of the banks and foreshore of any river or stream in the borough
Provided that where such construction will in any way affect any lands river or stream beyond the borough the Minister of Health shall submit the proposal to the county council of the West Riding of Yorkshire for their observations :

Provided that before executing any work under the provisions of this section the Corporation shall cause to be prepared and deposited at the office of the town clerk for inspection by or on behalf of any owner affected by such work a plan section and specification of the proposed work together with an estimate of the probable cost thereof and a provisional apportionment of such estimated cost and shall give notice in writing of such deposit to every owner proposed to be charged with any part of such cost and if any such owner shall within twenty-eight days of the receipt of any such notice deliver to the town clerk a statement in writing signed by him that he objects to the proposed work or to the apportionment of the cost thereof such objection shall be determined by a court of summary jurisdiction on the application of either party and such court may quash in whole or in part or may amend such plan section specification estimate or provisional apportionment or any of them.

(2) (A) Any expenses incurred by the Corporation under the provisions of this section (including the expense of purchasing any lands for the purposes of any work thereunder) may be apportioned amongst and recovered by the Corporation from the owners of property within the borough benefited by the construction or carrying out of any work by the Corporation thereunder Provided that in the event of any such apportionment being so made and of any property of the Corporation being so benefited a due proportion of such expenses shall be apportioned to them and shall be borne and paid by them out of the borough fund or out of money to be borrowed under the provisions of this Act.

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(B) Any expense incurred by the Corporation and authorised as above mentioned to be so apportioned and recovered may be apportioned and recovered by the Corporation from the owner or owners chargeable therewith in the same manner as nearly as may be as expenses incurred by an urban authority under the provisions of the Private Street Works Act 1892 are apportioned and recovered by such authority and as if the property benefited as aforesaid were premises fronting adjoining or abutting on the street or part of a street in respect of which expenses are incurred under those provisions and any question as to the manner in which such expenses should be apportioned and recovered and as to whether the Corporation have complied with the requirements of this subsection may be determined on the application of the Corporation or any such owner or owners (as the case may be) by a court of summary jurisdiction which court may issue such directions or make such order as they may consider proper in the circumstances.

(3) The Corporation may if they think fit at any time resolve to contribute the whole or a portion of any expenses incurred by them under the provisions of this section and in the event of their so resolving may pay the same out of the borough fund or out of moneys to be borrowed by them under the provisions of this Act.

(4) Section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply to cases where damage is sustained by the exercise of the powers of this section.

(5) Nothing in this section shall prejudice affect repeal or alter any of the powers authorities rights or privileges vested in the Dun Drainage Commissioners or any obligations to which they are subject.

61. Every person who throws casts deposits or by any other means conveys or causes to be conveyed any solid matter whatsoever into any river stream or brook within the borough so as to interfere with the due flow of such watercourse shall be liable to a penalty not exceeding five pounds.

Penalty for throwing rubbish into streams.

62.—(1) If any watercourse or ditch situate upon any land in the borough laid out for building or on which any such land abuts requires in the opinion of the Corporation to be wholly or partially filled up or covered

Water-courses to be culverted in certain cases.

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A.D. 1922. — over the Corporation may by notice in writing require the owner or owners of such lands to substitute for such watercourse or ditch a pipe drain or culvert with all necessary gullies pipes and means of conveying surface water thereinto. Provided that nothing in this section shall authorise the Corporation to require the filling up or covering over of any watercourse or ditch wholly or partly belonging to any person other than the owner of the land so laid out for building.

(2) Any person who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Streams
not to be
covered
over except
in accord-
ance with
plans.

63.—(1) It shall not be lawful to culvert cover over stop up obstruct or divert any stream or watercourse within the borough except in accordance with plans and sections to be submitted to and approved by the Corporation such approval not to be unreasonably withheld or delayed and any person acting in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings :

Provided that—

(A) No requirement of the Corporation in relation to such plans and sections shall operate to compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted :

(B) If with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

(2) If any difference shall arise between the Corporation and such owner as to the expediency or necessity of the works required by the Corporation to be executed under this section such difference shall be referred to

arbitration and the provisions of the Arbitration Act 1889 shall apply thereto. A.D. 1922.

(3) Nothing in this section contained shall apply to any culvert or covering constructed or to be constructed by a railway company under any Act of Parliament but such company shall upon completion of any such culvert or covering as is mentioned in subsection (1) of this section hereafter constructed by them forward to the Corporation for the purpose of a record only a plan of the culvert or covering as completed.

