



## CHAPTER xlii

An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Bradford in connection with their transport and market undertakings to authorise the supply of heat by means of hot water or steam to make further provision for the health improvement good government and finances of the city and for other purposes. [30th July 1949.]

**W**HEREAS the city of Bradford (hereinafter referred to as "the city") is a municipal borough and is also a county borough under the management and local government of the lord mayor aldermen and citizens of the city acting by the council (hereinafter referred to as "the Corporation"):

And whereas under and by virtue of the Bradford Corporation Act 1910 and subsequent enactments the Corporation operate trolley vehicles on certain routes within and without the city: 10 Edw. 7. &  
1 Geo. 5.  
c. cxvii.

And whereas the Corporation have on certain streets and roads in the city provided and erected equipment for turning trolley vehicles and for connecting trolley vehicle routes and it is expedient that the use of such streets and roads for such purposes should be sanctioned and confirmed and that further powers should be conferred on the Corporation in respect of their transport undertaking:

And whereas it is expedient that the Corporation should be authorised to supply heat by means of hot water or steam in the city:

And whereas the Corporation under and by virtue of a lease dated the first day of September one thousand eight hundred and sixty-six and made between Elizabeth Rawson of the one



29 & 30 Vict.  
c. ccxxii.

part and the Corporation of the other part and of the provisions of the Bradford Corporation Act 1866 carry on a markets undertaking and it is expedient that the powers of the Corporation of levying tolls and other charges in respect of that undertaking should be amended as by this Act provided and that further powers should be conferred on the Corporation with regard to that undertaking:

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

And whereas it is expedient that further provision with regard to the finances of the city should be made as by this Act provided:

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

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

23 & 24 Geo. 5.  
c. 51. And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

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:—

## PART I

### PRELIMINARY

Short title.

1. This Act may be cited as the Bradford Corporation Act 1949.

Division of  
Act into Parts.

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

Part I—Preliminary.

Part II—Transport.

Part III—Buildings sewers and drains.

Part IV—Infectious disease and sanitary matters.

Part V—Heating undertaking.

Part VI—Smoke.

Part VII—Markets and fairs.



Part VIII—Sale of coke coal wood fuel &c.

Part IX—Establishments for massage or special treatment.

Part X—Finance.

Part XI—Miscellaneous.

Part XII—General.

PART I  
—cont.

3.—(1) In this Act the several words and expressions to which meanings are assigned by sections 90 110 and 343 of the Act of 1936 have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

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

“The city” means the city of Bradford;

“The council” means the council of the city;

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

“The town clerk” “the treasurer” “the medical officer” “the surveyor” and “the sanitary inspector” mean respectively the town clerk the city treasurer the medical officer of health the city engineer and surveyor and any sanitary inspector of the city;

“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;

“Daily penalty” means a penalty for each day on which any offence is continued after conviction thereof;

“The heating undertaking” means the undertaking authorised by Part V (Heating undertaking) of this Act and includes all lands stations boiler-houses properties works buildings machinery plant mains pipes wires posts ducts apparatus appliances easements rights powers and privileges for the time being belonging to or held used or enjoyed by the Corporation for or in connection with the supply of heat by means of hot water or steam;

“Fittings” for the purposes of the said Part V includes air heaters water heaters radiators mains pipes taps cocks valves ferrules and other works and apparatus used for or in connection with the supply or use of heat by means of hot water or steam;

“The Act of 1866” means the Bradford Corporation Act 1866;



PART I  
—cont.

26 Geo. 5. &  
1 Edw. 8. c. 49.  
7 & 8 Geo. 6.  
c. 31.

“ The Act of 1933 ” means the Local Government Act 1933 ;

“ The Act of 1936 ” means the Public Health Act 1936 ;

“ Child ” has the same meaning as in the Education Act 1944 ;

“ 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 ;

“ Day school ” means a school (not being a school provided by a local education authority) at which some or all of the children are not boarders ;

“ The Minister ” means the Minister of Health ;

“ The electricity authority ” means the British Electricity Authority ;

“ The electricity board ” means the Yorkshire Electricity Board ;

“ The commission ” means the British Transport Commission and any reference to the commission in relation to any functions of the commission which are for the time being delegated to an executive in pursuance of section 5 of the Transport Act 1947 shall be construed as a reference to that executive ;

“ The gas board ” means the North Eastern Gas Board ;

“ Telegraphic line ” has the same meaning as in the Telegraph Act 1878 ;

“ Statutory borrowing power ” includes a power of borrowing money conferred upon the Corporation by or under any enactment except paragraph (a) of subsection (1) of section 215 of the Act of 1933 ;

“ Statutory securities ” means any securities in which trustees are for the time being authorised by law to invest trust moneys and any mortgages bonds debentures debenture stock or other securities created by a local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rent-charges or securities transferable by delivery ;

“ Authorised securities ” means any mortgages stock bonds or other securities which the Corporation are for the time being authorised to grant or create or issue or upon or by means of which the Corporation are for the time being authorised to raise money ;

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

“ Enactment ” means any Act of Parliament whether public general local or private any order or scheme made

10 & 11 Geo. 6.  
c. 49.

41 & 42 Vict.  
c. 76.

38 & 39 Vict.  
c. 83.



under an Act of Parliament or any provision in an Act of Parliament or in any such order or scheme ;

PART I  
—cont.

“Contravention” in relation to any enactment byelaw order rule term condition restriction or notice includes a failure to comply with that enactment byelaw order rule term condition restriction or notice and “contravene” shall be construed accordingly.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

## PART II

### TRANSPORT

4. The provision by the Corporation in under over or along the streets or roads or parts of streets or roads in the city described in the First Schedule to this Act of apparatus and equipment for the purpose of turning trolley vehicles or of connecting trolley vehicle routes is hereby sanctioned and confirmed and the Corporation may as part of and for the purposes of their trolley vehicle undertaking—

Confirmation  
of trolley  
vehicle turning  
points &c.

- (a) maintain and use trolley vehicles along the said streets or roads or parts of streets or roads ; and
- (b) retain hold and use all or any standards brackets mains cables wires posts poles and any other apparatus and equipment placed or erected by the Corporation in under or over the surface of the said streets or roads or parts of streets or roads ;

and the provisions of Part III and Part IV of the Bradford Corporation Act 1910 shall (so far as applicable) extend and apply to the said streets or roads and parts of streets or roads in like manner as they apply to the trolley vehicle route mentioned in section 13 of that Act and as if those provisions were re-enacted in this Act and made applicable to the said streets or roads or parts of streets or roads and to the exercise of the powers of this section.

5. With the consent of the Minister of Transport and (in the case of a street or road beyond the city) of the local authority and the road authority the Corporation may use trolley vehicles along any street or road which the Corporation think it necessary or convenient to use for the purpose of providing a turning point or of connecting any trolley vehicle route with any other trolley vehicle route or with any depot garage building or work of the Corporation and may provide and maintain apparatus electric lines and equipment required for the purposes of this

Further  
provision for  
turning points  
and connecting  
trolley vehicle  
routes.



