



CHAPTER ciii.

An Act to empower the mayor aldermen and burgesses of the borough of Ipswich to provide and work trolley vehicles to make further provision with regard to the health local government and improvement of the borough and for other purposes. A.D. 1925.
[7th August 1925.]

WHEREAS the borough of Ipswich is a municipal and county borough under the management and local government of the mayor aldermen and burgesses of the borough of Ipswich (in this Act called "the Corporation"):

And whereas the Corporation are the owners of tramways within the said borough and it is expedient to empower them to provide and work vehicles adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") along the routes described in this Act along some of which routes or some part thereof tramways have been constructed and to confer upon the Corporation all necessary and convenient powers in regard thereto:

And whereas it is expedient to make further provision with regard to public baths which are provided by the Corporation and to amend the provisions of the Baths and Washhouses Acts 1846 and 1889 in relation thereto:

And whereas it is expedient to empower the Corporation to provide or arrange for the provision of entertainments in concert halls and other buildings and to

[Ch. ciii.] *Ipswich Corporation* [15 & 16 GEO. 5.]
Act, 1925.

A.D. 1925. — confer further powers upon the Corporation with regard to their parks and recreation grounds :

And whereas it is expedient to make further provision with regard to the markets of the Corporation and also with regard to slaughter-houses within the borough :

And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as is provided in this Act :

And whereas it is expedient to make further provision with regard to the finances of the Corporation and the application of revenue derived from their several undertakings :

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows :—

	£
For the provision of trolley vehicles -	45,000
For the provision of electrical equipment and the construction of other works necessary for working trolley vehicles - - - - -	10,000
For the reconstruction of the roads upon which the tramways to be removed or discontinued under the provisions of this Act are situate -	14,000
For the adaptation of buildings for the purposes of the trolley vehicles of the Corporation - - - - -	500

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

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 of the same as follows (that is to say):—

A.D. 1925.

PART I.

PRELIMINARY.

1. This Act may be cited as the Ipswich Corporation Act 1925.

Short title.

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

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—Trolley vehicles.

Part III.—Public baths and recreation grounds.

Part IV.—Markets and slaughter-houses.

Part V.—Streets buildings and sewers.

Part VI.—Infectious disease and sanitary provisions.

Part VII.—Maternity homes.

Part VIII.—Common lodging-houses.

Part IX.—Financial.

Part X.—Miscellaneous.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act but with the following exceptions namely:—

Incorporation
of Acts.

(a) The provisions of the Lands Clauses Consolidation Act 1845 with respect to the purchase and taking of lands otherwise than by agreement;

(b) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands).

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such

Inter-
pretation.

A.D. 1925. construction And in this Act unless the subject or
— context otherwise requires—

- “The Corporation” means the mayor aldermen and burgesses of the borough of Ipswich;
- “The borough” means the borough of Ipswich;
- “The council” means the council of the borough;
- “The town clerk” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the town clerk the surveyor the medical officer of health and any sanitary inspector of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;
- “The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough;
- “Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;
- “Trolley vehicle routes” means the routes upon which the Corporation are by this Act authorised to work and use trolley vehicles;
- “Road authority” means with reference to any road or part of a road over which any proposed trolley vehicle 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;
- “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the borough;
- “Child” means a person under the age of sixteen years;
- “Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether on a Sunday or not;
- “Maternity home” means any premises in the borough used or represented as being or intended to be used (whether regularly or on any occasion)

for the reception of a woman or women for the purposes of childbirth where any payment or reward is made or given by or on behalf of any woman received therein in respect of such reception but does not include any house flat or other self-contained premises (not regularly so used) taken or held by or for any woman for the purpose of accommodating her during her confinement;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“The Act of 1892” “the Order of 1897” “the Act of 1900” and “the Act of 1911” mean respectively the Ipswich Corporation (Purchase of Waterworks) Act 1892 the Ipswich Corporation Electric Lighting Order 1897 (confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1897) the Ipswich Corporation (Tramways &c.) Act 1900 and the Ipswich Corporation Act 1911.

PART II.

TROLLEY VEHICLES.

5.—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following trolley vehicle routes in the borough (that is to say):—

Power to use trolley vehicles.

Route No. 1 From the junction of Norwich Road and Whitton Church Lane along Norwich Road

A.D. 1925.

- Barrack Corner Saint Matthew's Street Westgate Street Cornhill Tavern Street Carr Street Major's Corner Saint Helen's Street and Spring Road to its junction with Woodbridge Road at Lattice Barn;
- Route No. 1A From Major's Corner along Saint Margaret's Street and Woodbridge Road to the borough boundary at Rushmere Heath;
- Route No. 2 From the junction of Norwich Road and Bramford Road along Bramford Road to its junction with Adair Road;
- Route No. 3 From Barrack Corner along London Road to its junction with Gwydyr Road;
- Route No. 4 From Barrack Corner along Mill Street and Portman Road to its junction with Princes Street;
- Route No. 4A From the junction of Portman Road and Portman Walk along Portman Walk and Constantine Road to the tramway car sheds;
- Route No. 5 From Cornhill along Princes Street Station Yard Burrell Street and Stoke Street to its junction with Bridge Street;
- Route No. 5A From the junction of King Street with Princes Street along King Street Queen Street Saint Nicholas Street Saint Peter's Street Bridge Street Vernon Street and Wherstead Road to Bourne Bridge;
- Route No. 6 From Major's Corner along Upper Orwell Street Fore Street Fore Hamlet Bishop's Hill Felixstowe Road King's Way Rands' Way Nacton Road and Hatfield Road to its junction with Felixstowe Road;
- Route No. 6A Along Derby Road between Felixstowe Road and the junction of Derby Road and Pearce Road;
- Route No. 7 From the junction of Saint Helen's Street and Grove Lane along Grove Lane and Foxhall Road to the isolation hospital;
- Route No. 7A From the junction of Spring Road and Saint John's Road along Saint John's Road Cauldwell Hall Road and Derby Road to Derby Road station yard;

Provided that (a) before commencing to run trolley vehicles along the roads known as King's Way and Rands' Way (being part of Route No. 6 above described) the carriageway of those two roads shall be widened throughout to a width of not less than twenty feet and (b) before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval. A.D. 1925.

(2) The provision maintenance equipment and user of trolley vehicles by the Corporation upon Routes Nos. 5 and 5A before the date of this Act and the exercise by the Corporation in relation to those routes before that date of any of the powers of this Act are hereby sanctioned and confirmed.

(3) (a) When an order has not been made by the Minister of Transport under the section of this Act of which the marginal note is "As to abandonment of tramways" in relation to any of the tramways of the Corporation the Corporation shall not be required to provide a service of tramway cars upon the route of any of such tramways along which a service of trolley vehicles is provided by the Corporation under the provisions of this Act so long as such service of trolley vehicles continues to be so provided.

(b) Nothing in this subsection shall relieve the Corporation of any liability imposed upon them by section 41 of the Tramways Act 1870.

(c) As from the date upon which and so long as a service of trolley vehicles is provided by the Corporation in lieu of a tramway service upon the route of any of the tramways of the Corporation the revenue of the tramway undertaking of the Corporation shall (to such extent as the Corporation may from time to time by resolution determine) cease to be charged with any expenses incurred by the Corporation upon or in connection with the maintenance and repair of roads under any statutory enactment relating to that undertaking but nothing in this subsection shall relieve the Corporation of any liability attaching to them in respect of such maintenance and repair.

A.D. 1925.

As to
electrical
works.

6.—(1) The Corporation may in under or over the surface of the streets or roads along or adjoining those along which they are authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions contained in Part II. of the Tramways Act 1870 and in this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles :

Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Minister of Transport.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1922 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

(4) In this section the expression generating station has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

7.—(1) Notwithstanding anything in this Act or the Act of 1900 contained if any of the works authorised to be executed by this Act or the Act of 1900 involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

For pro-
tection of
Post-
master-
General.

(2) In the event of any tramways or trolley vehicles of the Corporation being worked by electricity the following provisions shall have effect:—

A.D. 1925.

—

(a) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this sub-section shall be determined by arbitration;

(b) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection;

(c) Before any electric line is laid down or any act or work for working the tramways or trolley vehicles by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected

A.D. 1925.

by the said act or work. Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be determined by arbitration;

(d) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Ministry of Transport regulations;

(e) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding twenty pounds and to a further fine not exceeding ten pounds for every day during which such contravention or non-compliance continues after conviction thereof or if the telegraphic communication is wilfully interrupted to a fine not exceeding fifty pounds and to a further fine not exceeding fifty pounds for every day on which such interruption continues after conviction thereof;

(f) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on

A.D. 1925.

the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice;

- (g) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work;
- (h) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act;
- (i) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882;
- (j) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Minister of Transport on the application of either party whose decision shall be final and sections 30 to 32 (both inclusive) of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act;
- (k) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid;
- (l) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways or trolley vehicle routes of the Corporation;
- (m) Section 21 (For protection of Postmaster-General) of the Act of 1900 is hereby repealed.

A.D. 1925.

Use of
posts &c. by
Postmaster-
General.

8.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connection with the trolley vehicles and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the trolley vehicle routes;
- (b) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain. Any difference as to any matter referred to in such notice shall be determined as hereinafter provided;
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the trolley vehicles or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may

from time to time be made by the Minister of Transport arising through the exercise by the Postmaster-General of the powers conferred by this section ;

- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided ;
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road ;
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair ;
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants ;
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided ;

A.D. 1925.

(i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the trolley vehicle routes or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants;

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same. Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their trolley vehicles or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

A.D. 1925.

(4) In this section—

The expression “the Corporation” includes their lessees;

The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

9. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Corporation to have exclusive right of using apparatus for working trolley vehicles.

10.—(1) The trolley vehicles authorised by this Act shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither that Act nor the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the said trolley vehicles.

Vehicles not to be deemed light locomotives or motor cars.

(2) The trolley vehicles authorised by this Act shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

11. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles authorised by this Act as hackney carriages.

Licence duties on trolley vehicles.

12.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister of Transport may approve and no trolley vehicle shall be used by the Corporation

Approval of vehicles by Minister of Transport.

A.D. 1925. which does not comply with the requirements of the
— Minister of Transport.

(2) Before applying to the Minister of Transport for his approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to and repairable by a railway company the Corporation shall give to such railway company notice of the weight of the trolley vehicles proposed to be used by them and the Minister of Transport shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the railway company to him on the ground that the strength of such bridge is insufficient to carry trolley vehicles of such weight. Provided that notice of such objections shall be forwarded by such railway company to the Corporation at the same time as the same are submitted to the Minister of Transport.

Inspection
by Minister
of Trans-
port.

13. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by the Minister of Transport.

Application
of certain
provisions
of Tram-
ways Act
1870
to trolley
vehicles.

14.—(1) The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and shall apply to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways:—

Part II. (Relating to the construction of tramways) except sections 25 28 and 29;

Section 41 (Tramways to be removed in certain cases);

Section 46 (Byelaws by local authority Promoters may make certain regulations);

Section 47 (Penalties may be imposed in byelaws);

Section 48 (Power to local authority to license drivers conductors &c.);

- | | | |
|------------|--|------------|
| Section 49 | (Penalty for obstruction of promoters in laying out tramway); | A.D. 1925. |
| Section 51 | (Penalty on passengers practising frauds on the promoters); | — |
| Section 53 | (Penalty for bringing dangerous goods on the tramway); | |
| Section 55 | (Promoters or lessees to be responsible for all damages); | |
| Section 56 | (Recovery of tolls penalties &c.); | |
| Section 57 | (Right of user only); | |
| Section 60 | (Reserving powers of street authorities to widen &c. roads); and | |
| Section 61 | (Power for local or police authorities to regulate traffic in roads. | |

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

15.—(1) Subject to the provisions of this Act the following provisions of the Act of 1900 shall extend and apply to the trolley vehicles authorised by this Act as if those provisions were with all necessary modifications re-enacted in this Act (that is to say):—

Application of certain tramway provisions to trolley vehicles.