64. Nothing in the section of this Act of which the marginal note is "Streams not to be covered over except in accordance with plans" shall prejudice diminish or affect the rights of Sir William Henry Charles Wemyss Cooke his heirs and assigns (in this section called "the owner") under or by virtue of an indenture dated the twenty-fourth day of April one thousand eight hundred and sixty-nine and made between the South Yorkshire Railway and River Don Company of the first part the Manchester Sheffield and Lincolnshire Railway Company of the second part and Charles Bartholomew of the third part or under or by virtue of section 9 of the Sheffield and South Yorkshire Navigation Act 1903 to construct and maintain the works described in that indenture or section in over or across the River Don the South Yorkshire Navigation Canal or the flood drain therein respectively referred to so far as the same are situate in the borough and to fill in the old course of the River Don adjoining Strawberry Island in the borough or require the owner to submit for the approval of the Corporation any plans or sections relating to the construction of the said works.

Saving
rights of
Sir William
Cooke
Baronet.

65.—(1) Any river stream or watercourse or any part or parts thereof respectively within the borough so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into the land and property adjacent thereto or to hinder the usual effectual drainage of water through the same shall be deemed to be a nuisance within the meaning of section 91 (Definition of nuisances) of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such

Streams
choked up
to be a
nuisance
under
Public
Health Act.

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A.D. 1922. river stream or watercourse notwithstanding that the same may not be injurious to health.

(2) Section 87 (Watercourses choked up to be a nuisance under Public Health Act 1875) of the Act of 1904 is hereby repealed.

Owners to
repair and
cleanse
culverts.

66.—(1) The owner of any culvert within the borough made before or after the passing of this Act over any watercourse shall from time to time repair maintain and cleanse the same and if any such owner fails to comply with the requirements of a notice given to him by the Corporation to repair maintain or cleanse his culvert within a time specified in the notice the Corporation may execute any necessary works of repair or maintenance of or may cleanse such culvert and the expenses thereby incurred as certified by the surveyor shall be repaid to them by the owner.

(2) This section shall not apply to any culvert constructed and maintained or to be constructed and maintained under any statutory provision.

For protec-
tion of
Great
Northern
and Great
Central
Railway
Companies.

67. No works shall be executed under the powers of this Part of this Act which will interfere with any railway of the Great Northern Railway Company or of the Great Central Railway Company or of those companies jointly or with the foundations or piers of any bridge forming part of such railway without the consent of the owners thereof.

Any difference arising between the Corporation and the owners of any railway or bridge under this section shall be referred to an arbitrator to be appointed unless otherwise agreed by the President of the Institution of Civil Engineers on the application of either party after notice thereof to the other.

PART IX.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Notification
of infectious
disease to
teachers.

68. Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings.

69.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with a view of preventing the spread of infectious disease has been prohibited from attending school by the medical officer or school medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly in the borough without having procured from the medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others.

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Restriction on attendance of children at places of assembly.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

70.—(1) If the Corporation or a committee of the Corporation acting on the advice of the medical officer with a view of preventing the spread of infectious disease in the borough require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time such requirement shall be at once complied with.

Power to close Sunday schools in certain events.

(2) Any person responsible for the conduct or management of any Sunday school wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding twenty shillings.

71. For the purposes of the foregoing provisions of this Part of this Act the expression "infectious disease" includes measles German measles whooping-cough chicken pox ringworm scabies and any other disease made notifiable from time to time in the borough by procedure under the Infectious Disease (Notification) Act 1889 or any Act amending the same and the expression "Sunday school" means any school in which children are assembled specially for religious instruction whether or not on a Sunday.

Meaning of "infectious disease" and "Sunday school" for certain purposes.

72.—(1) If the medical officer certifies in writing that any person suffering from pulmonary tuberculosis

Removal of persons

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suffering
from pul-
monary
tuberculosis
to hospital.

and is in an infectious state and that the lodging or accommodation with which such person is provided is such that proper precautions to prevent the spread of the infection cannot be taken or that such precautions are not being taken and serious risk is thereby caused to other persons and that thorough inquiry and consideration have shown the necessity in the public interest for the compulsory isolation of the person the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination by a registered medical practitioner to be nominated by them if they think fit may make an order for the removal of such person to a suitable hospital or place for the reception of the sick provided within the borough or within a convenient distance of the borough and for the retention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period or periods not exceeding three months as may be determined by any further order or orders made under and in accordance with the provisions of this section.