PART II  
—cont.

section subject to the provisions of Part III and Part IV of the Bradford Corporation Act 1910 relating to the provision maintenance and use of trolley vehicle equipment:

Provided that—

- (1) The consent of the local authority and the road authority shall not be unreasonably withheld and any question whether such consent is or is not so withheld shall be determined by the Minister of Transport:
- (2) 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 his approval and in the case of any route or part of a route outside the city shall send a copy of such plans to the Chief Constable of the West Riding of Yorkshire:
- (3) Nothing in this section shall extend to or authorise any interference with any works of any electricity board as defined by section 1 of the Electricity Act 1947 except in accordance with and subject to the provisions of section 15 of the Electric Lighting Act 1882 and of section 17 of the schedule to the Electric Lighting (Clauses) Act 1899:
- (4) Nothing in this section shall extend to or authorise any interference with any works or apparatus of the gas board except in accordance with and subject to the provisions of section 30 of the Tramways Act 1870:
- (5) Nothing in this section shall empower the Corporation to use trolley vehicles along any street or road for the purpose of connecting any trolley vehicle route with any other trolley vehicle route where the distance between the points to be connected exceeds half a mile:
- (6) No turning point or trolley vehicle route shall be provided on any street or road maintained by the commission without the consent in writing of the commission which consent shall not be unreasonably withheld.

6.—(1) In the application to this Act of section 22 of the Bradford Corporation Act 1902 sub-paragraph (4) of paragraph (B) of that section shall be read and have effect as if the words “generated or used by or supplied to” were inserted in that subsection in substitution for the words “generated by”.

(2) The said section as so amended shall apply to the exercise of the powers conferred on the Corporation by the section of this Act of which the marginal note is “Further provision for turning points and connecting trolley vehicle routes.”

10 & 11 Geo. 6.  
c. 54.  
45 & 46 Vict.  
c. 56.  
62 & 63 Vict.  
c. 19.

33 & 34 Vict.  
c. 78.

Application  
of section 22  
of Bradford  
Corporation  
Act 1902.  
2 Edw. 7.  
c. cxiii.



7.—(1) The Corporation may enter into and carry into effect agreements with any person authorised to run trolley vehicles on any road in any district adjacent to the city or adjacent to any borough urban or rural district in which any road on which the Corporation are for the time being authorised to run trolley vehicles is situate for the working user management and maintenance of all or any of the trolley vehicles and trolley vehicle services which the contracting powers are authorised to provide subject to the respective enactments under which such trolley vehicle services are authorised.

(2) The Corporation may also enter into and carry into effect agreements with any such person as aforesaid for all or any of the following purposes (that is to say) :—

- (a) the working user management and maintenance of any vehicles works apparatus machinery plant lands depots buildings sheds and property provided in connection with any such trolley vehicle services as aforesaid by either of the contracting parties and the right to provide and use the same;
- (b) the right to demand and take fares and charges authorised in respect of such trolley vehicle services;
- (c) the supply by either of the contracting parties under and during the continuance of any agreement under this section of trolley vehicles plant machinery equipment electrical energy or power and conveniences in connection therewith necessary for the purposes of such agreement;
- (d) the employment appointment and removal of officers and servants;
- (e) the interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any trolley vehicle service of the contracting parties;
- (f) the payment collection and apportionment of the fares and charges and other receipts arising from any such trolley vehicle services as aforesaid.

### PART III

#### BUILDINGS SEWERS AND DRAINS

8.—(1) Paragraphs (b) and (ii) of subsection (1) of section 58 (Dangerous or dilapidated buildings and structures) of the Act of 1936 and so much of subsection (2) of that section as relates to those paragraphs shall cease to have effect in the city and the following provisions of this section shall have effect in lieu thereof.

PART II  
—cont.  
Working and other agreements in respect of trolley vehicles.  
Ruinous and dilapidated buildings and neglected sites.



PART III  
—cont.

(2) Where a building or part of a building in the city is by reason of its ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood the Corporation may by notice require the owner thereof within a reasonable time specified in the notice—

- (a) to execute such works of repair or restoration ; or
- (b) if he so elects to take such steps for demolishing the building or any part thereof and removing any rubbish or other material resulting from or exposed by the demolition ;

as may be necessary for remedying the cause of complaint.

(3) Where rubbish or other material resulting from or exposed by the demolition or collapse of a building or part of a building in the city is lying on the site of the building or that part thereof or on any land occupied with the building and by reason thereof the site or land is in such a condition as to be seriously detrimental to the amenities of the neighbourhood the Corporation may by notice require the owner of the site or land within a reasonable time specified in the notice to take such steps for removing the rubbish or material as may be necessary for remedying the cause of complaint.

(4) If any person fails to comply with a notice served on him under this section the Corporation may themselves—

- (a) in the case of a notice served under subsection (2) execute such works of repair or restoration as they think necessary or if they think fit demolish the building or any part thereof and remove any rubbish resulting from or exposed by the demolition ; or
- (b) in the case of a notice served under subsection (3) remove the rubbish or material ;

and in either case recover from that person the expenses reasonably incurred by them in so doing.

(5) Notwithstanding anything in subsection (3) of section 276 of the Act of 1936 as applied by this Act that section shall apply to all rubbish or other material removed by the Corporation.

(6) In this section the expression “building” includes a structure.

Repair and  
use of certain  
premises.

9. The Corporation may carry out such alterations or adaptations as they think fit of the premises in the city belonging to them and situate at the junction of Chapel Lane with Nelson Street and comprising numbers 11 13 15 and 17 Chapel Lane and 5 7 and 9 Nelson Street notwithstanding that such alterations or adaptations may not be required for the purposes for which the said premises were acquired and the Corporation may use or let the said premises for such purpose as they think fit.



10.—(1) In any case in which it appears to the medical officer or sanitary inspector that any drain water-closet or soil-pipe is stopped up the medical officer or sanitary inspector may give notice to the owner or occupier of the premises to remedy such defect and if such notice is not complied with within twenty-four hours from the service thereof the Corporation may carry out the work necessary to remedy such defect and may subject as hereinafter provided recover the expenses incurred in that behalf from such owner or occupier.

(2) Upon any proceedings under this section the court may inquire whether any requirement contained in any notice given under this section or work done by the Corporation was reasonable and whether the 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 expenses or their apportionment as appears to the court to be just and equitable in the circumstances of the case.

11.—(1) Where the Corporation resolve to construct a sewer in a street or part of a street within the city repairable by the inhabitants at large which has not been previously sewered and the resolution states that the construction of the sewer will in the opinion of the Corporation increase the value of premises fronting adjoining or abutting on such street or part of a street then subject to the provisions of the section of this Act of which the marginal note is "Provisions applicable to last two preceding sections" the expenses incurred by the Corporation in constructing the sewer so far as they do not exceed the sum authorised by that section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street or part of a street according to the frontages of the respective premises as existing at the date when the resolution becomes operative.

(2) Such resolution as aforesaid shall not become operative unless and until notice thereof has been published twice in a local newspaper circulating in the city but shall become operative as from the date of such publication.