- | | |
|------------|--|
| Section 14 | (Additional crossings); |
| Section 18 | (Motive power); |
| Section 19 | (Alteration of tramways and construction of electric works); |
| Section 20 | (Special provisions as to use of electrical power); |
| Section 23 | (Bye-laws); |
| Section 25 | (Rates for passengers); |
| Section 26 | (Passengers' luggage); |
| Section 27 | (Rates for goods); |
| Section 28 | (Corporation not bound to carry animals and goods); |
| Section 29 | (As to fares on Sundays or holidays); |
| Section 30 | (Cheap fares for labouring classes); |
| Section 31 | (Periodical revision of rates and charges); |
| Section 36 | (Power to acquire patent rights). |

The First Schedule.

[Ch. ciii.] *Ipswich Corporation* [15 & 16 GEO. 5.]
Act, 1925.

A.D. 1925.

(2) Provided that in the application of the said provisions of the Act of 1900—

(a) The same shall be read and have effect as if the working equipment for trolley vehicles were tramways within the meaning of the said Acts and as if trolley vehicles were carriages used on the tramways of the Corporation and as if the trolley vehicle undertaking authorised by this Act formed part of the tramway undertaking authorised by the said Act;

(b) The said trolley vehicles shall only be used for the purpose of conveying passengers and small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers and shall not be used for the carriage of any minerals or any other animals or goods;

(c) The said section 25 shall be read and have effect as if the word "halfpenny" were inserted therein after the words "one penny";

(d) The said section 30 shall be read and have effect as if the word "penny" were substituted therein for the word "halfpenny."

Minister of
Transport
may autho-
rise new
routes.

16.—(1) (a) If at any time hereafter the Corporation desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the streets and roads in this Act hereinbefore referred to) they may make application to the Minister of Transport and the Minister of Transport is hereby empowered to make a Provisional Order authorising the use by the Corporation of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road or roads to which such application relates and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

(b) The Minister of Transport shall not make any Provisional Order under this section relating to any road outside the borough except with the consent of the local authority and (where the local authority is not the road authority) of the road authority of the district in which such road is situate but such consent or consents shall in no case be unreasonably withheld

and any question arising as to whether any such consent is unreasonably withheld shall be determined by the said Minister.

A.D. 1925.
—

(2) No such application shall be entertained by the Minister of Transport unless the Corporation shall—

- (a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;
- (b) have also published such notice once in the months of October or November in the London Gazette;
- (c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister of Transport any objections to the grant of such application.

(3) The Minister of Transport may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Minister of Transport shall consider any such application and may if he thinks fit direct an inquiry to be held in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Minister of Transport expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional

A.D. 1925. — Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Act shall not have any operation.

(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(7) The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

(8) The making of a Provisional Order under this section shall be *primâ facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(9) Any expenses incurred by the Minister of Transport in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister of Transport in connection with any inquiry under this section shall be paid by the Corporation.

As to
abandon-
ment of
tramways.

17.—(1) At any time after the passing of this Act the Minister of Transport may by order authorise or require the Corporation to abandon or discontinue temporarily or permanently any of their tramways (for the time being) along the route of which the Corporation have provided and equipped trolley vehicles under the provisions of this Act or any Provisional Order made thereunder.

(2) Before making any such order the Minister of Transport may hold such inquiry as he may consider desirable.

(3) Any order made under the provisions of this section may as from such date as may be specified therein provide for the cesser of all or any of the powers liabilities duties or obligations conferred or imposed upon the Corporation by any Act or Order relating to any tramway to be abandoned or discontinued in pursuance of such order and may provide for the

removal of the rails of such tramway from the surface of the road and for the portion of the road upon which such rails were laid to be left in good repair and condition.

A.D. 1925.

18. Subject to the provisions of this Act the trolley vehicle undertaking authorised by this Part of this Act shall be deemed to form part of the tramway undertaking of the Corporation. Provided that in the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with trolley vehicles shall (so far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking.

Trolley vehicles to form part of tramway undertaking.

19. The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of their tramway undertaking.

Accounts to be furnished to Minister of Transport.

20. The Corporation may run through trolley vehicles along any route on which the Corporation are for the time being authorised to run trolley vehicles and such trolley vehicles shall be distinguished from other trolley vehicles in such manner as may be directed by the Corporation and they may demand and take for every passenger by such trolley vehicles a fare or charge not exceeding the maximum fare or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such trolley vehicle. Provided that during the running of such through trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of trolley vehicles.

Through vehicles.

21.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve cars on any of the tramways of the Corporation and trolley vehicles on any route on which the Corporation are for the time being authorised to run trolley vehicles for any special purpose which the Corporation may consider necessary or desirable provided that such special cars and trolley vehicles shall be distinguished from other cars and trolley vehicles in such manner as the Corporation

Power to reserve cars for special purposes.

A.D. 1925. — may direct and that during the running of such special cars or trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of cars or trolley vehicles as the case may be.

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

(3) The restrictions contained in this or any other Act of the Corporation as to fares rates or charges for passengers shall not extend to any special cars run upon the tramways of the Corporation or trolley vehicles run for such special services as aforesaid and in respect thereof the Corporation may demand and take such fares rates or charges as they shall think fit.

Power to require intending passengers to wait in lines or queues.

22. For the better regulation of persons desiring to travel in the cars on the tramways of the Corporation or in their trolley vehicles the Corporation may make byelaws requiring persons waiting to enter such cars or trolley vehicles at any stopping place or terminus upon any of their tramways or trolley vehicle routes to wait in lines or queues and to enter such cars or vehicles in the order in which they stood in such line or queue and in the event of the Corporation making any such byelaws they 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 any highway within the borough.

Shelters or waiting-rooms.

23. The Corporation may erect and maintain within and (with the consent of the local and road authority) beyond the borough sheds shelters or waiting-rooms and gangways for the accommodation of passengers on any trolley vehicle routes established under the authority of this Act and may use for that purpose portions of the public streets or roads due regard being given to the convenience of the general traffic along any such street or road.

Cloak-rooms &c.

24. 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 connection with their tramways undertaking (including the trolley vehicle undertaking authorised

by this Act) and at any places on any trolley vehicle route and the Corporation may make charges for the use of such cloakrooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein.

A.D. 1925.

25. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their trolley vehicle undertaking and car sheds offices and other buildings for the purposes of that undertaking and may erect maintain and let dwelling-houses for such persons and offices and other buildings for the purposes of that undertaking upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking.

Dwelling-houses for persons in Corporation's employment and other buildings.

26. Any property found in any tramway car or trolley vehicle of the Corporation or in any shelter or waiting-room in connection with their tramway or trolley vehicle undertakings shall forthwith be handed to the conductor of the car or vehicle or 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 tramway undertaking.

Lost property.

27. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required or expedient for the working of their trolley vehicles by mechanical power :

Attachment of brackets &c. to buildings.

Provided that—

- (1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as

A.D. 1925.
—

to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1) :
- (3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building.

For the purposes of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

Attachment
of signs
indicating
stopping
places to
lamp-posts
&c.

28.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the tramways or trolley vehicles of the Corporation signs or directions indicating the position of stopping places for tramway cars and trolley vehicles. Provided that in cases where the Corporation are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Corporation shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

A.D. 1925:

(3) The Corporation shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

29. The Corporation shall perform in respect of trolley vehicles 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.

Conveyance
of mails.

30. The fares rates and charges authorised by this Act or by the provisions incorporated therewith shall be paid to such persons and at such places upon or near to the trolley vehicles and in such manner and under such regulations as the Corporation may by notice to be annexed to the lists of fares rates and charges appoint.

Payment of
fares rates
and charges.

31. The Corporation may on market or fair days or for the execution of any works by the Corporation or during the time of any public meeting procession or demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the running of trolley vehicles on any trolley vehicle route or part thereof shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damages in respect thereof.

Power for
Corporation
to suspend
traffic.

32. If any person wilfully and unlawfully does or causes to be done with respect to any apparatus used for or in connection with the working of the trolley vehicles of the Corporation anything which is calculated to obstruct or interfere with the working of such trolley vehicles or to cause injury to any person he shall be liable to a penalty not exceeding twenty pounds.

Penalty for
malicious
damage.

A.D. 1925.

—
Use for
sanitary
purposes.

33. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and to any byelaws for the time being in force with respect to trolley vehicles) use the trolley vehicles of the Corporation for sanitary or road watering purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all rates and charges in respect of such use.

For protec-
tion of
London and
North
Eastern
Railway
Company.

34. The following provisions for the protection of the London and North Eastern Railway Company (in this section referred to as "the company") shall unless otherwise agreed in writing between the Corporation and the company apply and have effect in relation to the exercise by the Corporation of the powers of this Part of this Act (that is to say):—

- (1) In this section the word "apparatus" includes standards brackets conductors mains cables wires posts poles and any other apparatus and equipment for the purposes of working trolley vehicles:
- (2) All apparatus authorised by or in pursuance of this Part of this Act where the same shall be erected or placed upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be erected or placed and maintained so as not to affect injuriously the structure of any such bridge or approaches or other work and according to plans and particulars to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided. Provided that if the company do not within twenty-one days after such submission signify their disapproval of such plans and particulars they shall be deemed to have approved thereof. All such apparatus shall be erected or placed under the superintendence (if the same be given) and to the reasonable satisfaction of the company. The Corporation shall so construct maintain and use the apparatus and trolley vehicles as not to affect injuriously any such bridge or approaches or other work

and in the event of any injury being occasioned to such bridge or approaches or work by the construction maintenance user or removal of the apparatus or trolley vehicles upon across under or over the same the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :

- (3) The Corporation shall bear and on demand pay to the company the reasonable expense (if any) incurred by the company of and in connection with the superintendence by the company of the works of the Corporation and of and in connection with the employment by the Company during the execution or repair by the Corporation under or in pursuance of this Part of this Act of any work or apparatus affecting any railway tramway siding bridge or other work belonging to or maintainable by the company of such inspectors signalmen and watchmen (if any) as may be reasonably necessary for inspecting watching and protecting the said railways tramways and sidings and the conduct of the traffic thereon with reference to and during the execution or repair of any work or apparatus of the Corporation and for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them or otherwise :
- (4) The Corporation shall not in any manner in the execution maintenance user or repair of any apparatus obstruct or interfere with the free uninterrupted and safe user of any railway or siding belonging to or maintainable by the company or any traffic thereon :
- (5) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways tramways or sidings or to any company or person using the same by or by reason of the

A.D. 1925.
—

execution or failure of any of the said works or apparatus or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors for the said works or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :

- (6) If the company shall hereafter require under their existing powers to widen lengthen strengthen reconstruct alter or repair any of their bridges approaches or other works under or upon which the apparatus is laid or to widen or alter any railway tramway or siding of the company thereunder or thereover or to widen alter or repair any of their tramways across which any apparatus is laid the Corporation shall afford to the company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that such works and apparatus be taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the works and apparatus shall be stopped or delayed or such part of the works or apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the works and apparatus shall be restored with all practicable despatch and the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :
- (7) The Corporation shall from time to time pay to the company any additional expense which the

company may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of any bridge approach or other work of the company by reason of the existence or user of the works or apparatus and nothing contained in this Act shall impose any obligation upon or enlarge any existing obligation of the company to strengthen adapt alter or reconstruct any bridge or road maintainable by them :

- (8) Notwithstanding anything in this Act contained the Corporation shall not without the consent of the company use trolley vehicles on that portion of Route No. 7A which comprises the approach road to the Derby Road Station of the company and is the property of the company ;
- (9) If and when the Company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed and if it shall be reasonably necessary for them so to do the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Corporation and the engineer of the company or failing agreement as shall be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer :
- (10) If having regard to the proposed position of any works or apparatus of the Corporation authorised by or in pursuance of this Part of this Act when considered in relation to the position of the works of the company at any point where any works or apparatus will be constructed over or under any railway tramway siding or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that any electric telegraphic telephonic or signal wires or appa-

A.D. 1925.

tus or electrical works or apparatus for traction purposes of the company shall be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of so doing shall be repaid to the company by the Corporation :

- (11) The Corporation shall not make attachments to any part of any bridge station depôt or other property forming part of the railway of the company without the consent in writing of the engineer of the company such attachments if allowed to be temporarily removed at any time when required by the said engineer in connection with the maintenance and reconstruction or alteration of any such bridge station depôt or other property :
- (12) The Corporation shall not permit any trolley vehicles to stop on Route No. 5A where the same will cross on the level the tramways of the company at or near Stoke Bridge unless such stoppage be occasioned by circumstances over which the Corporation have no control :
- (13) The drivers of trolley vehicles passing along Route No. 5 in front of the Ipswich Station and along Route No. 7A where such last-mentioned route will be along the approach road of the company to the Derby Road Station shall observe any reasonable regulations from time to time made by the company with regard to the traffic in front of the said Ipswich Station or along such approach road Provided that fourteen days before any such regulations shall come into operation the company shall send a copy thereof to the Corporation and if the Corporation shall before the expiration of such fourteen days give notice to the company objecting to the regulations or any of them they shall not come into operation until agreed or settled by arbitration :
- (14) Notwithstanding anything contained in this Act no shelter or waiting room cloakroom room or shed for the storage of bicycles tricycles or other vehicles barrier or post shall be provided erected or maintained nor shall any stopping

place be appointed nor shall the Corporation require persons waiting at any stopping place or any terminus to wait in any line or queue so as to cause interference with or to render less convenient the access to or exit from any station depôt or property belonging to the company nor shall any such shelter waiting room cloakroom room shed barrier or post be provided erected or maintained or stopping place be appointed on any bridge carrying any street or road over the railways tramways or sidings of the company :

A.D. 1925.