(2) The medical officer shall give the person so suffering or some person being in charge of the person so suffering three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

(3) The Corporation may in their discretion during the period of retention make payments for or towards the effective support and maintenance of the relatives of or those actually dependent upon any person so suffering occasioned by the removal of any such person to a suitable hospital or place as aforesaid whether voluntary or in pursuance of an order made by the court as aforesaid and on the hearing of any application under this section the court shall take into consideration the amount necessary for such effective support and maintenance and shall not make an order unless they are satisfied that the Corporation will make a sufficient payment in any case in which it appears that a contribution is necessary for the support and maintenance of such relatives or dependents.

(4) An order under this section may be addressed to such constable or officer of the Corporation as the court making the same may think expedient and any

person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

A.D. 1922.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made. Such person or other person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The provisions of this section shall cease to be in force within the borough at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by an order of the Minister of Health which order that Minister is hereby empowered to make.

73.—(1) (A) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any tent van shed or similar structure used for human habitation or any boat lying in any river dock canal or other water and used for the like purpose) would tend to prevent or check tuberculosis the town clerk shall give notice in writing to the owner or occupier of such building that the same or any part thereof will be cleansed and disinfected by and at the cost of the Corporation unless the owner or occupier of such building informs the Corporation within twenty-four hours from the receipt of the notice that he will cleanse and disinfect the building or the part thereof to the satisfaction of the medical officer within the time to be fixed in the notice.

Disinfection
in case of
tuberculosis.

(B) If within twenty-four hours from the receipt of such notice the owner or occupier of such building has not informed the Corporation as aforesaid or if having so informed the Corporation as aforesaid he fails to have the building or the part thereof cleansed and disinfected as aforesaid within the time fixed by the notice the

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A.D. 1922. building or the part thereof shall be cleansed and disinfected by the officers and at the cost of the Corporation under the superintendence of the medical officer :

Provided that any such building or part thereof may without any such notice being given as aforesaid but with the consent of the owner or occupier be cleansed and disinfected by the officers and at the cost of the Corporation under the superintendence of the medical officer.

(c) For the purpose of carrying into effect the provisions of this subsection the Corporation may by any officer who shall be authorised in that behalf in writing under the hand of the medical officer and who shall produce his authority enter on any premises between the hours of ten o'clock in the forenoon and six o'clock in the afternoon.

(d) Every person who shall wilfully obstruct any duly authorised officer of the Corporation in carrying out the provisions of this subsection shall be liable on summary conviction to a penalty of forty shillings and to a daily penalty of twenty shillings.

(2) (A) The medical officer if generally empowered by the Corporation in that behalf may by notice in writing require the owner of any household or other articles books things bedding or clothing which have been exposed to the infection of tuberculosis of the lung or other forms of tuberculosis with discharges to cause such articles books things bedding or clothing to be delivered to an officer of the Corporation for removal for the purpose of disinfection and any person who fails to comply with such requirements shall be liable on summary conviction to a penalty of five pounds.

(B) Such articles books things bedding and clothing shall be disinfected by the Corporation and returned to the owner free of charge.

(3) If any person sustains any damage by reason of the exercise by the Corporation of any of the powers of subsections (1) and (2) of this section in relation to any matter as to which he is not himself in default compensation shall be made to such person by the Corporation and the amount of compensation shall be recoverable in and in the case of dispute may be settled by a court of summary jurisdiction.

74.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who does not consent to leave his house to be removed therefrom to and detained in any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal and detention make an order for the removal and detention subject to such conditions (if any) as are imposed by the order. The Corporation shall in every case cause the removal and detention to be effected and the conditions of any order satisfied without charge to the person removed.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such order the Corporation may and in case of an order of the justices shall make compensation to him for any loss he may suffer thereby.

(4) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any river dock canal or other water within the borough and used for the like purpose.

(5) This section shall not apply to any child as defined in the section of this Act of which the marginal note is "Cleansing of children and their clothing."

75.—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may examine the person and clothing of any child (other than children in boarding schools

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Cleansing of
verminous
persons.

Cleansing of
children and
their
clothing.