Copies of the newspaper containing the notice shall be sufficient evidence of the publication thereof.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

12.—(1) Where the Corporation have incurred expenses in constructing after the passing of this Act a length of sewer in or under land within the city and that land has subsequently become a street (whether repairable by the inhabitants at large or not) then subject to the provisions of the next succeeding section of this Act the expenses so incurred so far as they do not

PART III  
—cont.  
As to defective  
drains &c.

Apportionment to frontagers of expenses of sewer constructed under public highway.

Apportionment to frontagers of expenses of construction of sewer before land became a street.



PART III  
—cont.

exceed the sum authorised by that section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street according to the frontages of the respective premises.

(2) Where on the construction of the length of sewer compensation became due to the owner of any land in on or over which the length of sewer was constructed in respect of the damage he sustained by reason of such construction and any sum was set off against such compensation on account of the value of land belonging to such owner having been enhanced by the construction of the length of sewer this section shall not apply to the length of sewer or to such part thereof as was constructed in on or over such land as aforesaid.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

Provisions  
applicable to  
last two  
preceding  
sections.

13.—(1) The sum apportionable under either of the two last preceding sections of this Act shall not exceed the sum certified by the surveyor to be at the time the average cost per lineal yard of providing a sewer having an internal diameter of nine inches in a private street in the city multiplied by the extent in lineal yards (as so certified) of the sewer or length of sewer in question.

(2) As soon as the apportionment has been made the Corporation shall serve on the owners of the several premises affected notice in writing of the sums respectively apportioned to them and the notice shall state the right of appeal hereinafter conferred.

(3) Any owner on whose premises any sum has been apportioned shall be entitled within fourteen days of the service upon him of such notice as aforesaid to appeal to a court of summary jurisdiction against the amount of the sum so apportioned and may on such appeal dispute the correctness of the surveyor's certificate.

If the court finds that the certificate of the surveyor is erroneous the court shall order the revision of the sums apportioned not only to the appellant but also to the owners of the other premises affected.

(4) Whenever a new building (other than a building not requiring a foul water drainage system) is erected on any premises fronting adjoining or abutting on the street or part of the street after the date when the resolution became operative or the street was laid out (as the case may be) the sum apportioned on those premises shall be recoverable to an extent proportional to the



frontage on the street or part of a street of the site of and the land occupied with the new building:

Provided that where the drains of such new building are at the time of its erection made to connect with a sewer other than the sewer the expenses of the construction of which are apportioned no sum shall be recoverable in respect of the building unless and until the drains thereof are connected with the last-mentioned sewer.

For the purposes of this subsection—

(a) a building shall be deemed to be a new building erected after the date in question unless the erection of the building was completed before that date;

(b) the following alterations and extensions shall be deemed to be the erection of a new building (that is to say):—

(i) the re-erection wholly or partly of any building of which an outer wall is pulled down (otherwise than in consequence of fire or other accident) to such a distance that the part of that wall remaining (if any) is less than half the previous height of the building (the height being measured from the ground level to the highest point of the building);

(ii) the conversion into a house of any building not originally constructed for human habitation;

(iii) the conversion of any premises into a factory workshop or place of public resort; and

(iv) any extension by reason whereof the area occupied by the site of a building will (with any previous extension made after the date in question) be increased by an area equal to more than one-eighth or in the case of a building constructed for agricultural purposes one-quarter of that occupied by the site of the building before that date.

(5) The sum apportioned on any premises shall notwithstanding that no part thereof is immediately recoverable be treated as a local land charge for the purposes of the Land Charges Act 15 & 16 Geo. 5. 1925 and where part thereof has become recoverable the balance shall be so treated. c. 22.

(6) No interest shall be chargeable on any apportioned sum or any part thereof until it becomes recoverable.

(7) Where such a resolution as is mentioned in the section of this Act of which the marginal note is "Apportionment to frontagers of expenses of sewer constructed under public highway" has been passed but the construction of the sewer to which it relates has not been completed within two years from the date when the resolution became operative all liabilities of frontagers consequent thereon shall cease to have effect.



PART III  
—cont.

(8) If any person from whom an apportioned sum or any part thereof becomes recoverable proves that by reason of the length of frontage of the land occupied with the building in respect of which the sum so recoverable is payable the amount recoverable is disproportionate to the benefit accruing to the premises the Corporation or on appeal a court of summary jurisdiction may remit such part of that sum as they may think just but in such case if another new building is subsequently erected on the land occupied with the first-mentioned building the sum remitted or such part thereof as is proportional to the frontage of the site of and land occupied with that other building shall become recoverable.

(9) Where under this section any sum becomes recoverable in respect of any premises that sum together with interest from the date of service of a demand therefor may be recovered by the Corporation from the person who is the owner of the premises at the date when a demand for payment is served and as from that date that sum and interest accrued due thereon shall until recovered be a charge on the premises and on all estates and interests therein.

As to evasion  
by owners of  
sewerage  
expenses.

14. If on a complaint by the Corporation to a court of summary jurisdiction it is proved to the satisfaction of the court—

- (i) that the owner of any land has conveyed sold leased or otherwise disposed of a portion of the land; and
- (ii) that by reason of such disposition any part of the land has ceased to be or has not become land fronting adjoining or abutting on a street within the meaning of the section of this Act of which the marginal note is "Apportionment to frontagers of expenses of sewer constructed under public highway" or as the case may be of the section of this Act of which the marginal note is "Apportionment to frontagers of expenses of construction of sewer before land became a street"; and
- (iii) that the disposal of such portion of the land was effected with the intention and for the purpose of the evasion of the payment of expenses under either of the said sections of this Act;

then the court shall order that such expenses shall be apportioned on the land which immediately before the date of such conveyance sale lease or disposal included the land so conveyed sold leased or disposed of and thereafter such expenses may be recovered from the owner of any part of that land on which a new building within the meaning of the last preceding section of this Act is erected and shall be a charge on any such part of that land and on all estates and interests therein to the same



extent and in the same manner as any sum apportioned under either of the said sections of this Act of which the marginal notes are respectively "Apportionment to frontagers of expenses of sewer constructed under public highway" and "Apportionment to frontagers of expenses of construction of sewer before land became a street" may be recovered and is charged on the premises under the said last preceding section of this Act.

PART III  
—cont.

15.—(1) If any stream or any part thereof within the city is or becomes in such a state that the proper flow of water along the same is obstructed or impeded the Corporation may by notice require the owner or occupier of any lands within the city abutting on any part of such stream which is in such a state as aforesaid or any person by whose act or default the proper flow of water in such stream is obstructed or impeded to cleanse or put in proper order such stream or part thereof so as to allow the proper flow of water in such stream:

Cleansing  
of streams.

Provided that no notice shall be given by the Corporation under this section in relation to any main river within the meaning of the Land Drainage Act 1930 without the consent of the catchment board having jurisdiction over that river.

20 & 21 Geo. 5  
c. 44.

(2) The provisions of section 290 (Provisions as to appeals against and enforcement of notices requiring execution of works) other than subsection (1) thereof and of section 333 (Protection for works of dock undertakers and for railways) of the Act of 1936 shall extend and apply in relation to any notice given under this section and to the execution of any works thereunder respectively as if those provisions were with any necessary modifications re-enacted in this section and in terms made applicable thereto.