- (15) If any difference arises under this section between the Corporation and the company the same shall be settled by arbitration the arbitrator being appointed on the application of either party after notice in writing to the other by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

35. Any byelaws and regulations made by the Corporation under the provisions contained in this Part of this Act shall be subject and according to the provisions of section 46 (Byelaws by local authority Promoters may make certain regulations) and section 47 (Penalties may be imposed in byelaws) of the Tramways Act 1870 and those provisions shall apply accordingly.

As to bye-laws &c. under this Part of this Act.

PART III.

PUBLIC BATHS AND RECREATION GROUNDS.

36. 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 1846 to 1899 or any Act amending the same.

Use of swimming baths in winter.

37. The Corporation may close to the public and may reserve the exclusive use of any swimming bath belonging to them and may grant the use thereof either gratuitously or for payment for swimming contests

Use of swimming baths for exhibitions and entertainments.

A..D. 1925. — practices aquatic exercises or for any other entertainment or exhibition or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath such sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit.

Use of
baths for
music and
dancing.

38.—(1) Any swimming bath of the Corporation when closed under the provisions of this Act or of section 5 (Powers to close swimming baths for a limited period) of the Baths and Washhouses Act 1878 and any portion thereof may although a licence is granted in respect thereof for music or dancing be let otherwise than occasionally and money for admission thereto may be taken at the doors.

(2) The proviso (b) to section 2 of the Baths and Washhouses Act 1899 shall cease to apply to any bath of the Corporation.

Byelaws
as to mixed
and family
bathing.

39. Notwithstanding anything to the contrary contained in the Baths and Washhouses Acts 1846 to 1899 the following provisions shall have effect:—

(1) The power of the Corporation to make byelaws for the management use and regulation of the public baths shall extend to enable them to permit any swimming bath to be used for the purpose of family bathing (that is to say by any males and females members of families bathing together at the same time) or of mixed bathing (that is to say by males and females bathing together at the same time) during such hours and subject to such regulations as shall be prescribed in such byelaws provided that by such byelaws provision shall be made for ensuring that separate dressing accommodation shall be provided for and used by males who have attained the age of eight years and females respectively and proper costumes worn:

(2) The provisions of sections 10 and 11 of the Baths and Washhouses Act 1878 shall apply in reference to such byelaws as if the same were made under that Act and the Corporation may accordingly exercise all the powers conferred upon them by the said sections in reference to the enforcement of such byelaws.

40. When any portion of a public park or pleasure or recreation ground is set apart by the Corporation for tennis croquet or bowls under paragraph (b) of subsection (1) of section 76 of the Public Health Acts Amendment Act 1907 and specially laid out and maintained for any such purpose the Corporation may charge reasonable sums for the use thereof for that purpose.

A.D. 1925.

—
Charge for use of parts of recreation grounds &c. set apart for certain purposes.

41. The Corporation may make such reasonable charges as they may think fit for admission to and for the use of any public building belonging to them or for the use of any buildings or enclosures in any of their parks recreation grounds or lands used for the purposes mentioned in this Part of this Act and they may also make such charge for the use of chairs and for admission to the public halls concert halls pavilions conservatories winter gardens assembly rooms reading rooms and conveniences in connection therewith as they may deem fit.

Power to charge for admission.

42.—(1) The Corporation may provide or arrange for the provision or carrying on of suitable concerts entertainments athletic meetings exhibitions and amusements and for the sale of refreshments in any public buildings halls or rooms belonging to them or in any park or recreation ground for the time being vested in them or under their control or upon any land belonging or leased to them and may make such charges as they may think fit for admission thereto and the Corporation may let any such building belonging to them or any park or recreation ground for the purpose of such concert entertainment athletic meetings exhibitions or amusements or for the sale of refreshments for such periods or occasions and upon such terms and conditions as the Corporation may think fit Provided that nothing contained in this subsection shall enable the Corporation themselves to use any public buildings halls or rooms for the purpose of the performance of stage plays by professional companies of performers or to carry on therein the business of a cinema theatre Provided also that any letting other than for a period of less than one month under this section of any building for the purpose of an entertainment shall be by tender and the Corporation shall secure the best rent reasonably obtainable.

Provision of concerts entertainments &c.

(2) The Corporation may in any park or recreation ground vested in them enclose an area for the purpose

A.D. 1925. of any such concert entertainment meeting exhibition or amusement as aforesaid.

(3) The Corporation may provide and sell or authorise any person or persons to provide and sell programmes of any concert entertainment or performance given in pursuance of this section.

(4) The Corporation may make byelaws for securing good and orderly conduct during any concert entertainments meetings exhibitions or amusements provided or carried on in pursuance of the provisions of this section.

(5) The Corporation may pay or contribute towards the cost of providing and maintaining in the borough and in newspapers published in the borough advertisements of any concerts entertainments meetings exhibitions or amusements given in pursuance of this section.

(6) All expenses incurred by the Corporation under the provisions of this section shall be paid out of the borough fund and borough rate and all moneys received by them thereunder shall be carried to the credit of the borough fund Provided always that the net amount of any payments or contributions made by the Corporation under the provisions of this section after deducting any moneys received by them thereunder shall not in any one year exceed a sum equivalent to that which would be produced by a rate of one penny in the pound levied on property in the borough assessable in that year to the borough rate.

(7) No payment or contribution shall be made under this section unless incurred in pursuance of a resolution of an absolute majority of the whole number of the members of the Council at the meeting of the Council after due notice of such meeting and of the intention to propose such resolution.

Power to
appoint
officers.

43. The Corporation may appoint officers for securing the observance of this Part of this Act and of the provisions of all other Acts relating to parks and pleasure grounds and of the byelaws and regulations made thereunder and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant.

PART IV.

A.D. 1925.

MARKETS AND SLAUGHTER-HOUSES.

44.—(1) Any animal brought to any cattle market of the Corporation at which animals intended for the food of man are in fact sold shall (unless the contrary be proved) 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 (relating to unsound meat &c.) of the Public Health Act 1875 and the provisions of those sections shall respectively apply to any such animal.

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

(2) Any person knowingly causing directing or permitting any animal which is diseased or unsound or unwholesome or unfit for the food of man to be brought to any such market of the Corporation and any person (including any auctioneer) who offers for sale or sells any such animal knowing it to be diseased or unsound or unwholesome or unfit for the food of man 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.

45.—(1) At any time after the passing of this Act the Corporation may—

Provision
of public
slaughter-
houses and
prohibition
of private
slaughter-
houses
thereafter.

(a) Acquire by agreement any premises within the borough used for the purpose of slaughtering cattle (hereinafter referred to as a "slaughter-house") and the interest or interests of any owner lessee or occupier of such premises;

(b) Agree with the owner lessee and occupier of any slaughter-house for the abolition of slaughtering therein on such terms and conditions as may be arranged between the parties.

(2) At any time after the expiration of three years from the passing of this Act and after the Corporation

A.D. 1925.

have provided an adequate slaughter-house in a convenient position (to the satisfaction of the Ministry of Health) and after the expiration of six months from the date of publication by the Corporation in a local newspaper circulating in the borough of notice to that effect no person shall slaughter in the way of trade any cattle within the borough except in slaughter-houses provided by the Corporation but this restriction shall not apply to the slaughtering on premises by the owner lessee or occupier thereof of any cattle belonging to him and not slaughtered for the purpose of trade or by a farmer on premises occupied by him for agricultural purposes only and if any person acts in contravention of this section he shall be liable for each offence to a penalty not exceeding five pounds.

(3) The Corporation shall pay or tender compensation to the owner and occupier of any slaughter-house registered prior to the passing of the Public Health Act 1875 and of any slaughter-house the licence in respect of which is not required to be renewed periodically or is not revocable by the Corporation and (in either case) closed under the provisions of this section and the amount of such compensation shall in case of difference be settled as cases of disputed compensation are settled under the Lands Clauses Acts and the provisions of those Acts shall apply accordingly Provided always that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in respect of the closing of such slaughter-house.

(4) The fees and charges to be demanded and received by the Corporation in respect of the use of any slaughter-house provided by them or of any convenience connected therewith shall be regulated by byelaws to be approved by the Minister of Health and the Corporation may make byelaws accordingly Provided that the Corporation shall have power to charge for any slaughter-house let at a weekly monthly or other rent such sum as may be agreed upon by the Corporation and the renters.

(5) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Acts 1894

to 1922 or of any order or licence of the Minister of Agriculture and Fisheries made or granted thereunder. A.D. 1925.

46.—(1) (a) The Corporation may by written notice to the owner and occupier of any registered slaughter-house within the borough which from its situation or construction is in the opinion of the Corporation injurious or dangerous to the public health require that the premises shall cease to be used as a slaughter-house on and after such date (not being less than six months from the service of such notice) as may be specified in the notice and no person shall after such date slaughter in the way of trade any cattle horse sheep or pig on the said premises. Power to close slaughter-houses if injurious to public health.

(b) Provided that not less than three months before making any such requirement in the case of any slaughter-house which from its construction is in their opinion injurious or dangerous to the public health the Corporation shall give notice in writing to the owner or occupier thereof specifying the respects in which such slaughter-house is in their opinion so injurious or dangerous and also specifying their requirements in regard thereto and if within the said period of three months the owner or occupier of such slaughter-house or either of them shall have removed the grounds of objection thereto no such written notice as is first above mentioned shall be given to them by the Corporation.

(c) Provided also that any such owner or occupier may within one month after receiving any such notice in writing from the Corporation object thereto on the ground that the requirements contained therein are unreasonable and unnecessary in the interests of public health and any such objection shall failing agreement between the Corporation and the owner or occupier making the same be determined on appeal to the Minister of Health by that Minister and unless and until that Minister shall have determined that the said requirements are reasonable and necessary no such written notice as is first above mentioned shall be given to the owner or occupier of the slaughter-house in question.

(2) The Corporation shall make compensation to the owner and occupier of any registered slaughter-house who shall be injuriously affected by any requirement of the Corporation under subsection (1) of this section

A.D. 1925.

such compensation in case of difference to be settled in manner provided by the Public Health Act 1875 Provided always that in the case of a slaughter-house which is defective or otherwise open to objection on sanitary grounds the arbitrator shall have regard thereto in settling the amount of compensation (if any) which shall be awarded in pursuance of this section.

(3) If any person acts in contravention of the provisions of subsection (1) of this section he shall be liable for each offence to a penalty not exceeding five pounds.

Byelaws
as to
slaughter-
houses.