A.D. 1922. — including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and with suitable appliances and if necessary for that purpose may without any warrant other than this Act convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section the parent or guardian or other person liable to maintain the child allows him to get into such a condition that it is again necessary to proceed under this section the parent guardian or other person shall on summary conviction be liable to a fine not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a person duly qualified as a medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter at his usual or last known residence.

In any such notice it shall be sufficient to designate the person to be served as the parent guardian or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

(6) For the purposes of this section the expression "child" means a person under the age of fourteen years. A.D. 1922.

76.—(1) It shall not be lawful for any person to use any ashbin for any purpose other than the deposit of dust ashes or other house refuse (not being of a liquid or partly liquid character) intended for removal by or on behalf of the Corporation. Restrictions on use of ashbins.

(2) Any person contravening the provisions of this section shall be liable to a penalty of ten shillings and to a daily penalty of ten shillings.

77.—(1) The powers contained in section 169 of the Public Health Act 1875 and the enactments incorporated therewith to make byelaws with respect to slaughter-houses shall extend to and include the making and enforcement of byelaws for preventing the removal of any carcase or any part thereof from any slaughter-house within the borough until after inspection by an officer of the Corporation. Provided that in any byelaws made by the Corporation under this section it may be provided (A) that any person intending to slaughter any animal at any slaughter-house shall give to the medical officer such reasonable notice in writing as may with due regard to the requirements of the trade be prescribed in the byelaws of such his intention and of the day and hour on and at which the slaughtering is intended to take place and (B) that if within such reasonable period after the notified hour of slaughtering as may with due regard to the requirements of the trade be prescribed by the byelaw an officer of the Corporation shall not have attended at the slaughter-house for the purpose of inspection the person giving the notice shall be entitled at any time after the expiration of such period to remove the carcase of the slaughtered animal without inspection. Byelaws as to slaughter-houses.

(2) Nothing in any byelaw made under this section shall affect the operation of the Diseases of Animals Acts 1894 to 1914 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

78. Section 62 (Local authority may require houses to be supplied with water in certain cases) of the Public Health Act 1875 shall be read and have effect as if the As to houses without proper

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—
water
supply.

As to filthy
premises.

words "or the medical officer of health" were inserted therein after the words "the surveyor."

79.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if such officer is satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary order to do act other than a payment of money) of the Summary Jurisdiction Act 1879.

(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

Overcrowd-
ing of small
houses.

80.—(1) The medical officer or the sanitary inspector may at any time between the hours of nine o'clock in the morning and nine o'clock in the evening if he has reason to believe overcrowding to exist therein enter any dwelling-house which consists of not more than four rooms (which expression means living-rooms and bedrooms) for the purpose of measuring in cubic feet the space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) and if the cubic contents thereof do not exceed two thousand six hundred feet may affix in some prominent position within the dwelling-house a plate or a ticket on which shall be marked the number of such cubic feet and the number of persons who without a breach of the provisions of subsection (2) of this section may sleep therein and any person who obliterates defaces removes or alters such plate or ticket shall be liable to a penalty not exceeding ten shillings Provided that if entry to any such dwelling-house under the provisions of this section is refused by the person having the custody

of such dwelling-house or any person acting in his behalf any justice may upon the application of the Corporation or the medical officer or the sanitary inspector grant a warrant to the medical officer or the sanitary inspector to enter such dwelling-house during the hours aforesaid for the purposes of this section and any person who obstructs the medical officer or the sanitary inspector in the performance of his duty under such warrant and this section shall be liable to a penalty not exceeding five pounds.

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(2) If any dwelling-house is used for the purposes of sleeping in by a greater number of persons than in the proportion of one person of the age of eight years or upwards for every four hundred cubic feet of space or of one person of an age less than eight years for every two hundred cubic feet of space contained therein (exclusive of lobbies closets and presses and of recesses not exceeding four feet in depth and not having a separate window therein and not perfectly clear from floor to ceiling and from wall to wall and exclusive also of recesses in which there is any fixture whatever) every person being an occupier of such dwelling-house and so using it or suffering it to be used shall be liable to a penalty not exceeding twenty shillings for every day or part of a day during which it is used or suffered to be used and the medical officer or the sanitary inspector may from time to time between the hours of nine o'clock in the morning and nine o'clock in the evening enter such dwelling-house if they believe that the provisions of this section are being contravened.

81. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of this Part of this Act as if those purposes had been mentioned in the said section 102.

Power of entry.

PART X.

HUMAN FOOD.