#### PART IV

##### INFECTIOUS DISEASE AND SANITARY MATTERS

16. In this Part of this Act "notifiable disease" has the meaning assigned thereto by the Act of 1936 and in addition includes measles whooping-cough cerebro-spinal fever dysentery encephalitis lethargica acute influenzal pneumonia acute primary pneumonia acute polio-encephalitis and acute poliomyelitis.

Definition of  
notifiable  
disease.

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

Information to  
be furnished  
in case of  
notifiable  
disease.



PART IV  
—cont.

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

Restrictions on attendance at schools and places of assembly.

18.—(1) As from the commencement of this section no person of or exceeding the age of sixteen years who has the custody charge or care of a child—

(a) who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation with the view of preventing the spread of a notifiable disease ; or

(b) who is suffering from a notifiable disease ; or

(c) who with the view of preventing the spread of a notifiable 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 day school or place of public entertainment or assembly without having procured from the medical officer or school medical officer or the medical practitioner attending the child 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 day school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) The provisions of this section shall not apply to the attendance at a day school of children who are boarders at that school.

(3) Any person who offends against the provisions of this section shall be liable to a penalty not exceeding forty shillings.

15 & 16 Geo. 5. c. cxxi. (4) As from the commencement of this section section 61 (For preventing spread of infectious disease amongst children in Sunday schools &c.) of the Bradford Corporation Act 1925 shall be and is hereby repealed.

Power to close schools and exclude children from entertainments.

19.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with a view to preventing the spread of a notifiable disease require the closing of any Sunday school or day 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.

(2) Any person responsible for the conduct or management of any Sunday school or day 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 five pounds.



(3) The provisions of this section shall not apply to the attendance at a day school of children who are boarders at that school.

PART IV  
—cont.

(4) Section 62 (Power to close Sunday schools in certain events) of the Bradford Corporation Act 1925 is hereby repealed.

20. If any person at the request of the Corporation or the medical officer stop his employment for the purpose of preventing the spread of a notifiable disease the Corporation shall make reasonable compensation to him for any loss occasioned by reason of such stoppage.

Compensation to persons for ceasing employment to prevent spread of disease.

21.—(1) If the medical officer has reasonable cause to believe that in any premises there is a person who is suffering or who has recently suffered from a notifiable disease he may on obtaining a warrant from a justice of the peace which such justice is hereby authorised to grant enter such premises and examine any person found therein with a view to ascertaining whether he is suffering or has recently suffered from such disease:

Entry into premises in case of disease.

Provided that the medical officer shall not under the powers of this section—

- (a) enter any premises except between the hours of seven in the morning and ten in the evening ; or
- (b) examine a person who is already under the treatment of a medical practitioner except with the consent of the latter.

(2) Any person who obstructs the medical officer in the exercise of his power under this section shall in addition to any other punishment to which he may be subject be liable to a penalty not exceeding five pounds.

22. Section 83. (Cleansing of filthy or verminous premises) of the Act of 1936 shall within the city have effect as if the following were substituted for subsection (1) of that section:—

Cleansing of filthy or verminous premises.

(1) Where it appears to the local authority upon a certificate of the medical officer of health or any sanitary inspector that any premises—

- (a) are in such a filthy or unwholesome condition as to be prejudicial to health ; or
- (b) are verminous ;

the authority shall give notice to the owner or occupier of the premises requiring him to take such steps as may be specified in the notice to remedy the condition of the premises—

- (i) by cleansing and disinfecting them ;



PART IV  
—cont.

(ii) by distempering or whitewashing the interior surface thereof or in the case of premises used for human habitation or as shops or offices by papering or painting the said interior surface ;

and the notice may require among other things the removal of wallpaper or other covering on the walls and in the case of verminous premises the taking of such other steps as may be necessary for the purpose of destroying or removing vermin ”.

Prohibition on sale of verminous furniture or clothing.

**23.**—(1) No dealer shall sell or expose for sale any second-hand furniture mattresses bed-linen clothing or similar articles if the same are to his knowledge infested with bed-bugs lice or fleas or if by taking reasonable precautions he could have known the same to so be infested.

(2) Any dealer offending against the provisions of this section shall be liable to a penalty not exceeding twenty pounds.

(3) The medical officer or the sanitary inspector may enter any premises in which secondhand furniture mattresses bed-linen clothing or similar articles are sold or exposed for sale for the purpose of examining whether there be any contravention of the provisions of this section.

(4) Every dealer who refuses to permit the medical officer or the sanitary inspector to enter any premises or make any inspection which he is authorised under the provisions of this section to enter or make or obstructs him in the execution of his duty under such provisions shall be liable to a penalty not exceeding five pounds.

(5) In this section the expression “ dealer ” means any person (other than a pawnbroker) who trades in secondhand furniture mattresses bed-linen clothing or similar articles for reward.

Sanitary conveniences for workmen.  
1 Edw. 8. &  
1 Geo. 6.  
c. 67.

**24.**—(1) The contractor engaged in or upon the construction or reconstruction of any work not being a work to which section 107 or section 108 of the Factories Act 1937 applies shall where practicable and if required by the Corporation provide to the reasonable satisfaction of the Corporation and until the completion of any such construction or reconstruction maintain such water or other closets and urinals in or in connection with such work as may be sufficient for the accommodation of the workmen employed.

(2) 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.



25. Any person who shall wilfully remove or otherwise interfere with any dustbin refuse bin or street orderly bin or other receptacle for the temporary deposit or collection of refuse dust ashes or rubbish or any street sand bin belonging to the Corporation shall be liable to a penalty not exceeding forty shillings and the Corporation may recover the expenses of replacement and making good from such person.

PART IV  
—cont.Interference  
with refuse  
bins &c.

26. Section 81 (Byelaws for the prevention of certain nuisances) of the Act of 1936 shall extend to empower the Corporation to make byelaws for preventing slop water from any house or premises from being discharged or thrown or suffered to be discharged or thrown or to pass into any street gully in the city.

Byelaws as  
to throwing  
slop water into  
street gullies.

27. The power of the Corporation to make byelaws under section 82 (Byelaws as to removal through streets of offensive matter or liquid) of the Act of 1936 shall extend to refuse which is not faecal or offensive or noxious matter or liquid.

Byelaws as  
to refuse.

28.—(1) As from the commencement of this section every person who shall carry on the trade or business of a hairdresser or barber shall register his name and place of abode and also the premises in which such trade or business is carried on in a book to be kept at the offices of the Corporation for the purpose.

Registration  
of hairdressers  
and barbers  
and premises.

(2) The Corporation may make byelaws for the purpose of securing—

(a) the cleanliness of any premises registered under this section and of the instruments towels materials and equipment used therein ; and

(b) the cleanliness of persons employed in such premises in regard to both themselves and their clothing.

(3) The person registered shall keep a copy of the byelaws made by the Corporation under this section displayed in the registered premises.