47.—(1) The powers contained in section 169 (Power to provide slaughter-houses) 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—

(a) For preventing the slaughter of animals in any pound pen lair or pining-house forming part of any registered or licensed premises;

(b) For preventing the slaughter of any animal within public view or within the view of any other animal; and

(c) For preventing the carcass of any slaughtered animal intended for the food of man from being contaminated during such time as the same shall be hung or remain in any slaughter-house.

(2) Nothing in any byelaw made under this section shall affect the operation of the Diseases of Animals Acts 1894 to 1922 or of any order licence or act of the Minister of Agriculture and Fisheries made granted or done thereunder.

PART V.

STREETS BUILDINGS AND SEWERS.

Agreements
with respect
to streets
adjoining
borough
boundary.

48.—(1) On and from the first day of January nineteen hundred and twenty-six the Corporation on the one hand and the local or road authority having jurisdiction in any area adjoining the borough on the other hand may enter into and carry into effect agreements for and with respect to the making widening improvement maintenance repair sweeping cleansing

lighting or watering of any street or road along which the boundary of the borough runs. A.D. 1925.

(2) For the purpose of carrying into effect any such agreement any party thereto shall subject to the provisions of the agreement have with respect to any street or road or part thereof outside their jurisdiction all the powers and be subject to all the obligations and liabilities of the party to the agreement within whose jurisdiction the street or road or part thereof are situate and such first mentioned party may bear or contribute towards the cost of the making widening improvement maintenance repair sweeping cleansing lighting or watering of such street or road or part thereof and apply the like funds and rates and exercise the like powers of borrowing money upon the security of rates or otherwise in all respects as though such street or road or part thereof had been within their jurisdiction.

(3) Any such agreement as aforesaid may be carried into effect notwithstanding the provisions of any Order relating to any street or road or part thereof referred to in the agreement and made under the Highway Act 1835 or under any Act repealed or superseded by that Act and where any such street or road or part thereof is widened or otherwise altered pursuant to any such agreement as aforesaid the Order shall (unless and except so far as may be otherwise provided by the agreement) extend and apply to the street or road or part thereof as so widened or altered.

49.—(1) Where any street or road repairable by the inhabitants at large or any part of such street or road is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where at the corner of any street or road it is in their opinion desirable to set back the line of frontage in order to facilitate traffic or where in any other case it is in their opinion necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe what shall thereafter be the line of frontage to be observed on either side of such street or road or any part thereof.

Power to prescribe future line of existing public streets.

(2) The line which in any case the Corporation propose to prescribe shall be marked on a plan to be signed by and deposited with the surveyor and such

A.D. 1925.

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 the line they shall give notice in writing of the deposit of the said plan and of the liabilities imposed by this section to every occupier and to every owner interested whose name and address they can ascertain and in cases where such name and address cannot with reasonable diligence be ascertained by affixing such notice to or on the premises.

(3) No new building erection excavation or obstruction shall be made or placed nearer to the centre of the street or road than such line except with the consent in writing of the Corporation which may be given for such period and upon and subject to such terms and conditions as they may deem expedient.

(4) The Corporation may and if required so to do by the owner shall purchase and the owner and all other persons interested shall if required so to do by the Corporation sell the land for the time being unbuilt upon lying between any line prescribed by the Corporation under this section and the street or road and the same when purchased shall vest in the Corporation as part of the street or road. Provided that the Corporation shall not be required by any owner to purchase any land under the provisions of this section until a building shall have been erected on the land immediately behind the land to be purchased.

(5) 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 and other persons interested in any such land for any loss or damage which he or they may sustain in consequence of the 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 adjoining land or building compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land or building by reason of the Corporation requiring the said line to be observed and kept.

(6) The amount of any purchase money or compensation payable under subsection (4) or subsection (5) of this section shall in default of agreement be determined by arbitration in accordance with the provisions of the

Acquisition of Land (Assessment of Compensation) Act 1919 and in determining the amount thereof the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street or road shall be fairly estimated and shall be set off against the said purchase money or compensation.

A.D. 1925.

(7) If after any such line has been prescribed as aforesaid any person offends against the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

50.—(1) The Corporation may at any time after prescribing and defining the line of frontage of any street or road in pursuance of the power conferred upon them by the section of this Act whereof the marginal note is “Power to prescribe future line of existing public streets” on giving six months’ previous notice in writing to the owner require that any building erection excavation or obstruction which or any part of which was beyond or in front of any such line of frontage at the date when the same was so prescribed shall be pulled down set back filled in or altered so that the same shall not project beyond or in front of such line of frontage.

Setting
back of
buildings
after future
line of
streets is
prescribed.

(2) The owner may and if so required by the Corporation shall notwithstanding any contract lease or agreement or any provision therein contained enter upon any land building erection excavation or obstruction affected by any requirement of the Corporation under this section and carry out such requirement.

(3) In the event of any building erection excavation or obstruction being pulled down set back filled in or altered in accordance with any requirement of the Corporation under this section the Corporation shall make compensation to the owner lessee and tenant of any such building erection excavation or obstruction and to any or either of them for any loss or damage sustained by such owner lessee or tenant in consequence of such building erection excavation or obstruction being pulled down set back filled in or altered as aforesaid.

(4) The amount of any compensation payable under this section and any other question under this section the determination whereof is not otherwise provided for by this Act shall in default of agreement be determined in accordance with the provisions of the Arbitration

A.D. 1925. Act 1889 but in estimating the amount of any such compensation the benefits arising from the widening or improvement of the street or road and accruing to the property in respect of which such compensation shall be payable shall be fairly estimated and set off against such compensation.

(5) After any such line of frontage shall be so prescribed as aforesaid any person who shall act contrary to the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Frontage
line in new
streets.

51.—(1) Every person who intends to lay out a new street shall in addition to the information required to be supplied to the Corporation by virtue of any enactments or byelaws with respect to streets and buildings in force within the borough distinctly define and mark on a plan drawn to such scale as the Corporation may require and to be prepared and submitted by such person to the Corporation for their approval the proposed line of frontage of any house or building to be erected in or fronting such street (in this section called "the building line") and the Corporation shall within six weeks after the date of submission thereof signify to the person submitting the same their approval or disapproval thereof.

(2) The Corporation may also prescribe the building line to be observed in those parts of any street already laid out upon which buildings have not already been erected.

(3) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof or any addition to any house or building if the building line for such street has been disapproved by the Corporation or before the expiration of the six weeks aforesaid without their approval nor beyond or in front of the building line approved or prescribed by the Corporation and any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(4) The provisions of section 3 (Buildings not to be brought forward) of the Public Health (Buildings in Streets) Act 1888 shall not apply to any house or building

A.D. 1925.

—
Appeal to
court of
summary
jurisdiction.

53.—(1) Any person deeming himself aggrieved by any requirement of or by the Corporation under either of the last two preceding sections of this Act may within fourteen days from the date of such requirement appeal to a court of summary jurisdiction 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.

(2) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court of summary jurisdiction may direct.

Power to
Corporation
to grant
licences for
bridges
over streets.

54.—(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—

- (a) 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;
- (b) 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;
- (c) It shall be a condition of every such licence that the licensee shall at the request of the Corporation and at his own expense remove or alter such bridge in such manner as the Corporation require in the event of their considering such removal or alteration necessary or desirable in connection with the carrying out of improvements to such highway at any time and the decision of the Corporation that such removal or alteration is necessary or desirable shall be final and conclusive;

erected or proposed to be erected on lands in respect of which a building line as aforesaid shall have been approved or prescribed by the Corporation.

A.D. 1925.

(5) In the event of the Corporation requiring as a condition for their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of a new street than one-half of the width of the street and ten feet in addition or of their prescribing a building line at a greater distance from the centre of a street already laid out than the line at which buildings could be erected having regard to the provisions of the Public Health (Buildings in Streets) Act 1888 the Corporation shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set back for any damage sustained by him by reason of his being unable to build upon such land.

(6) For the purpose of this section the surveyor shall by certificate under his hand at or before the time of the approval of the building line by the Corporation determine the centre of any street or intended street.

(7) The amount of any compensation payable under this section shall in default of agreement be determined by arbitration in accordance with the provisions of the Arbitration Act 1889.

52. Whenever application shall be made to the Corporation to approve the laying out of or notice shall be given to the Corporation of intention to lay out a new street (including in that expression the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street) the Corporation may require the owner of the estate or lands the development of which will be commenced or continued by the laying out of such new street to furnish the Corporation with plans and particulars showing the general scheme (if any) for the development or laying out of such estate or lands and in such case the date of the making of application or of the giving of notice as aforesaid shall for the purposes of any enactments or provisions in force for the time being with respect to the laying out of new streets be deemed to be the date on which plans and particulars required as aforesaid shall be so furnished.

Develop-
ment
scheme
may be
required in
connection
with new
streets.

(d) In the event of the construction removal or alteration 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 over-ground telegraphic lines under the powers conferred by the Telegraph Acts 1863 to 1924 be deemed part of the street or road which it crosses.

A.D. 1925.

(2) 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 or shall fail to remove or alter the same when required so to do under the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(3) In this section the expression "the owner" shall include the Corporation where they are the owners of any such premises as are mentioned in subsection (1) hereof.

55. The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit shingle or cinder in upon or under the streets of the borough of such dimensions and in such positions as the Corporation may from time to time determine Provided that no such orderly bin or other receptacle shall be provided or maintained so as to interfere with or render less convenient the access to or exit from any station or depôt of the London and North Eastern Railway Company.

Street
orderly bins.

56.—(1) Before placing or erecting any hoarding or fence at or within a distance of ten yards from the corner of any street the person proposing to place or erect such hoarding or fence shall give notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding or fence proposed to be so placed or erected.

As to erection of
hoardings
&c. at street
corners.

(2) If the placing or erection of such hoarding or fence would constitute a danger to the traffic in the

A.D. 1925.

streets of the borough upon adjoining or near to which the same is proposed to be placed or erected by obstructing the view of any foot passenger or the driver of any vehicle in a street of vehicular or pedestrian traffic the Corporation may within six weeks of the receipt of the said notice prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. If within six weeks of the receipt of the said notice the Corporation shall not have prohibited such placing or erection or allowed the same subject to a condition or to a modification of such plans or particulars they shall be deemed to have allowed such placing or erection.

(3) Any person who places or erects any hoarding or fence in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding or fence so placed or erected and may recover the expense incurred by them in so doing from such person.

(4) (a) Any person deeming himself aggrieved by any requirement prohibition or by the withholding of any approval of or by the Corporation under this section may within fourteen days from the date of such requirement prohibition or refusal of approval appeal to a court of summary jurisdiction 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.

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

(5) For the purposes of this section the corner of any street shall be deemed to be the point at which the frontage or boundary line of that street (if necessary continued in a straight line) intersects the frontage or boundary line of any other street (if necessary similarly continued).

Widening
of roads
when only
one side is
built upon.

57.—(1) When a road footpath or way within the borough is about to become a new street within the meaning of the Public Health Acts but the land on only one side of such street has been or is in course of being built on the Corporation may in any case in which they would be empowered to require the owner of the land

built on or in course of being built on to widen such road
footpath or way to a width prescribed by the bye-laws
in force in the borough require such owner to widen
such road footpath or way so as to give a width not
less than one-half of such prescribed width from the
old centre line of such road footpath or way to the
boundary thereof adjoining such land. A.D. 1925.

(2) If and when the land on the opposite side of
such road footpath or way shall be in course of being
built on the owner of such land shall complete the
widening of such road footpath or way so as to comply
in all respects with the byelaws of the Corporation :

Provided that he shall not under this subsection be
required to pull down any building erected before the
passing of this Act.

58. The Corporation may erect or fix street fire
alarms in such positions in any street road or public
place within the borough as they think fit Provided
that nothing in this section shall authorise the trans-
mission of any telegram which is within the exclusive
privilege conferred upon the Postmaster-General by the
Telegraph Act 1869 Provided also that the Corporation
shall not provide or maintain any fire alarm so as to
interfere with or render less convenient the access to or
exit from any station or depôt of the London and North
Eastern Railway Company. Fire alarms.

59. Any person who shall cover over or wilfully
or negligently obstruct or interfere with the convenient
access to any fire alarm fire-plug or hydrant or who
shall remove or efface any plate or mark indicating
the position of such alarm plug or hydrant shall be
liable to a penalty not exceeding five pounds. As to fire
plugs.