82.—(1) Any premises used or proposed to be used for the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale

Registration of premises used for

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—
manufac-
ture of
potted
meats.

shall be registered by the owner or occupier thereof with the Corporation from time to time and no premises shall be used for the purposes aforesaid unless the same are registered as aforesaid.

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

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop of which notice is required by subsection (1) of section 127 (Notice of occupation of factory or workshop) of the Factory and Workshop Act 1901 to be given or shall in any way affect the operation of that Act.

(4) This section shall not apply to any premises used as an hotel.

(5) Nothing contained in this section shall apply to or in respect of any premises forming part of the goods or passenger stations or the refreshment rooms at any station of the Great Northern Railway Company.

Byelaws
as to places
used for
preparation
of food.

83. The Corporation may from time to time make byelaws for securing cleanly and sanitary conditions in places used for the preparation or manufacture of cooked or prepared food for the purpose of sale and intended for the food of man :

Provided that before confirming any byelaws made as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts apply the Minister of Health shall consult the Secretary of State.

Sanitary
regulations
for premises
used for
sale of food.

84.—(1) The following provisions shall apply to any room shop or other part of a building within the borough in which any article whether solid or liquid intended or adapted for the food of man is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale :—

(A) No urinal watercloset earth-closet privy ashpit or other like sanitary convenience shall be within such room shop or other part of the building or shall communicate therewith except through the open air or through an intervening ventilated space :

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(B) No drain or pipe for carrying off fæcal or sewage matter shall have any inlet or opening within such room shop or other part of the building :

(C) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of the building except so far as may be reasonably necessary for the proper carrying on of the trade or business :

(D) Due cleanliness shall be observed in regard to such room shop or other part of the building and all articles apparatus and utensils therein and shall be observed by persons engaged in such room shop or other part of the building.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of the building wherein any of the conditions prohibited by this section exist or does or knowingly permits any act or thing therein in contravention of this section he shall be liable to a penalty not exceeding for the first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any factory within the meaning of the Factory and Workshop Act 1901.

85.—(1) The Corporation may make and enforce byelaws for preventing meat brought into the borough from being used for the food of man or being offered for sale or sold or deposited for sale or for the preparation for sale and intended for the food of man until after inspection by an officer of the Corporation.

Byelaws as
to inspec-
tion of
meat

(2) Any byelaw made by the Corporation under this section shall provide (A) that any person bringing any meat into the borough shall give to the medical officer reasonable notice thereof in writing and of the day and hour and place in the borough at which the meat can be inspected as aforesaid and (B) that if within such reasonable period after the notified hour as may with due regard to the requirements of the trade be prescribed by the byelaw an officer of the Corporation shall not have attended at the place so notified for the purpose of inspection the restriction in subsection (1) of this section

A.D. 1922. — referred to shall not apply to the meat in respect of which the notice was given.

(3) For the purposes of this section the expression "meat" shall not include foreign meat or meat which is clearly identified as having been inspected and passed as fit for the food of man by a medical officer of health or a duly qualified inspector being an official of or authorised to act on behalf of the sanitary authority of the district in which the animal has been slaughtered.

(4) Nothing contained in this section or in any bye-law to be made thereunder shall apply to any railway company.

Byelaws as to covering meat during conveyance.

86. The Corporation may from time to time make byelaws requiring the covering over of meat or such other articles intended for the food of man as may be specified in the byelaws while being conveyed through or along any street :

Provided that before making any such byelaws applicable to the collection and delivery by any railway company or their contractors or agents of traffic in meat or other articles of food at from or to any railway station or depôt of such company the Corporation shall give not less than one month's notice to the company of their intention to make such byelaws and such notice shall be accompanied by a copy of the draft byelaws.

Extension of sections 116 to 119 of Public Health Act 1875.

87.—(1) Any animal brought to any cattle market or slaughter-house of the Corporation and any meat brought to any cold stores of the Corporation shall be deemed to be deposited for the purpose of sale and intended for the food of man within the meaning of sections 116 to 119 of the Public Health Act 1875 and the provisions of those sections respectively shall apply to any such animal or meat as the case may be.

(2) Any person knowingly causing directing or permitting any animal or meat which is diseased or unsound or unwholesome or unfit for the food of man to be brought to any such market slaughter-house or cold stores of the Corporation and any person (including any auctioneer) who knowingly offers for sale or sells any such animal or meat as well as the persons mentioned in section 117 of the Public Health Act 1875 shall be liable to a penalty as mentioned in the said section 117.