(4) (a) Any officer of the Corporation or other person duly authorised in writing in that behalf by the Corporation and if so required exhibiting his authority shall at all reasonable times be afforded by the person registered full and free power of entry into the registered premises for the purpose of inspecting such registered premises and examining whether there is any contravention of the provisions of this section or any byelaw made thereunder and any such officer or person as aforesaid shall have the like power of entry into any premises in the city in which there is reasonable cause to suppose that the said trade or business is being carried on :

Provided that the powers conferred by this subsection of entering premises for the purpose of examining whether there



PART IV  
—cont.

is any contravention of any byelaw made for the purposes mentioned in paragraph (b) of subsection (2) of this section shall not be exercised by any officer or person except a qualified medical practitioner in the employment of the Corporation or the sanitary inspector.

(b) Every person who refuses to permit any officer or authorised representative of the Corporation to enter or inspect any premises which such officer or authorised representative is authorised under the provisions of this section to enter or inspect or obstructs any such officer or representative in the execution of his duty under such provisions or under the provisions of any byelaw made under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(5) Any person carrying on such trade or business as aforesaid whose name place of abode and premises in which such trade or business is carried on have not been registered in accordance with subsection (1) of this section or whose registration has been cancelled or suspended as hereinafter provided or who contravenes any of the provisions of this section or of any byelaw made thereunder shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and a court of summary jurisdiction may (in lieu of or in addition to imposing a penalty) order the suspension or cancellation of the registration.

Trade  
refuse &c.

29.—(1) The Corporation may enter into and carry into effect agreements with the owner or occupier of any premises for the purchase by the Corporation from such owner or occupier of any trade refuse arising on or produced at such premises.

(2) The Corporation may enter into and carry into effect agreements with any authority company body or person for the collection by such authority company body or person and the sale to the Corporation of any domestic or trade refuse.

(3) The Corporation may work up convert treat utilise or otherwise make merchantable any trade refuse or domestic refuse purchased by or sold to them under this section and any trade refuse or domestic refuse so purchased or sold and any product obtained therefrom under the powers of this section may be sold or otherwise disposed of by the Corporation.

(4) For the purposes of this section the Corporation may upon any lands for the time being belonging to them provide erect construct maintain alter improve or renew all such depots stables garages incinerators destructors separators workshops works and materials as they may think fit with all necessary plant machinery and apparatus and may do all such acts as may be appropriate



for or in connection with the collection treatment disposal or sale in any form of trade refuse or domestic refuse:

PART IV  
—cont.

Provided that nothing in this section shall exonerate the Corporation from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them.

(5) In and for the purposes of this section "trade refuse" means—

- (a) the refuse arising out of or incidental to the carrying on of any trade manufacture or industry including ashes clinker and flue dust from any kiln engine furnace oven or stove used in connection with any industrial or commercial purpose or process;
- (b) packing material and similar refuse from shops warehouses and workshops;
- (c) fruit and vegetable rubbish;
- (d) rubbish containing or comprising waste animal or fish matter;
- (e) garden rubbish and refuse; and
- (f) garage rubbish and debris.

## PART V

### HEATING UNDERTAKING

30.—(1) The Corporation may supply heat by means of hot water or steam to such premises in the city as they may think fit and upon and subject to the terms and conditions provided by this Act and such other terms and conditions as may be agreed between the Corporation and the owners or occupiers of those premises:

Supply of  
heat.

Provided that in the exercise of the powers of this section the Corporation shall not show undue preference to any person and shall not exercise any undue discrimination against any person.

(2) Without prejudice to the generality of the foregoing provisions of this section such terms and conditions may include the power to cut off a supply of heat in such circumstances as may be prescribed in those terms and conditions.

(3) Before the Corporation enter into an agreement with the occupier of any premises for the supply of heat to such premises they shall give notice thereof to the owner of the premises and in the event of the supply of heat to such premises being discontinued notice shall be given by the Corporation to the owner of such premises.



PART V  
—cont.Works for  
provision of  
heat.

31.—(1) Subject to the provisions of this Part of this Act the Corporation may on lands in the city belonging or leased to them erect lay down maintain work and use stations boiler-houses mains pipes and other works for providing storing transmitting and distributing heat by means of hot water or steam or taking a supply of heat and for producing any material product matter or thing arising or used in the process of such provision of heat by means of hot water or steam including the generation of electricity together with such buildings boilers engines machinery sidings electric lines matters and things of whatever description as may be required by the Corporation to enable them to provide store transmit and distribute heat by means of hot water or steam and the Corporation may accordingly on those lands provide store transmit and distribute heat by means of hot water or steam and may produce such materials products matters and things:

Provided that—

(a) Nothing in this section shall be taken to dispense with the consent of any government department to any use of any lands of the Corporation in any case in which such consent would have been required if this section had not been enacted;

(b) Any electrical works or apparatus erected laid down maintained worked and used in pursuance of this section shall be so constructed maintained worked and used as to prevent interference with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

(2) Any electricity generated by the Corporation as aforesaid may be sold—

(a) to the electricity authority; or

(b) with the approval of the said authority to the electricity board;

and any electricity so generated and not so sold as aforesaid may only be used for or in connection with the supply of heat under the powers of this Part of this Act at the works at which it is generated or (with the consent of the electricity authority and the electricity board) elsewhere.

(3) (a) The electricity authority shall take all the electricity generated by the Corporation as aforesaid which is not—

(i) required for or in connection with the supply of heat;

or

(ii) supplied to the electricity board with the approval of the electricity authority;

upon such terms and conditions as may be agreed between the Corporation and the electricity authority or in default of agree-



ment determined by arbitration as hereinafter provided on the basis of a supply by a willing seller to a willing buyer.

(b) Any matter to be determined by arbitration under this subsection shall be referred to and determined by an arbitrator to be agreed upon between the Corporation and the electricity authority or in default of agreement to be appointed by the President of the Institution of Electrical Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and determination.

32.—(1) If the Corporation shall resolve to construct extend modify or enlarge a station for providing or taking a supply of heat under the powers of this Part of this Act the Corporation shall forthwith give to the Minister of Fuel and Power and to the electricity authority and to the gas board notice of such resolution together with such information with regard to such station as the electricity authority or the gas board may within six weeks of the service of such notice reasonably require including information as to the nature position and capacity of the proposed station (but not details of design) the proposed method of producing heat thereat the area proposed to be supplied therefrom and an estimate of the quantity or quantities of heat required by the Corporation for the purposes of the heating undertaking and of the times and form at and in which such quantity or quantities will be required. Any dispute between the Corporation on the one hand and the electricity authority or the gas board on the other hand as to whether any information is reasonably required by the electricity authority or the gas board under this subsection shall be referred to and determined by the Minister of Fuel and Power.

As to construction of station for providing heat.

(2) Within three months after the service of the said notice or the receipt of such information (whichever is the later) the electricity authority or the gas board may serve upon the Corporation a counter-notice offering a supply of heat to them upon such terms and conditions as may be specified in the counter-notice or as may be agreed between the Corporation and the electricity authority or the gas board as the case may be.