60.—(1) (a) No fence hoarding or other similar
structure (in this section referred to as "structure")
of a greater height than six feet six inches shall be
erected or brought forward on any land in any street— As to hoard-
ings and
similar
structures.

(i) beyond any building line prescribed by the
Corporation in respect of the land under the
provisions of any local Act in force; or

(ii) if there be no such line beyond any line which
is enforceable by the Corporation for buildings
under subsection (2) of section 12 of the
Housing &c. Act 1923; or

A.D. 1925.

(iii) if there be neither of such lines beyond the line to which any house or building erected or brought forward on the land would have to conform under the provisions of the Public Health (Buildings in Streets) Act 1888.

(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 and the Corporation may take down or remove any structure erected in contravention of those provisions and recover the expenses incurred by them in so doing from the offender.

(2) (a) The Corporation may by notice in writing require the owner or occupier of any land upon which any structure exists at the passing of this Act which would (if erected after the passing of this Act) have contravened the provisions of subsection (1) of this section to remove or alter such structure within such time (not being less than six days) as may be specified in the notice in such a manner as to comply with those provisions and the Corporation shall on demand repay to the owner or occupier of such land the reasonable expenses incurred by him in so doing.

(b) Any person who shall neglect or refuse to comply with a notice from the Corporation given in pursuance of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may at their own expense take down or remove any structure erected or maintained in contravention of those provisions.

(3) The provisions of this section shall not be enforceable with regard to any structure existing at the passing of this Act for a period of five years from such date and shall not apply to any wooden structure fence or hoarding of a movable or temporary character erected by a builder for his use during the construction alteration or repair of any building unless the same is not taken down or removed immediately after such construction alteration or repair is complete.

Means of
escape from
buildings in
case of fire.

61.—(1) Every new building which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is above twenty feet from

A.D. 1925.

—

the street level and which is used or intended to be used as flats or as a tavern hotel hospital nursing home orphanage boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant shall be provided on each of the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in case of fire for the persons dwelling sleeping or employed in each such upper storey or resorting thereto as may be reasonably required by the Corporation under the circumstances of the case and the owner shall not permit such building to be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

(2) From and after the first day of January nineteen hundred and twenty-six the Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as a tavern hotel hospital nursing home orphanage boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant if in their opinion such building is not provided with proper and sufficient means of escape from each storey the upper surface of the floor whereof is above twenty feet from the street level in case of fire for the persons dwelling or sleeping therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

(3) Where the means of escape in case of fire provided in connection with any such building as aforesaid shall become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner of the building shall upon the requirement of the Corporation make such alteration in the said means of escape as may be reasonably

A.D. 1925.

necessary and shall if so required by the Corporation provide further or other means of escape.

(4) (a) Any person aggrieved by any requirement of the Corporation under subsection (2) or subsection (3) of this section may appeal to a court of summary jurisdiction within seven days after the receipt of the requirement provided he give twenty-four hours' notice of such appeal and of 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.

(b) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections.

(5) The owner of the building shall notwithstanding any agreement with the occupier have power to take such steps as are necessary for complying with any requirement of the Corporation under this section.

(6) If the owner alleges that the occupier of the building ought to bear or contribute to the expenses of complying with any requirement of the Corporation under this section he may apply to the county court and thereupon the county court after hearing the occupier may make such order as appears to the court just and equitable under all the circumstances of the case.

(7) The means of escape in case of fire provided in connection with any such building as aforesaid shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the building in good and efficient condition and free from obstruction.

(8) This section shall not apply to any premises to which section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 apply.

(9) Any person who shall offend 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.

As to
construc-
tion of
shops.

62.—(1) (a) Where any part of a building which is used or adapted to be used as a shop projects for a distance of seven feet or more beyond the main front of any building of which it forms part and in which

any persons are employed or sleep the projecting portion of such shop shall be provided by the owner with a roof constructed of fire-resisting materials not less than five inches thick. A.D. 1925.

(b) It shall be lawful to construct or place in or upon the roof of the portion of any shop so projecting beyond the main front of the building as aforesaid lantern lights or ventilating cowls Provided that no such lantern light or ventilating cowl shall be constructed or placed so that any part thereof will be at a less distance than six feet from the main front of the building from which the shop projects or within such distance as may be reasonable in the circumstances of the case from any other external or party wall Provided also that the sides of such lantern light or ventilating cowl (except the side facing away from the main building) shall be carried up in fire-resisting materials for two feet above the roof in or upon which it is constructed or placed Provided further that no part of any such lantern light or ventilating cowl shall project above the roof in or upon which the same is constructed or placed to a greater extent than five feet.

(2) The provisions of this section shall extend and apply as well to existing as to new buildings.

(3) The Corporation may in any case where it is reasonable so to do sanction subject to such conditions (if any) as the Corporation may impose in giving such sanction the exemption of any building from all or any of the provisions of this section If in any case the Corporation refuse to give their sanction under the provisions of this section such refusal shall be deemed to be the withholding of a consent within the meaning of section 79 (As to appeal) of the Act of 1911 the provisions of which section are applied to this Act by the section thereof of which the marginal note is "Application of provisions of existing Acts."

(4) Any person who occupies or (being the owner thereof) permits to be occupied—

- (a) any new building that does not comply with the provisions of this section;
- (b) any existing building that does not so comply after the expiration of one calendar month's

A.D. 1925.

notice in writing requiring him to execute such works in connection therewith as may be necessary to cause such building to comply with such provisions;

shall (without prejudice to any other proceedings that may be taken against him) be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding ten pounds.

Byelaws as to alterations to old buildings.

63. 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 respect of the alteration of such plans and sections as can be required in relation to the erection of a new building.

Byelaws as to erection of dwelling-houses under continuous roof.

64. The Corporation may make byelaws with respect to—

- (i) the number of dwelling-houses which may be erected in one block or in one continuous row;
- (ii) the provision of an open space for separating blocks or rows of dwelling-houses and the width of such space;
- (iii) the situation construction and height of walls or fences upon or across such open space.

Larders to be provided.

65.—(1) Every dwelling-house erected after the passing of this Act shall be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(2) (a) Every dwelling-house erected before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which can reasonably be so provided but which is not so provided after one month's notice from the Corporation requiring the same to be done shall be liable to a penalty

not exceeding five pounds and to a daily penalty not exceeding twenty shillings. A.D. 1925.

(b) Any owner aggrieved by any requirement of the Corporation under this subsection may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of 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. Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this subsection.

(c) If in any case the owner alleges that the occupier of any dwelling-house in respect of which any work is required to be executed under the provisions of this subsection ought to bear or contribute to the expenses of the execution of such work he may apply to a court of summary jurisdiction and such court shall have power to make such order as the court may think fit.

66. If in any street not repairable by the inhabitants at large the Corporation for the purpose of main drainage or otherwise shall require a larger sewer to be made than they consider necessary for the ordinary sewerage of such street or the lands draining thereto the person laying out such street shall construct such enlarged sewer in accordance with the requirements of the Corporation and the additional cost thereof as ascertained by the surveyor shall be paid by the Corporation. Power to require specially enlarged sewer in new street.

67. Every person who throws 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 river stream or brook shall be liable to a penalty not exceeding five pounds. Penalty for throwing rubbish into streams.

68. The provisions of the sections of this Part of this Act of which the marginal notes are:— Saving for railway company.

“Power to prescribe future line of existing public streets”;

“Setting back of buildings after future line of streets is prescribed”;

A.D. 1925.

“ Power to Corporation to grant licences for bridges over streets ” ;

“ Widening of roads when only one side is built upon ” ; and

“ Byelaws as to alterations to old buildings ” ;
shall not extend or apply to any land or building (not being a dwelling-house) belonging to or used or occupied by the London and North Eastern Railway Company as part of their railway undertaking under any Act of Parliament.

PART VI.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

To prevent spread of infectious disease amongst children in Sunday schools &c.

69.—(1) No person of or exceeding the age of sixteen years who has the custody charge or care 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 the 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 or school 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.

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

Power to close Sunday schools in certain events.

70.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the 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 or the exclusion of children from places of public entertainment

or assembly for a specified time such requirement shall be at once complied with. A.D. 1925.

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

71.—(1) Any parent or other person liable to maintain a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any person residing with such parent or other person and who fails forthwith to notify such occurrence to the head teacher principal or superintendent of the school shall be liable to a penalty not exceeding twenty shillings.

Special provisions to prevent spread of infectious diseases.

In any proceeding under this section a certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

(2) If any person of or exceeding sixteen years of age while suffering from any infectious disease or being in charge of any person so suffering wilfully exposes himself or the person in his charge in such a manner as to conduce to the spread of the disease in any place of public entertainment or assembly shop inn or public conveyance he shall be liable to a penalty not exceeding five pounds.

72. 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 and influenza.

Extended meaning of "infectious disease" for certain purposes.

73. Any person who being in charge of the body of any person who has died from any infectious disease shall permit or allow any other person unnecessarily to come into contact with such body shall be liable to a penalty not exceeding five pounds.

For preventing contact with body of person dying of infectious disease.

A.D. 1925.

Removal
of body of
person
dying of
infectious
disease.

74. When any person suffering from infectious disease whereof notice shall have been given to the medical officer shall die of such disease in the borough the medical officer may give notice to the person responsible for the conduct of the burial of the body of such person and when any such notice shall have been given it shall not be lawful to transport any such body by railway or other public conveyance (not being a conveyance reserved for such purpose) unless and until the medical officer has certified that every precaution necessary for the public safety has been adopted to his satisfaction and any undertaker and any person so responsible who shall after the giving of such notice knowingly remove or assist in removing such body without such certificate and any person who unless unaware of such notice shall procure or endeavour to procure removal of such body without having obtained such certificate shall be liable to a penalty not exceeding two pounds.

Persons to
furnish
names of
laundryman
to whom
clothes &c.
from in-
fected
houses
sent.

75. If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 (Notification of infectious disease) of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for washing or mangling from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly Any person who offends against this enactment shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty on
withholding
information
from medi-
cal officer.

76.—(1) The occupier of any building which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer or the deputy or assistant medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding forty shillings.

(3) For the purposes of this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

A.D. 1925.

77. The Corporation may provide and supply (with or without charge therefor) to any registered medical practitioner antidotes and remedies against infectious disease.

Power to supply anti-dotes against infectious disease.

78.—(1) It shall not be lawful for any collector 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 within the borough 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 connection with the business of rag and bone merchants.

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.

79.—(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 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.

Registration of premises used for preparation of potted and preserved foods.

(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.

80.—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity who within the borough—

For regulating manufacture and sale of ice-cream &c.

(a) causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored.

A.D. 1925.

in any sleeping-room or in any cellar room or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or

(b) in the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or

(c) omits on the outbreak of any infectious disease amongst the persons employed in his business or residing in any premises which are used by him for the manufacture of ice-cream or other similar commodity to give notice thereof to the medical officer;

shall be liable to a penalty not exceeding forty shillings.

(2) In the event of any person so employed or resident suffering from any infectious disease the medical officer or the sanitary inspector or any other officer who is duly authorised by the Corporation in that behalf may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in any of such premises and the Corporation shall compensate the owner of the ice-cream or similar commodity or materials so destroyed :

Provided that no compensation shall be payable in respect of any ice-cream or similar commodity or materials for the manufacture of the same manufactured or brought upon the said premises after such seizure and while any such person is suffering from infectious disease.

(3) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand must have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable to a penalty not exceeding forty shillings.

(4) (a) The medical officer and the sanitary inspector and any other officer who is 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 or vendor 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 and any cart barrow or stand in or on which the same are offered for sale 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.

A.D. 1925.

(b) 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.

81. The provisions of section 34 (Power for Privy Council to make orders relative to dairies cowsheds and milkshops) of the Contagious Diseases (Animals) Act 1878 and of the Dairies Cowsheds and Milkshops Order 1885 made thereunder and of any other order made or to be made under the said section or relating to dairies cowsheds and milkshops and of any regulations made or to be made by the council under any such order for securing the cleanliness of milk vessels used for containing milk for sale shall apply to all vessels used within the borough for the reception measurement storage or delivery of milk by persons selling milk by retail in the streets.