(3) The veterinary inspector the market keeper any officer of the market the sanitary inspector or any constable may detain for a reasonable period not exceeding twelve hours any emaciated or diseased animal brought to any cattle market of the Corporation and any person wilfully obstructing or impeding any officer in so doing shall be liable to a penalty not exceeding five pounds. A.D. 1922.

88. The medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 (Power of entry of local authority) of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings. Power of entry on premises used for manufacture and sale of ice-cream.

89.—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of a rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute any articles of food from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connexion with the business of a rag and bone merchant. Rag and bone dealers not to sell food.

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

90.—(1) The Corporation shall be entitled to refuse registration of any person in respect of premises for the sale of milk where the conditions are unsuitable and in the case of any premises already registered shall have the power to cancel registration where the conditions become unsuitable. Power to refuse registration of premises for sale of milk.

(2) (A) Any person deeming himself aggrieved by any refusal or cancellation of registration of or by the Corporation under this section may within fourteen days from the date of such refusal or cancellation appeal to a

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A.D. 1922. petty sessional court and such court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just and any such order shall be final.

(B) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the petty sessional court may direct.

PART XI.

POLICE.

Byelaws for regulating motor hackney carriages.

91. The powers to make byelaws conferred by section 68 of the Town Police Clauses Act 1847 shall extend to enable the Corporation to make byelaws for fixing the rates or fares to be paid for motor or other hackney carriages within the prescribed distance under the said Act by a combination of time and distance and for securing the due publication of such rates or fares.

Power to make regulations as to traffic on race days.

92. The powers conferred by section 21 of the Town Police Clauses Act 1847 shall extend to enable the Corporation within the borough on days appointed by them for race meetings to direct the passage and stoppage of vehicles along or in particular streets to direct particular routes to be taken for particular descriptions of traffic and to prohibit the passage or stoppage of particular vehicles through or in certain streets at certain hours.

Penalty on unauthorised use of land for games.

93. If any land (not forming part of a public park) belonging to the Corporation which has been set apart for the playing of games by scholars attending any school shall be used without the consent of the Corporation for the purpose of playing any game by any person other than such scholars such person shall for the first offence be liable to a penalty not exceeding twenty shillings and for every subsequent offence to a penalty not exceeding forty shillings.

PART XII.

FINANCE.

Power to borrow and repayment

94.—(1) The Corporation may in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of

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the Public Health Acts or any public general Act borrow at interest for the purposes set forth in the first column of the following table any sums not exceeding the respective sums set forth in the second column thereof and all moneys so borrowed shall be chargeable on the respective revenue fund and rate set forth in the third column of the said table and shall be repaid within the respective periods set forth in the fourth column thereof (that is to say):—

A.D. 1922.
 of borrowed
 moneys.

Purpose.	Amount.	Charge.	Period for repayment.
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Borough fund and borough rate.	5 years from the passing of this Act.
(2) For provision of omnibuses.	£ 15,300	Revenue of light railway undertaking and borough fund and borough rate.	8 years from the date or dates of borrowing.
(3) For erection and equipment of buildings for omnibus purposes.	4,700	Revenue of light railway undertaking and borough fund and borough rate.	30 years from the date or dates of borrowing.

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as may be necessary (A) for any of the purposes of Part II. (Light railways and omnibuses) of this Act and (B) for the purpose of providing a fund for working capital for the light railway undertaking.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such further moneys as may be necessary for the purpose of providing a fund for working capital for the electricity undertaking.

(4) The Corporation may also with the sanction of the Minister of Health borrow such further moneys as may be necessary (A) for the purpose of providing funds for working capital for the water and gas undertakings respectively and (B) for any other of the purposes of this Act.

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(5) In order to secure the repayment of any moneys borrowed under subsections (2) (3) and (4) of this section and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the authority with whose sanction such moneys are borrowed and any moneys so borrowed shall be repaid within such periods not exceeding sixty years as may be prescribed by that authority.

(6) The provisions of this section shall not limit the powers conferred upon the Corporation by section 108 (Power to use one form of mortgage for all purposes) of the Act of 1915.

Incorporation of financial provisions of Act of 1904.