(3) If within three months after the receipt of such counter-notice or such longer period as may be agreed between the Corporation and the electricity authority or the gas board as the case may be the terms and conditions upon which a supply of heat is to be given to the Corporation by the electricity authority or the gas board for the purposes of the heating undertaking are not agreed between them the Corporation shall submit to the Minister for determination the question whether a supply of heat shall be afforded to the Corporation by the electricity authority or the gas board and (if he determines that a supply of heat is to be afforded by the electricity authority or the gas board) the terms and conditions upon which such a supply is to be afforded.



PART V  
—cont.

(4) If the Minister determines that a supply of heat shall be afforded to the Corporation by the electricity authority or the gas board the electricity authority or the gas board as the case may be shall afford such a supply in accordance with terms and conditions approved by the Minister:

Provided that if the Minister makes a substantial alteration in the terms or conditions on which the electricity authority or the gas board offered a supply of heat to the Corporation the electricity authority or the gas board as the case may be may within twenty-eight days after the receipt of the determination of the Minister give notice in writing to the Minister and the Corporation that the said terms or conditions are not acceptable and thereupon they shall not be required to afford a supply of heat to the Corporation and the Corporation shall be entitled to proceed with their proposals as if this section had not been enacted unless within twenty-eight days of such last-mentioned notice the Corporation serve on the electricity authority or the gas board as the case may be a notice requiring a supply in which case the electricity authority or the gas board as the case may be shall afford a supply on the terms and conditions specified in the counter-notice referred to in subsection (2) of this section.

Power to buy  
heat in bulk.

**33.**—(1) The Corporation may enter into and carry into effect agreements with any persons competent to supply heat by means of hot water or steam for the furnishing to the Corporation by such persons of a supply of heat by means of hot water or steam for the purposes of this Part of this Act and any such agreement may provide for the provision by the Corporation or for the joint user by them and any other party to the agreement of any works plant materials or things required for the purposes of the agreement.

(2) The Corporation may for the said purposes also enter into and carry into effect agreements for the taking and use of waste heat hot water or steam from any generating station or gasworks and any authority entitled to give any such supply may enter into such an agreement.

Compulsory  
purchase of  
land for  
heating  
undertaking.

9 & 10 Geo. 6.  
c. 49.

**34.**—(1) The Corporation may be authorised by the Minister to purchase land in the city compulsorily for the purposes of the heating undertaking.

(2) The Acquisition of Land (Authorisation Procedure) Act 1946 (except section 2 thereof) shall apply as if this section were an enactment contained in a public general Act and in force immediately before the commencement of that Act.

(3) In this section the expression "land" includes easements and other rights in respect of land and the Corporation may be authorised under this section to acquire compulsorily such



easements or rights only as they may require without purchasing any other interest in the land. In relation to the compulsory acquisition of any such easement or other right the said Acquisition of Land (Authorisation Procedure) Act 1946 (except section 2 thereof) and the enactments incorporated therewith shall have effect as if references (whatever the terms used) to the land comprised in the compulsory purchase order were construed where the context so requires as references to the land in respect whereof the easement or other right is acquired and references to the obtaining or taking possession of the land so comprised were construed as references to the exercise of the easement or other right.

(4) Where the Corporation have acquired an easement or right only in any land under this section—

(a) they shall not be required or (except by agreement) entitled to fence off or sever that land from the adjoining land;

(b) the owner or occupier of the land for the time being shall subject to the easement or right have the same right to use and cultivate the land as if this Act had not been passed.

(5) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Corporation to acquire the land the Corporation shall not be entitled under this section to acquire the easement or right unless the tribunal by whom the compensation is to be assessed determines that the easement or right can be granted without material detriment to the land or in the case of a park or garden belonging to a house without seriously affecting the amenity or convenience of the house:

Provided that nothing in this subsection shall apply to land forming part of a street.

(6) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (5) of this section.

35.—(1) For the purposes of this Part of this Act the Corporation shall have and may exercise the like powers and duties and be subject to the like restrictions as a local authority who supply water under the Act of 1936 have and are subject to under section 119 of that Act with respect to the laying and maintenance of water mains and for that purpose the mains and pipes for supplying heat by means of hot water or steam shall be deemed to be water mains and section 278 (Compensation to individuals for damage resulting from exercise of powers under Act) and section 333 (Protection for works of dock

Powers as to  
mains and  
pipes.



PART V  
—cont.

undertakers and for railways) of the Act of 1936 shall apply to the exercise of those powers:

Provided that nothing in this section shall authorise the Corporation—

(a) to lay down a main outside the city except for the purpose of—

(i) giving or facilitating a supply of heat by means of hot water or steam within the city; or

(ii) taking a supply of heat by means of hot water or steam from any works or premises outside the city; or

(b) to lay down a main in or within two hundred and twenty feet from the centre of a trunk road without the consent of the Minister of Transport; or

(c) to supply heat by means of hot water or steam to any premises outside the city.

(2) The Corporation may in any street within the city lay down such service pipes with such stopcocks and other fittings as they deem necessary for supplying heat by means of hot water or steam to premises within the city and may from time to time inspect repair alter or renew and may at any time remove any service pipe stopcock or other fitting laid down in a street whether by virtue of this subsection or otherwise.

(3) (a) Where a service pipe has been lawfully laid down in on or over any land not forming part of a street the Corporation may from time to time enter upon that land and inspect repair alter renew or remove the pipe or lay down a new pipe in substitution therefor but shall pay compensation for any damage done by them.

(b) Any dispute as to the amount of compensation to be paid under this subsection shall be determined by an arbitrator to be appointed in default of agreement by the Minister.

(4) In this subsection the expression "service pipe" means a pipe for supplying heat by means of hot water or steam from a main to any premises.

(5) For the purposes of section 4 of the Special Roads Act 1949 the Corporation in relation to the powers conferred upon them by this section shall be deemed to be statutory undertakers.

**36.—(1) Before the Corporation—**

(a) apply to the Minister for consent to the borrowing of money for the purpose of constructing laying down or executing any works for providing storing transmitting or distributing heat under the powers of this Part of this Act; or

12 & 13 Geo. 6.  
c. 32.

Consultation  
with electricity  
authority and  
boards as to  
certain works.



- (b) lay down any main under the provisions of this Part of this Act other than a main extending for a distance of not more than two hundred yards from any main laid down in accordance with proposals previously made under this section ;

they shall give to the Minister of Fuel and Power and to the electricity authority and the electricity board and the gas board notice of their proposals and such information with regard thereto as the electricity authority or the electricity board or the gas board may within six weeks of the receipt of such notice reasonably require and shall consult with the electricity authority and the electricity board and the gas board on such proposals. Any dispute between the Corporation and the electricity authority or the electricity board or the gas board as to whether any information is reasonably required by the electricity authority or the electricity board or the gas board under this subsection shall be referred to and determined by the Minister of Fuel and Power.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section such information shall include particulars of the proposals (if any) of the Corporation as to the standards of heat proposed to be maintained in premises supplied with heat under the powers of this Part of this Act and the measures to be taken with respect to—

- (a) the securing of the safety of the mains pipes and apparatus of the electricity authority and the electricity board and the gas board from damage or injury arising directly or indirectly from any mains or pipes to be laid down or placed by the Corporation under the powers of this Part of this Act ;
- (b) the insulation of any such last-mentioned mains or pipes so as to prevent the escape of heat therefrom ;
- (c) the maximum and minimum temperatures and pressures at which hot water or steam may be stored transmitted or distributed by the Corporation ;
- (d) the methods for measuring the volume temperature and pressure of the hot water or steam so stored transmitted or distributed ; and
- (e) the independent testing of such measurements.