Provisions
as to
retailers
of milk.

82. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the borough and any person so blowing or inflating any carcase or part of a carcase or exposing or depositing for sale within the borough a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding five pounds.

Prohibition
of blowing
or inflating
carcasses.

83.—(1) From and after the passing of this Act the following provisions shall apply to any room shop or other part of a building within the borough in which room shop or part of a building 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 :—

Sanitary
regulations
for premises
used for
sale &c. of
food for
human con-
sumption.

(a) No such room shop or other part of a building shall be used as a sleeping place;

A.D. 1925:

- (b) No urinal watercloset earthcloset privy ashpit or other like sanitary convenience shall be within such room shop or other part of a building or shall communicate therewith except through the open air or through an intervening ventilated space;
- (c) No drain or pipe for carrying off faecal or sewage matter shall have any inlet or opening within such room shop or other part of a building;
- (d) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of a building except so far as may be reasonably necessary for the proper carrying on of the trade or business;
- (e) Due cleanliness shall be observed in regard to such room shop or other part of a building and all articles apparatus and utensils therein and shall be observed by persons engaged in such room shop or other part of a building.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a 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 a 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 medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of the provisions of this section 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.

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

Notice of
slaughter
of animal
unfit for
human food.

84.—(1) Where any person being the owner of any bull ox cow heifer calf sheep lamb or pig which is emaciated or diseased and unfit for human food is about to slaughter the same or about to cause the same to be

slaughtered he shall give previous notice to the medical officer or sanitary inspector of such intention and shall on the application of the medical officer or sanitary inspector within six weeks from the date of such slaughter furnish such information within his knowledge as the medical officer or sanitary inspector may reasonably require for the purpose of enabling inquiries to be made to trace the disposition of the carcase or any part thereof.

A.D. 1925.

(2) Any person failing to give such notice or refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding ten pounds.

(3) Nothing in this section shall interfere with the operation or effect of the Diseases of Animals Acts 1894 to 1922 or of any order or licence of the Minister of Agriculture and Fisheries made or granted thereunder.

85.—(1) It shall not be lawful for any person to use any ashbin or dustbin 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.

Restriction
as to use of
dustbins.

(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.

86. Public notice of the effect of the foregoing provisions of this Part of this Act shall be given as soon as is reasonably practicable after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall.

Public
notice to be
given of
foregoing
provisions
of this Part
of Act.

87.—(1) If the medical officer certifies in writing that any person is suffering from pulmonary tuberculosis and is in an infectious state and that by reason of the lodging or accommodation with which such person is provided being such that proper precautions to prevent the spread of infection cannot be taken or by reason of such precautions not being taken serious risk of infection is 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

Removal
of person
suffering
from pul-
monary tu-
berculosis to
hospital.

A.D. 1925.

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 subject to the consent of the superintending body of such hospital or place and subject to the like consent 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 not exceeding three months as may be determined by any further order 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) (i) Where—

(a) any person suffering as aforesaid is removed to any such hospital or place as aforesaid under an order made under this section; or

(b) any person resident in the borough and suffering as aforesaid voluntarily goes for treatment to any hospital or place for the reception of the sick;

the Corporation may if they think fit and if satisfied that the necessities of the case so require make payments for or towards the maintenance of any relative of or person actually dependent on the person so suffering.

(ii) On the hearing of any application under this section the court shall take into consideration the amount necessary for such 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. 1925.

(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 the 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.

88.—(1) (a) Where the medical officer certifies that the cleansing and disinfecting of any building (including in that term any boat (other than a boat within the jurisdiction of the port sanitary authority) tent van shed or similar structure used for human habitation) in the borough 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 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 sub-section the Corporation may by

A.D. 1925.

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 to a penalty not exceeding forty 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 requirement shall be liable to a penalty not exceeding 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 case of dispute may be settled by a court of summary jurisdiction.

Byelaws as
to meat.

89.—(1) The Corporation may make and enforce byelaws for preventing meat (other than foreign meat or meat which has 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) 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,

A.D. 1925.

(2) Provided that any byelaws made by the Corporation under this section shall provide—

(a) That any person bringing any meat (other than foreign meat or meat which has 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) into the borough shall give to the medical officer or sanitary inspector 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 referred to shall not apply to the meat in respect of which the notice was given.

(3) Nothing contained in this section or any byelaw to be made thereunder shall apply to the London and North Eastern Railway Company.

90.—(1) Subject to the provisions of this Act the sanitary inspector or any officer duly authorised by the Corporation in that behalf shall at all reasonable times have power to enter the premises of any vendor of or merchant or dealer in any commodity intended for the food of man or any premises where any such commodity is for the purposes of sale deposited or stored or in preparation for sale for the purpose of inspecting such premises and the materials or commodities or articles of food therein.

Power to enter and inspect premises where food is deposited for sale.

(2) On any such inspection the said sanitary inspector or officer of the Corporation shall have power to take samples of any such materials commodities or articles of food found therein making reasonable payment therefor if required and if he intends to submit any sample to analysis he shall forthwith notify to the vendor merchant or dealer or the agent of such person his intention to have

A.D. 1925. the same analysed and shall divide the sample into three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall if required to do so deliver one of the parts to such vendor merchant dealer or agent. The officer shall afterwards retain one of the said parts for future comparison and submit the third part if he deems it right to have the sample analysed to the analyst.

(3) Any person who without reasonable excuse refuses entry into or inspection of such premises as aforesaid or obstructs such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Defining establishment of a new business for purposes of section 112 of Public Health Act 1875.

91.—(1) For the purpose of section 112 (Restriction on establishment of offensive trade in urban district) of the Public Health Act 1875 as extended by section 51 (Power to declare a business to be an offensive business) of the Public Health Acts Amendment Act 1907 and by this Act a trade business or manufacture shall be deemed to be established not only if it is established for the first time but also if without the consent in writing of the Corporation—

- (a) it is removed from one set of premises to any other premises; or
- (b) it is renewed on the same set of premises after having been discontinued for a period of six months or upwards; or
- (c) any premises on which it is for the time being carried on are enlarged;

but a trade business or manufacture shall not be deemed to be established for the first time on any premises by reason only that the ownership or tenancy of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

(2) Any consent of the Corporation to the establishment of any offensive trade or to the enlargement of any premises on which any offensive trade is carried on may be given so as to continue in force for such period only as the Corporation may prescribe by such consent

and section 112 of the Public Health Act 1875 and this section shall be construed accordingly. A.D. 1925.

(3) If any person shall carry on such offensive trade beyond the period aforesaid he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

92.—(1) In any case where premises are being used for the carrying on of an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and by this Act and in the opinion of the Corporation it is inexpedient in the interests of public health that such trade should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of such offensive trade. Discontin-
tinuance of
offensive
trade.

Such notice shall be deemed to be a requirement of the Corporation within the meaning of section 79 (As to appeal) of the Act of 1911 and the owner or occupier (as the case may be) may appeal accordingly.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) If the Corporation require any person to cease to use such premises for the carrying on of an offensive trade they shall pay to such person such compensation for any loss sustained by him in consequence of the action of the Corporation as may be agreed between the Corporation and such person or as failing such agreement shall be determined by arbitration under the provisions of the Arbitration Act 1889. Provided that this subsection shall not apply in the case of any premises with respect to which the consent of the Corporation shall have been given for a period only unless the Corporation shall have required that the user of such premises for the carrying on of an offensive trade shall cease before the expiration of such period.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

A.D. 1925.

Byelaws
as to food.

93.—(1) The Corporation may make byelaws for promoting sanitary and cleanly conditions in the manufacture preparation storage transport or exposure for sale of any article intended to be sold for the food of man.

(2) Before confirming any byelaws made under this section as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts 1901 to 1920 apply the Minister of Health shall consult the Secretary of State.

(3) At least one month before applying to the Minister of Health for confirmation of any byelaws made under this section applicable to the storage or transport by a railway company of any article intended for the food of man the Corporation shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws.

Houses
infested
with vermin
to be
cleansed.

94.—(1) If the medical officer or the sanitary inspector has reasonable cause to believe that any house is infested with vermin he may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin.

(2) Where on the certificate of the medical officer or sanitary inspector it appears to the Corporation that any house is infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper or other covering from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the

A.D. 1925.

expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as hereinafter provided) be recoverable from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirements contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable in the circumstances of the case.

(6) For the purposes of this section the word "house" includes any boat (other than a boat within the jurisdiction of the port sanitary authority) tent van shed or similar structure used for human habitation.

95.—(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 a court of summary jurisdiction on the application of the Corporation and on being satisfied of the necessity

Cleansing of
verminous
persons.

A.D. 1925.

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 condition of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(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) The 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.

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

(5) For the purposes of this section the word "house" includes any boat (other than a boat within the jurisdiction of the port sanitary authority) tent van shed or similar structure used for human habitation.

(6) This section shall not apply to any child.

Cleansing
of children
and their
clothing.

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

A.D. 1925.

(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 be liable to a penalty 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 to 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.

97.—(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 authorized in that behalf may enter upon such dwelling-house or premises and inspect the same and if the Corporation 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.

As to filthy premises.

A.D. 1925. (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.

Closet
accommoda-
tion in
houses
occupied by
more than
one family.

98.—(1) Section 36 of the Public Health Act 1875 shall apply to a part of a house occupied by a separate family as it applies to the whole of a house and the section shall with the necessary modifications apply accordingly.

(2) The provisions of subsections (2) (3) and (4) of section 26 (Byelaws respecting houses divided into separate tenements) of the Housing and Town Planning &c. Act 1919 shall apply with any necessary modifications as if the same were set out in this section.

PART VII.

MATERNITY HOMES.

Registra-
tion of
maternity
homes.

99.—(1) On and after the first day of January nineteen hundred and twenty-six (which date is in this Part of this Act referred to as "the prescribed date") it shall not be lawful for any person to carry on a maternity home within the borough unless the name of such person and the premises used or represented as being or intended to be used for the purpose of such home are registered with the Corporation.

(2) Any person requiring registration in respect of any such home shall make application in writing to the Corporation and shall in such application state—

- (a) his full name;
- (b) his age nationality and technical qualifications (if any);
- (c) his private address or in the case of an application by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the manage-

ment of such company society association or body; A.D. 1925.

(d) the name under which and the address at which such home is carried on or proposed to be carried on; and

(e) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be registered or the number of patients to be accommodated at any one time and the equipment in such premises;

and when making such application shall pay to the Corporation such fee as they may fix not exceeding five shillings.

(3) Every person carrying on any such home at the date of the passing of this Act and requiring registration in respect thereof shall make application for such registration within one month after the date or (if more than one) the latest date of publication of the advertisements with regard to this Part of this Act referred to in the section of this Act whereof the marginal note is "Notice of provisions to be given."

(4) Subject as in this section provided the Corporation shall as soon as reasonably practicable after the receipt of an application under the provisions of this section (and not later in the case of an application under subsection (3) of this section than the prescribed date) register the name of the applicant and the premises specified in his application.

(5) The Corporation by order to be served on the person carrying on or proposing to carry on any such home may refuse to register the name of such person or the premises used or represented as being or intended to be used for the purposes of such home or may cancel the registration of such person or premises on the ground that—

(a) such person is under the age of twenty-one years; or

(b) such person is unsuitable to carry on such home; or

(c) the premises or their equipment are unsuitable for the purposes of a maternity home; or

A.D. 1925.

- (d) the premises are used or intended to be used for the accommodation at any one time of an excessive number of patients; or
- (e) the premises or any other premises used for any purpose in connection with such first-mentioned premises or with any business or occupation carried on therein are being used for any immoral purpose.

(6) Before making any such order the Corporation shall give to the person proposed to be served therewith not less than seven days previous notice in writing stating their intention to make the order and the grounds on which the order is proposed to be made and on written application made to them by such person within seven days after the giving of such notice they shall afford to such person an opportunity of being heard against the order.