95. The following provisions of the Act of 1904 with any necessary modifications (and subject as regards mortgages granted in pursuance of section 108 (Power to use one form of mortgage for all purposes) of the Act of 1915 to the provisions of that section) shall so far as applicable extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act (namely):—

- Section 31 (Proceeds of sale of surplus lands);
- Section 166 (Mode of raising money);
- Section 167 (Provision as to mortgages);
- Section 168 (Appointment of receiver);
- Section 170 (Mode of payment off of money borrowed);
- Section 171 (Sinking fund);
- Section 172 (Sinking fund may be adjusted in certain events);
- Section 174 (Protection of lender from inquiry);
- Section 175 (Corporation not to regard trusts);
- Section 181 (Application of money borrowed);
- and
- Section 182 (Audit of accounts):

Provided that the periods for repayment referred to in the section of this Act whereof the marginal note is "Power to borrow and repayment of borrowed moneys" shall be deemed to be "the prescribed periods" for the purposes of such application of the said sections. Provided also that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board.

96. Notwithstanding anything contained in any Act of Parliament or Order the rate of accumulation of the annual payments to any sinking fund being an accumulating sinking fund which the Corporation are required by such Act or Order to set aside for repayment of borrowed moneys may be reckoned at a rate not exceeding three and a half per centum or such higher rate as the Minister of Health may from time to time approve.

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Alteration
of rate basis
for sinking
fund calcu-
lations.

97.—(1) Notwithstanding any enactment relating to the application of the revenue of any of the undertakings hereinafter mentioned the Corporation may (if they think fit) apply money received by them on account of the revenue of any of such undertakings in the construction extension and improvement of the works and conveniences for the purposes of such undertaking and in the provision of funds for working capital:

Application
of revenues
of under-
takings.

Provided that money shall only be so applied after the working and establishment expenses of the undertaking and the interest and sinking fund payments in respect thereof have been provided for.

(2) The undertakings hereinbefore referred to are the light railway water gas and electricity undertakings of the Corporation.

98. From and after the passing of this Act the accountant of the borough shall make to the Minister of Health any return in relation to any sinking fund or instalments which by any Act relating to the Corporation or by any public Act the town clerk is required to make and any provision relating to the making of such return in any such Act shall be read and have effect as if the said accountant were mentioned therein in lieu of the town clerk.

Borough
accountant
to make
returns to
Minister of
Health.

99. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made may be defrayed out of the district fund and general district rate or the borough fund and borough rate as the Corporation may in their discretion having regard to the object of the expenditure deem just.

Expenses of
execution of
Act.

A.D. 1922.

PART XIII.

MISCELLANEOUS.

Expense of
reconnect-
ing dis-
continued
supply of
electricity.

100. In any case in which in consequence of any default on the part of the occupier of any premises the Corporation have under any powers of the Corporation in that behalf cut off the supply of electricity to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Corporation the expenses of reconnecting the supply and the Corporation shall not be under any obligation to supply electricity to such occupier until he shall have paid such expenses.

Overseers
may require
returns.

101.—(1) The overseers of the township of Doncaster may require the owner or occupier or reputed owner or occupier of any hereditament in the township (other than land used as arable meadow or pasture ground only or as woodlands) to send to them a return in writing in the form set forth in the schedule to this Act and containing the particulars therein mentioned or referred to :

Provided that (except for purposes connected with the preparation of and preliminary to a general revaluation for rating) the powers conferred by this section shall only be exercised :—

- (A) Upon any change in the occupation or ownership of any hereditament; or
- (B) Upon any change in the nature or use of any hereditament whether by way of addition to or adaptation of premises or otherwise such as may affect the value of the hereditament; or
- (C) In the case of any hereditament in respect of which the overseers are of opinion that special circumstances exist which make it desirable that a return should be rendered in accordance with the provisions of this section.

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this Act within fourteen days after the service of the order shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) Nothing in this section shall require any railway company to include in any return which they may be required to send to the said overseers particulars with respect to their running lines sidings or stations. A.D. 1922.

102. The Corporation may pay out of the borough fund as expenses incurred by them under the Municipal Corporations Act 1882:—

- Subscriptions to local government associations and others.
- (1) Reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings:
 - (2) The reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connexion with public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the borough.

103. The Corporation may from the first day of October to the first day of May close and cover over any swimming bath belonging to them and utilise or from time to time let the same for meetings or entertainments of any description or for any other purposes free from any restriction contained in the Baths and Washhouses Acts 1849 to 1899 or any Act amending the same. Use of swimming baths during winter.