(3) The electricity authority and the electricity board and the gas board or any of them may within three months after the receipt of such notice or the receipt of such information (whichever is the later) make representations to the Minister of Fuel and Power with respect to such proposals.

(4) If no such representations are made the Corporation shall not proceed except in accordance with the proposals sent to the



PART V  
—cont.

electricity authority and the electricity board and the gas board or any alteration thereof which may be agreed.

(5) If any such representations are made the Corporation shall not proceed with their proposals except with the approval of the Minister of Fuel and Power and in accordance with any modification of such proposals which the Minister of Fuel and Power may require.

(6) The provisions of this section shall not apply to the construction extension modification or enlargement of a station for providing heat under the powers of this Part of this Act.

Power to  
supply fittings.

37.—(1) In any premises to which the Corporation supply or propose to supply heat by means of hot water or steam they may provide (but not manufacture) and may supply by way either of sale or hire any such fittings as may be required for or in connection with the utilisation of the heat so supplied and may instal repair or alter any such fittings whether supplied by them or not and may provide any materials and do any work required in connection with such installation repair or alteration.

(2) The Corporation may make such charges as may be agreed or in default of agreement as may be reasonable for any fittings supplied or any materials provided or work done under this section at the request of the owner or occupier of the premises supplied.

(3) Any fittings let by the Corporation for hire and marked or impressed with a sufficient mark or brand indicating the Corporation as the actual owners thereof—

(a) shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or any proceedings in bankruptcy against the person in whose possession the same may be ; and

(b) shall notwithstanding that they be fixed or fastened to any part of the premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and (subject to the provisions of the Hire Purchase Act 1938) removable by the Corporation :

Provided that nothing in this subsection shall affect the valuation for rating of any rateable hereditament.

(4) All fittings supplied by the Corporation under any hire purchase agreement shall until payment of the final instalment of the purchase money for such fittings be deemed for the purposes of subsection (3) of this section to be fittings let for hire by the Corporation.



(5) (a) The Corporation shall so adjust the charges to be made by them under this section as to meet any expenditure by them thereunder including interest upon any moneys borrowed for the purposes thereof and any sums carried to a sinking fund for repayment of moneys so borrowed.

(b) The total sums expended and received by the Corporation in connection with the purposes of this section in each year including interest and any sums carried to a sinking fund shall be separately shown in the abstract of accounts of the Corporation for that year.

(6) If any person wilfully injures or suffers to be injured any fittings belonging to the Corporation he shall be liable to a penalty not exceeding five pounds and the Corporation may do all such work as is necessary for repairing any injury done and may recover the expenses reasonably incurred by them in so doing from the offender and if the amount does not exceed twenty pounds summarily as a civil debt.

38.—(1) The Corporation may from time to time prescribe a scale of charges (in this section called "heating charges") for heat supplied to premises under the powers of this Part of this Act and where heat is so supplied to any premises the heating charges in accordance with the scale shall be payable by the occupier of those premises except in any case where the owner has agreed to pay the same in which case they shall be payable by the owner.

Collection and recovery of heating charges.

(2) The heating charges payable by any person may after a demand therefor be recovered from him by the Corporation either as a simple contract debt in any court of competent jurisdiction or if the amount does not exceed twenty pounds summarily as a civil debt.

39. The Corporation may require any person desiring to take a supply of heat by means of hot water or steam or to be supplied with fittings or materials under this Part of this Act to deposit with the Corporation such sum as the Corporation may reasonably require as security for the payment of any moneys which may become due from him to the Corporation in respect of such supply or of any fittings or materials supplied to him in connection therewith.

Power to require deposit as security for payment of accounts.

40. The Corporation may if they think fit make an allowance by way of discount on all sums of money due to them for the supply of heat by means of hot water or steam from any person who pays the same within such time of the demand thereof as the Corporation think fit to prescribe in that behalf and notice to that effect shall (if and so long as the Corporation

Discounts for prompt payment.



PART V  
—cont.

shall allow such discount) be endorsed on every demand note in respect of such charges:

Provided that the Corporation shall make the same allowance to all persons under similar conditions.

Power to enter  
premises.

41.—(1) Subject to the provisions of this section any authorised officer of the Corporation shall on producing if so required some duly authenticated document showing his authority have a right at all reasonable hours to enter any premises in the city for the purpose of—

- (a) inspecting and examining any fittings (whether belonging to the Corporation or not) on premises supplied by the Corporation with heat under the powers of this Part of this Act;
- (b) ascertaining whether there is or has been on or in connection with any premises any contravention of the provisions of this Part of this Act;
- (c) ascertaining whether or not circumstances exist which would authorise the Corporation to take any action or execute any work under this Part of this Act;
- (d) taking any action or executing any work authorised or required by this Part of this Act to be taken or executed by the Corporation:

Provided that admission to any premises shall not be demanded as of right unless twenty-four hours' notice of the intended entry has been given to the occupier:

Provided also that nothing in this section shall authorise any officer of the Corporation without the previous consent in writing of the electricity authority or the electricity board or the gas board (as the case may be) to enter any premises occupied or used by the electricity authority or the electricity board or the gas board in connection with the generation or supply of electricity or the manufacture storage or supply of gas other than offices or showrooms:

Provided further that nothing in this section shall authorise any officer of the Corporation without the previous consent in writing of the commission to enter any premises occupied or used by the commission in connection with their undertaking other than hotels or dwelling-houses or offices not forming part of a railway station.

(2) If it is shown to the satisfaction of a justice of the peace on sworn information in writing—

- (a) that admission to any premises has been refused or that refusal is apprehended or that the premises are unoccupied or that the occupier is temporarily absent



or that the case is one of urgency or that an application for admission would defeat the object of the entry; and

(b) that there is reasonable ground for entry into the premises for any such purpose as aforesaid;

the justice may by warrant under his hand authorise the Corporation by any authorised officer to enter the premises if need be by force:

Provided that such a warrant shall not be issued unless the justice is satisfied either that notice of the intention to apply for a warrant has been given to the occupier or that the premises are unoccupied or that the occupier is temporarily absent or that the case is one of urgency or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any premises by virtue of this section or of a warrant issued thereunder may take with him such other persons as may be necessary and on leaving any unoccupied premises which he has entered by virtue of such a warrant shall leave them as effectually secured against trespassers as he found them.

(4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.

(5) If any person who in compliance with the provisions of this section or of a warrant issued thereunder is admitted into a factory or workplace discloses to any person any information obtained by him in the factory or workplace with regard to any manufacturing process or trade secret he shall unless such disclosure was made in the performance of his duty be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months.