(7) Any such order cancelling any registration shall take effect at the time specified in the order not being less than fourteen days after the service thereof but in the event of an appeal against any such order the order shall not come into operation unless and until it has been confirmed on appeal or the appeal has been abandoned.

(8) Any person aggrieved by any such order may appeal to a court of summary jurisdiction provided that such appeal is made within fourteen days after the order has been served upon him.

The court after considering any representations made on behalf of the Corporation may if it thinks fit confirm such order or direct the Corporation to withdraw such order and as soon as reasonably practicable the Corporation shall give effect to such direction.

Byelaws as
to homes.

100.—(1) The Corporation may make byelaws prescribing the records to be kept with respect to the patients received the children born and the business carried on at a maternity home and also with respect to the cause of death of any patient or child dying in such home and the holding of any inquest on any such patient or child and requiring the notification to the Corporation of any death occurring thereat.

(2) Every person carrying on a maternity home shall keep exhibited in a suitable place (to be approved

by the Corporation) in such home a copy of the byelaws in force under this Part of this Act. A.D. 1925.

101. Any officer duly authorised by the Corporation in that behalf may subject to such regulations (if any) as may be made by the Corporation at all reasonable times enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of a maternity home and the entries in any records required to be kept in connection therewith. Powers as to entry and inspection.

102. Subject to the provisions of this Part of this Act:— Penalties for offences in respect of maternity homes.

(1) Every person who carries on a maternity home in contravention of the provisions of this Part of this Act shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a penalty impose any period of imprisonment not exceeding three months :

(2) Every person who—

(a) refuses to permit any officer of the Corporation to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or the records to be kept pursuant to any byelaw made under the said provisions or obstructs any such officer in the execution of his duty under such provisions or under the provisions of any such byelaw as aforesaid; or

(b) carries on a maternity home in contravention of the provisions of any such byelaws; or

(c) issues publishes or displays or causes to be issued published or displayed any advertisement relating to a maternity home which is not registered in accordance with the provisions of this Part of this Act after the expiration of a period of seven days

A.D. 1925.

from the receipt of notice in writing from the Corporation that the registration of such home has been refused or cancelled under the provisions of this Part of this Act;

shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds;

- (3) The court may in addition to imposing a penalty under this section order the cancellation of the registration :

Provided that a person who has appealed to a court of summary jurisdiction in accordance with the provisions of this Part of this Act against an order made by the Corporation thereunder cancelling registration shall not until such order has been confirmed on appeal or has been abandoned be liable to any proceedings under this section for the offence of carrying on a maternity home in contravention of the provisions of this Part of this Act or of any byelaw made thereunder.

Directors of companies to be personally liable for penalties.

103. Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending the same commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director or manager shall be liable on conviction to the like penalty as if he were the person committing the offence unless he proves to the satisfaction of the court—

- (1) that the act which constituted the offence took place without his knowledge consent or connivance; and
(2) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

Saving for homes carried on by medical practitioners.

104.—(1) Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of a maternity home carried on by a duly registered medical practitioner with respect to which there has been lodged with the Corporation a certificate in a form to be approved by them and signed by two duly

A.D. 1925.

registered medical practitioners practising or residing in the borough not being in partnership with such first mentioned medical practitioner or with each other and not having any financial or other interest in such home to the effect that the premises used or represented as being or intended to be used for such home and the equipment provided at such premises are in all respects suitable for the purpose and that the medical practitioner carrying on or proposing to carry on such home is a suitable person to carry on the same.

(2) Provided that any such certificate shall not be valid—

- (a) with respect to any person or premises other than the person or premises specified therein; or
- (b) for a period extending beyond the thirty-first day of January in the year next following the date of the certificate.

105.—(1) Notwithstanding anything contained in this Part of this Act the foregoing provisions thereof shall not apply in the case of—

Saving for certain premises.

- (a) any hospital infirmary institution or other establishment maintained or controlled by any Government department or local authority or any other authority or body constituted by Parliament or incorporated by Royal Charter; or
- (b) any hospital or home towards the maintenance of which any grant is made from the Exchequer; or
- (c) any hospital for the time being recognised by the Voluntary Hospitals Commission; or
- (d) any institution or home for the training of persons desirous of becoming midwives which is for the time being approved by the Central Midwives Board constituted under the Midwives Acts 1902 and 1918; or
- (e) any maternity home in which only relatives of the person carrying on such home are received for the purposes of childbirth.

(2) For the purposes of this section the expression “relatives” means sisters daughters granddaughters

A.D. 1925.

nieces aunts or mothers by consanguinity or affinity and in the case of persons of illegitimate birth persons who would be so related if legitimate.

Notice of provisions to be given.

106. The Corporation shall give public notice of the effect of the provisions of this Part of this Act by advertisement in two or more newspapers circulating in the borough and otherwise in such manner as they think sufficient.

PART VIII.

COMMON LODGING-HOUSES.

Corporation may give notice requiring application for licence to keep a common lodging-house.

107. The Corporation may give notice to every person who at the date of the passing of this Act is registered as the keeper of a common lodging-house in the borough requiring him to make application in writing to the Corporation within one month after receipt of such notice or within such further period as the Corporation may prescribe for a licence to keep a common lodging-house in the borough and to receive lodgers therein and such application shall specify the premises in respect of which application is made for such licence and the number of lodgers proposed to be received therein. Such notice shall be given by leaving the same for each registered common lodging-house keeper at his lodging-house and may be in the form set out in the schedule to this Act or to the like effect.

As to granting of licences.

108.—(1) The Corporation may as soon as practicable after any such application shall have been made to them make or cause to be made all necessary and proper inspections and inquiries as to whether—

(a) The person so applying is a fit and proper person to have the control and management of a common lodging-house;

(b) the premises in respect of which application is made for a licence are suitable for use and occupation as a common lodging-house having regard to their structure and surroundings the adjoining or neighbouring buildings and other circumstances and also to the number health safety and convenience of persons occupying or intended to occupy the same and to the

provision of sufficient means of escape in case of fire; and

A.D. 1925.

(c) if the premises are used as a common lodging-house inconvenience or annoyance is likely to be occasioned to the inhabitants or persons in the district in which the premises are situate.

(2) If the Corporation are satisfied as respects the matters (a) (b) and (c) mentioned in subsection (1) of this section they shall grant to the applicant a licence to use the premises specified in his application for the purpose of a common lodging-house and to receive lodgers therein.

109. Subject as hereinafter mentioned such licence shall be valid for the period of one year from the date thereof but after the expiration of the said period the same shall be of no force or effect. The person named in any such licence (hereinafter referred to as "a licensed lodging-house keeper") may at or before the expiration of the said period make application to the Corporation to renew his licence in respect of the same premises and if the Corporation shall think fit they may renew such licence accordingly for a further period of one year from the expiration of any licence and so from time to time. Provided that licences granted or renewed by the Corporation under this Part of this Act shall expire on such day in every year as the Corporation may fix notwithstanding that the period during which any such licence shall remain valid may exceed or be less than one year from the date thereof.

Period of licence and renewal thereof.

110.—(1) The Corporation shall not refuse to grant or renew a licence under this Part of this Act except upon the ground (a) that the person applying to be licensed is not a fit and proper person to be licensed as a common lodging-house keeper or (b) that the premises are not suitably equipped or are in other respects not suitable for use and occupation as a common lodging-house.

Appeal against refusal of licence.

(2) If the Corporation refuse to grant a licence under this Part of this Act they shall if required by the applicant deliver to him a statement in writing of the ground or grounds upon which such licence is refused.

(3) If the licence or renewal of licence be refused any person aggrieved by such refusal may appeal to a

A.D. 1925.

court of summary jurisdiction provided that such appeal be made within fourteen days from the date of such refusal and that not less than twenty-four hours' notice of such appeal be sent to the town clerk.

(4) If a licence or renewal of licence be refused upon the ground that the premises are not suitably equipped or are in other respects not suitable for use and occupation as a common lodging-house the court shall have power to appoint a person being a properly qualified surveyor or architect to examine and report to them upon the condition of such premises and their suitability for the purposes of a common lodging-house.

(5) The costs of any such appeal including the expenses of any such examination and report as aforesaid shall be paid in such manner and by such parties to the appeal as the court may direct.

(6) On any such appeal the court may after considering any representations made by the Corporation either confirm the refusal or direct the Corporation to grant a licence and the Corporation shall comply with any such direction.

Unlicensed person not to keep a common lodging-house.

111. From and after the expiration of the period of notice to be given by the Corporation as aforesaid no person unless he shall have applied for and obtained a licence under this Part of this Act shall keep a common lodging-house in the borough or receive lodgers therein and any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Future application for licences.

112. Any person who shall hereafter be desirous of becoming a licensed lodging-house keeper in the borough shall be at liberty to make application to the Corporation in the same manner as if he had at the date of the passing of this Act been a registered common lodging-house keeper and the provisions of this Part of this Act shall apply accordingly.

Byelaws as to common lodging-houses.

113. Section 80 of the Public Health Act 1875 shall operate so as to include the making by the Corporation of byelaws as regards the maintenance in good condition and free from obstruction of all precautions and means of escape in case of fire which may be

provided in or in connection with a common lodging-house. A.D. 1925.

114. Notice shall be given to the Corporation of the death of any common lodging-house keeper in the borough forthwith after the same shall have occurred and the right by section 77 of the Public Health Act 1875 conferred upon the widow or any member of the family of a common lodging-house keeper to keep such common lodging-house open and to receive lodgers therein for four weeks after such death without registration shall not be exerciseable unless such notice shall have been duly given. Procedure on death of common lodging-house keeper.

115.—(1) The provisions of this Part of this Act shall as from the passing of this Act apply and have effect as respects the borough in substitution for the provisions of sections 76 77 and 78 of the Public Health Act 1875 and of section 69 of the Public Health Acts Amendment Act 1907 Provided that as respects any person who at the date of the passing of this Act is registered under the said Public Health Acts as a common lodging-house keeper and the common lodging-house kept by that person such substitution shall not take effect until the date of any notice given by the Corporation to that person under the section of this Act of which the marginal note is "Corporation may give notice requiring application for licence to keep a common lodging-house." As to application of provisions of Public Health Acts.

(2) Nothing in this section or in any other provision of this Part of this Act shall interfere with or affect the operation of sections 79 80 81 82 83 84 85 86 (other than paragraph (1) of that section which shall not apply within the borough) 87 and 89 of the Public Health Act 1875 or of sections 70 71 72 73 and 74 of the Public Health Acts Amendment Act 1907 as regards any common lodging-house in the borough and the keeper of any such common lodging-house except that all references in the said sections or any of them (other than the said sections 70 and 71) to registration shall be construed as references to licensing under the provisions of this Part of this Act.

116. No house or part of a house within the borough shall be exempt from the provisions with respect to common lodging-houses of the Public Health Acts Application of common lodging-house pro

A.D. 1925.

visions to
certain
houses &c.Medical
inspection
of inmates
of common
lodging-
houses &c.
when infec-
tious disease
prevails.

or this Act or any byelaws made thereunder on the ground that accommodation in such house or part of a house is let for a longer period or longer periods than one day or is not let for a less period than one week.

117. Whenever the medical officer shall report in writing to the Corporation or to a committee of the council that there is a prevalence of infectious disease in the borough or in any adjoining or neighbouring borough or district and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common lodging-houses the Corporation or such committee as aforesaid may by resolution declare that by reason of the prevalence of the infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers hereinafter mentioned and subject as hereinafter provided the following provisions shall thereupon be in force within the borough for such period as the Corporation or such committee as aforesaid having regard to the circumstances of the case shall in the resolution determine (that is to say):—

- (1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the infectious disease named in the resolution of the Corporation or such committee as aforesaid may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease Any person obstructing the medical officer in making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence :
- (2) A copy of every such resolution shall forthwith be sent by the Corporation or such committee as aforesaid to every keeper of a registered common lodging-house in the borough and to the Minister of Health :
- (3) Unless approved by the Minister of Health any such resolution shall cease to be in force at the

expiration of fourteen days after it is passed
or any earlier date fixed by the Minister of
Health:

A.D. 1925.