104. Except where otherwise provided by this Act all byelaws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority. General provisions as to bye-laws.

105. Section 132 (Penalty on occupier resisting execution of Act) of the Act of 1915 is hereby repealed. Penalty on occupier

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refusing
execution
of Act.

and if the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under Parts VI. to XI. of the Act of 1904 Parts IX. to XII. of the Act of 1915 and Parts VI. to X. of this Act or under any byelaw made thereunder respectively then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Several
sums in one
summons.

106. Where the payment of more than one sum by any person is due under any Act or Order from time to time in force within the borough any summons or warrant issued for the purposes of any such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Inquiries by
Minister of
Transport.

107. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Incorporation of
further
provisions
of Acts of
1904 and
1915.

108. The provisions contained in the sections of the Act of 1904 and the Act of 1915 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if they were re-enacted in this Act.

The sections hereinbefore referred to are—

A.D. 1922.

The Act of 1904—

- Section 185 (Inquiries by Local Government Board);
- Section 187 (Apportionment of expenses in case of joint owners);
- Section 188 (Informations by whom to be laid);
- Section 190 (Authentication and service of notices &c.);
- Section 191 (As to appeal);
- Section 192 (Recovery of penalties);
- Section 193 (Damages and charges to be settled by justices);
- Section 195 (Compensation &c. how to be determined); and
- Section 196 (Saving for indictment &c.):

The Act of 1915—

- Section 133 (Consent of Corporation to be in writing);
- Section 135 (Recovery of demands); and
- Section 137 (Powers of Act cumulative):

Provided that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board and that the said section 185 shall for the purposes of this Act be read and have effect as if the words "not exceeding five guineas a day" were inserted therein in lieu of the words "not exceeding three guineas a day."

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

110. 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 out of the borough fund or out of money to be borrowed under this Act for that purpose. Costs of Act.

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A.D. 1922. The SCHEDULE referred to in the foregoing Act.

RETURN OF RENT OR ANNUAL VALUE AND OF OTHER
PARTICULARS TO BE RENDERED UNDER THE
DONCASTER CORPORATION ACT 1922.

1. Name of the street or road &c. in which the property is situate - Number of the house - - - (If not numbered state the name by which known.) Whether occupied with or without stables or other premises as part of the same property - - - The quantity of land (if any) and how used - - - -		
2. Full Christian name and surname of occupier - - - -		
3. Name and address of owner or immediate lessor - - - (If not known state the name and address of the agent or person to whom the rent is paid.)		
4. Whether the property is occupied— (a) Wholly as a private residence - - - - (a) or (b) Partly as a dwelling-house and partly for trade or business purposes - - (b) or (c) Solely for trade or business purposes with no person residing on the premises other than a caretaker - (c) (Number of rooms set apart for the use of the caretaker (if any) and on which floor.) (d) Nature of the business (if any) - (d)		
5. If the occupation is in respect of part only of a house or premises state the extent and on which floor or floors - - - -		
6. Amount of rent - - - - £ per or If ground rent only is paid state its amount - - - - £ per		
7. Whether the property is held under lease or agreement for a period of years - - - - or By the year quarter month or week - - - -		

A.D. 1922.

<p>8. (a) Date of commencement of term of lease or agreement - - - (b) Term of years for which granted (c) Whether granted for any consideration in money in addition to the rent or upon any condition as to laying out money in building rebuilding or improvements - - - (If none insert "None.")</p>	<p>(a) (b) (c) Amount paid for lease £</p>
<p>9. If the occupier is the owner or has purchased the lease the full annual value should be stated <i>i.e.</i> the amount at which the property is worth to be let by the year the owner keeping it in repair - - -</p>	<p>} Annual Value £</p>
<p>10. (a) Amount of land tax (if any) - (b) Amount of tithe rentcharge or of any rate or assessment in lieu of tithes paid in the year 19 (State in each case whether borne by the landlord or tenant.)</p>	<p>(a) £ . Borne by the (b) £ . Borne by the</p>
<p>11. Whether all usual tenant's rates and taxes are paid and borne by the occupier in addition to the rent - - -</p>	
<p>12. Whether the landlord or the tenant undertakes to bear the cost of repairs insurance and other expenses necessary to maintain the property - - - (If each undertakes to bear part only of the cost of repairs state the particulars.)</p>	

DECLARATION.

I declare that the foregoing particulars are in every respect fully and truly stated to the best of my judgment and belief.

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