- (4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination hereinbefore conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

118.—(1) If the Corporation deem it necessary on account of the existence or recent existence therein of infectious disease to close a common lodging-house they may make an application to a justice for an order to close the same and the justice if satisfied of the necessity for such closing may make an order for the closing of such house until the same shall have been disinfected to the satisfaction of and certified to be free from infection by the medical officer and any keeper of a common lodging-house who shall receive any lodger or suffer or permit any lodger to remain in such house after an order has been made to close the same and during the continuance of such order shall be liable to a penalty of five pounds for every day during which the offence continues.

Power to close infectious common lodging-houses.

(2) The Corporation shall make compensation to the keeper of any such lodging-house for any loss he may sustain by reason of any such closing.

PART IX.

FINANCIAL.

119.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective revenue fund and rate mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is referred to as "the prescribed period" in certain of the enactments extended and applied to

Power to borrow.

A.D. 1925.

and for the purposes of this Act by the section thereof of which the marginal note is "Application of provisions of existing Acts") mentioned in the fourth column thereof (namely):—

1	2	3	4
Purpose.	Amount.	Charge.	Period for Repayment.
(a) The provision of trolley vehicles.	£ 45,000	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Ten years from the date or dates of borrowing.
(b) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	10,000	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Twenty years from the date or dates of borrowing.
(c) The reconstruction of the roads upon which the tramways to be removed or discontinued under this Act are situate.	14,000	The borough fund and borough rate.	Twenty-five years from the date or dates of borrowing.
(d) The adaptation of buildings for the purposes of the trolley vehicles of the Corporation.	500	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Thirty years from the date or dates of borrowing.
(e) The payment of the costs charges and expenses of this Act.	The sum requisite.	The borough fund and borough rate.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part II. (Trolley vehicles) of this Act and with the consent of the Minister of Health such further money as may be necessary for any of the other purposes of this Act.

(b) The Corporation may also borrow such further moneys as may be necessary for the purpose of providing a fund for working capital—

A.D. 1925.

(i) as respects the tramway undertaking of the Corporation (including the trolley vehicle undertaking authorised by this Act) with the consent of the Minister of Transport;

(ii) as respects the electricity undertaking with the consent of the Electricity Commissioners;

(iii) as respects any undertaking with respect to which any deficiency is required to be defrayed out of any fund for which a rate is leviable by or under the direction of the Corporation (other than any account relating to the tramway trolley vehicle or electricity undertakings) with the consent of the Minister of Health.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(d) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister or Commissioners with whose consent the money is borrowed.

(3) The provisions of this section prescribing the fund and rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by section 65 (Power to use one form of mortgage for all purposes) of the Act of 1911.

120. The purpose to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include

Borough rate may include working balance.

A.D. 1925. such a sum as they may consider to be necessary for the provision of such working balance.

Application
of revenue
and pay-
ment of
expenses of
under-
takings.

121.—(1) All money received by the Corporation on account of the revenue of the following undertakings of the Corporation (namely):—

- (a) the water undertaking;
- (b) the electricity undertaking;
- (c) the baths undertaking;

shall be carried to and shall form part of the district fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund.

(2) All money received by the Corporation on account of the revenue of the tramway undertaking (including the trolley vehicle undertaking authorised by this Act) shall be carried to and form part of the borough fund and all payments and expenses made and incurred in respect of that undertaking shall be paid out of that fund.

(3) Any moneys which the Corporation are required or authorised to pay or apply under the provisions of section 46 (Application of water revenue) of the Act of 1892 section 52 (Application of revenue) of the Order of 1897 and section 62 (Application of revenue of tramway undertaking and deficiency of receipts) of the Act of 1900 shall for the purposes of subsection (1) and subsection (2) of this section be deemed to be payments and expenses made and incurred in respect of the water undertaking the electricity undertaking or the tramway undertaking (as the case may be) of the Corporation and any income arising from the investment of any reserve fund authorised under the said sections shall be deemed to be money received on account of the revenue of the said undertakings respectively.

Reserve
fund for
baths under-
taking.

122.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of the baths undertaking of the Corporation by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of the said undertaking.

A.D. 1925.

(2) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the baths undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if the fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(3) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

123.—(1) The Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the following undertakings (that is to say) the water undertaking the tramway undertaking and the electricity undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

Separate
accounts to
be kept.

(a) The working and establishment expenses and cost of maintenance of the undertaking;

(b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;

(c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;

(d) The amount (if any) paid to any reserve fund which the Corporation are by this or any other Act or by any Order authorised to maintain.

(2) Notwithstanding anything contained in this Act the Corporation shall show in their accounts relating to

A.D. 1925.
—

any undertaking or purpose all items (including payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time it appears to them ought to be so apportioned or carried.

Return to
Minister of
Health with
respect to
repayment
of debt.

124.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is

complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

A.D. 1925.

(4) The following enactments are hereby repealed (namely) :—

- (a) Section 49 (Annual return to Local Government Board with respect to sinking fund) of the Act of 1892;
- (b) Section 60 (Return respecting sinking fund to Local Government Board) of the Act of 1900;
- (c) Section 68 (Return to Local Government Board as to sinking fund) of the Act of 1911;
- (d) Any provision (other than the foregoing provisions of this section) of any enactment now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt.

PART X.

MISCELLANEOUS.

125. The Corporation may in or under any street repairable by the inhabitants at large and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use subject to the provisions of the Electricity (Supply) Acts 1882 to 1922 and the Order of 1892 construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient :

Power to
construct
electrical
sub-stations
under
streets.

Provided that where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming

A.D. 1925. stations and works subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

Provided also that no sub-station transforming station or other work shall be constructed upon or under any bridge of the London and North Eastern Railway Company within a distance of twenty-five yards of any railway of that company except with the consent in writing of that company or so as to interfere with or render less convenient the access to or exit from any station or depôt of that company.

Further powers for the acquisition of land.

126.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any land which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such land or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the borough fund and borough rate :

Provided that nothing in this subsection shall authorise the Corporation—

- (a) to create or permit any nuisance on any lands so appropriated ;
- (b) to appropriate such lands to any purposes other than purposes for which and subject to the conditions under which they are for the time being authorised to acquire and use lands.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

A.D. 1925.

(a) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health; or

(b) in such other manner as may be approved by the Minister of Health.

127. The following provisions of the Act of 1900 and the Act of 1911 shall with all necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act namely—

Application
of pro-
visions of
existing
Acts.

The Act of 1900—

- Section 47 (Power to retain sell &c. lands);
- Section 48 (Proceeds of sale of surplus lands);
- Section 50 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);
- Section 51 (Mode of raising money);
- Section 52 (Provisions of Public Health Act as to mortgages to apply);
- Section 54 (Mode of payment off of money borrowed);
- Section 55 (Sinking fund);
- Section 56 (Protection of lender from inquiry);
- Section 57 (Corporation not to regard trusts);
- Section 58 (Appointment of receiver);
- Section 61 (Application of money borrowed);
- Section 64 (Audit of accounts);
- Section 70. (Inquiries by Local Government Board).

[Ch. ciii.] *Ipswich Corporation* [15 & 16 GEO. 5.]
Act, 1925.

A.D. 1925.

The Act of 1911—

- Section 77 (Confirmation of byelaws);
- Section 79 (As to appeal);
- Section 81 (Recovery of penalties &c.);
- Section 83 (Compensation &c. how to be determined);
- Section 84 (Informations by whom to be laid);
- Section 85 (Penalties to be paid over to treasurer);
- Section 86 (Judges not disqualified);
- Section 87 (Application of section 265 of Public Health Act 1875);
- Section 88 (Saving for indictments &c.);
- Section 89 (Powers of Act cumulative);
- Section 90 (Crown rights).

Provided that—

- (1) In the application of section 54 of the Act of 1900 that section shall be read and have effect as if the words “or when the money is repaid by half-yearly instalments within six months” were inserted therein after the words “within one year”;
- (2) Nothing in section 47 of the Act of 1900 shall be taken to dispense with the necessity for obtaining the consent of the Board of Education to any sale lease or other disposition of land acquired under this Act and appropriated for the purposes of education in any case in which such consent would be required if this Act had not been passed;
- (3) Section 48 (Proceeds of sale of surplus lands) of the Act of 1900 shall not apply in relation to lands acquired by the Corporation under the provisions of the section of this Act of which the marginal note is “Further powers for the acquisition of land”;
- (4) In the application of section 70 of the Act of 1900 that section shall be read and have effect as if the words “five guineas” were substituted therein for the words “three guineas”;

(5) Section 77 of the Act of 1911 shall not apply in respect of byelaws made under the provisions of Part II. (Trolley vehicles) of this Act. A.D. 1925.
—

128. The powers and duties conferred and imposed upon the Corporation by Parts III. IV. V. VI. VII. and VIII. of this Act shall be deemed to be purposes which may (if the Corporation think fit) be regulated and managed by means of committees appointed by the Corporation in pursuance of section 22 of the Municipal Corporations Act 1882. Delegation of certain powers to committees.

129. 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 Part V. (Streets buildings and sewers) Part VI. (Infectious disease and sanitary provisions) and Part VIII. (Common lodging-houses) of this Act as if those purposes had been mentioned in the said section 102. Power to enter premises.

130. 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 Part V. (Streets buildings and sewers) Part VI. (Infectious disease and sanitary provisions) and Part VII. (Maternity homes) 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 work. Penalty on occupier refusing execution of Act.

131. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any In executing works for owner

A.D. 1925.

—
Corporation
liable for
negligence
only.

work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

Consents of
Corporation
to be in
writing.

132.—(1) All consents given by the Corporation under the provisions of this Act or of any enactment byelaw or regulation for the time being in force within the borough shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk or other duly authorised officer of the Corporation.

(2) Section 78 (Consent of Corporation to be in writing) of the Act of 1911 is hereby repealed.

Damages
and charges
to be settled
by justices.

133. Where any damages expenses costs or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act or in the Act of 1911 mentioned the amount of such damages expenses costs or charges in case of dispute respecting the same may be settled or determined by a court of summary jurisdiction before whom any offender is convicted.

Apportion-
ment of
expenses in
case of
joint
owners.

134.—(1) Where under the provisions of this Act or any local Act in force in the borough the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners or on behalf or in default of two or more such owners the expenses which under those Acts or any of them are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

(2) Section 80 (Apportionment of expenses in case of joint owners) of the Act of 1911 is hereby repealed.

135.—(1) Proceedings for the recovery of any demand made under the authority of any local enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

A.D. 1925.

—
Recovery of demands.

(2) Section 82 (Recovery of demands) of the Act of 1911 is hereby repealed.

136. Where the payment of more than one sum by any person is due under any Act or Order for the time being in force in the borough any summons or warrant issued for the purposes of 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.

Summons or warrant may contain several sums.

137. 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 or any existing Act or Order of the Corporation 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.”

Inquiries by Minister of Transport.

138. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed 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 and borough rate or out of moneys to be borrowed under this Act for that purpose.

Costs of Act.

A.D. 1925.

The SCHEDULE referred to in the
foregoing Act.**FORM OF NOTICE TO LODGING-HOUSE KEEPER.**

TAKE NOTICE that in pursuance of the provisions of the Ipswich Corporation Act 1925 the mayor aldermen and burgesses of the borough of Ipswich hereby require you to make application to them in writing on or before the _____ day of _____ for a licence to keep a common lodging-house in the borough of Ipswich and to receive lodgers therein and to specify in such application the premises in respect of which your application is made and the number of lodgers proposed to be received therein And the Corporation hereby give you notice that if you omit to make such application on or before the said _____ day of _____ and thereafter keep or continue to keep a common lodging-house in the said borough you will under the provisions of the said Act be liable to a penalty not exceeding five pounds and to a penalty not exceeding forty shillings for every day during which the offence continues after conviction thereof And further take notice that on your applying to the town clerk of the borough at the town hall Ipswich such a licence as aforesaid if granted will be so granted by the Corporation free of all charge to you.

Dated this _____ day of _____

Town Clerk.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Aadastral House, Kingsway, London, W.C. 2; 28, Abingdon Street, London, S.W. 1;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
or 120, George Street, Edinburgh;
or through any Bookseller.