42.—(1) If any person wilfully and without the consent of the Corporation turns on opens closes shuts off or otherwise interferes with any valve cock or other work or apparatus belonging to the Corporation and thereby improperly causes the supply of heat or hot water or steam to be interfered with he shall be liable to a penalty not exceeding five pounds and (whether proceedings be taken against him in respect of his offence or not) the Corporation may recover from him the amount of any damage sustained by them either as a simple contract debt in any court of competent jurisdiction or if the amount does not exceed twenty pounds summarily as a civil debt.

Interference  
with apparatus  
&c.

(2) If any person wrongfully takes uses or diverts any heat or hot water or steam from any apparatus provided for the purposes of this Part of this Act he shall (without prejudice to



PART V  
—cont.

any other right or remedy of the Corporation) be liable to a penalty not exceeding five pounds.

Notice to be given by persons supplied with heat before quitting premises.

**43.**—(1) If the occupier of any premises supplied with heat by means of hot water or steam by the Corporation quits the premises without giving notice thereof to the Corporation in manner provided by this section he shall be liable to pay to the Corporation all moneys accruing due for heat supplied by them to the premises and for meter rent up to the next date on which the register of the meter for heating on the premises is usually ascertained or the date from which any subsequent occupier of the premises requires the Corporation to supply heat to the premises whichever first occurs.

(2) The notice to be given under this section by an occupier of premises shall be given in writing and sent by registered post or otherwise delivered to the Corporation at the town hall so that it is received by the Corporation at least forty-eight hours before he quits the premises.

(3) The foregoing provisions of this section or a statement of the effect thereof shall be endorsed upon every demand note for heat charges payable to the Corporation.

Byelaws for protection of heating undertaking.

**44.**—(1) The Corporation may make byelaws for preventing the waste misuse or contamination of or interference with the circulation of hot water or steam used by them in connection with the supply and use of heat under this Part of this Act or for preventing the waste or undue consumption of heat supplied under this Part of this Act.

(2) Byelaws under this section may include provisions—

(a) prescribing the size nature materials strength and workmanship and the mode of arrangement connection disconnection insulation alteration and repair of the fittings to be used ; and

(b) forbidding the use of any fittings which are of such a nature or are so arranged or connected as to cause or permit or be likely to cause or permit—

(i) waste misuse or contamination of or interference with the circulation of hot water or steam ;

(ii) reverberation in pipes ; or

(iii) waste or undue consumption of heat.

(3) If any person contravenes the provisions of any byelaw made under this section the Corporation may without prejudice to their right to take proceedings for a penalty in respect of such



contravention cause any fittings belonging to or used by that person which are not in accordance with the requirements of the byelaws of the Corporation to be altered repaired or replaced and may recover the expenses reasonably incurred by them in so doing from the person in default either as a simple contract debt in any court of competent jurisdiction or if the amount does not exceed twenty pounds summarily as a civil debt.

(4) Nothing in this section or in any byelaw made thereunder shall apply to any station for generating electricity belonging to the electricity authority.

(5) Nothing in this section or in any byelaw made thereunder shall apply to any fittings used on premises which belong to the commission and are held or used by them for the purposes of their railway so long as those fittings are not of such a nature or so arranged or connected as to cause or permit or be likely to cause or permit—

(a) waste, misuse, or contamination of or interference with the circulation of hot water or steam;

(b) reverberation in pipes; or

(c) waste or undue consumption of heat:

Provided that the exemption conferred by this subsection shall not extend to fittings used in hotels or dwelling-houses or in offices not forming part of a railway station.

45.—(1) The Corporation shall give to the electricity authority and the electricity board and the gas board such reports and returns and such information with respect to the heating undertaking as the electricity authority or the electricity board or the gas board may reasonably require and the electricity authority and the gas board shall give to the Corporation such reports and returns and such information with respect to any supply by them of heat by means of hot water or steam as the Corporation may reasonably require.

Reports and returns with respect to heating undertaking and supply of heat.

(2) Any dispute between the Corporation on the one hand and the electricity authority or the electricity board or the gas board on the other hand as to whether any reports returns or information are reasonably required by the electricity authority or the electricity board or the gas board or the Corporation (as the case may be) shall be determined by the Minister of Fuel and Power.

46. For the protection of the electricity authority and the electricity board and the gas board (each of whom is in this section referred to as "the board") the following provisions shall

For protection of electricity boards and gas board.



PART V  
—cont.

unless otherwise agreed in writing between the Corporation and the board apply and have effect:—

## (1) In this section—

the expression “ apparatus ” means—

(a) in relation to the electricity authority or the electricity board any electric lines or works (as respectively defined in the Electric Lighting Act 1882) belonging to the electricity authority or the electricity board (as the case may be); and

(b) in relation to the gas board any mains pipes or other apparatus belonging to the gas board;

the expression “ authorised work ” means any main service pipe conduit duct or other work laid down placed or executed by the Corporation for the purposes of the heating undertaking in the exercise of the powers of this Part of this Act or any Act incorporated therewith:

- (2) Where the Corporation require to dig or sink any trench for laying down placing or constructing any authorised work near to which any apparatus has been lawfully placed the Corporation shall give to the board to whom such apparatus belongs notice in writing of such requirement together with plans sections and particulars of the authorised work to be laid in such trench and if it should appear to the board that the laying down placing or construction of such authorised work would injure interfere with or endanger any apparatus or interfere with the access thereto or impede the supply of electricity or gas (as the case may be) by means thereof the board may within fourteen days from the receipt of such notice give to the Corporation notice in writing requiring them to alter the position or depth of such apparatus in such manner as may be reasonably necessary for avoiding any such injury interference danger or impediment and any difference as to the necessity for such alteration or the manner of carrying out the alteration shall be determined by arbitration as hereinafter provided All such alterations shall (save as in this section provided) be carried out by and at the expense of the Corporation with as little detriment and inconvenience to the board as the circumstances will admit and to the reasonable satisfaction of the engineer of the board and under his superintendence unless after receiving not less than three days'



notice for that purpose (which notice the Corporation are hereby required to give except in cases of emergency) he refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the laying down placing or construction of such work:

- (3) The Corporation in laying down placing or constructing any authorised work shall not interfere with the access to any apparatus to any greater extent than is necessary for the purposes of or in connection with the carrying out of that work and shall not remove or displace any apparatus or do anything to endanger any apparatus or impede the passage of electricity or gas (as the case may be) into or through any apparatus without the consent (which shall not be unreasonably refused) of the board or in any other manner than the board shall reasonably approve nor in the case of apparatus proposed to be removed or displaced until good and sufficient apparatus and other works reasonably necessary or proper for continuing the supply of electricity or gas as the same was supplied by the apparatus proposed to be removed or displaced shall at the expense of the Corporation have been first made and laid down in lieu thereof and be ready for use to the reasonable satisfaction of the engineer of the board:
- (4) If the board shall desire to alter the position or depth of any apparatus under subsection (2) of this section or to provide any substituted apparatus referred to in subsection (3) thereof and shall within the period of fourteen days referred to in subsection (2) of this section give not less than seven days' notice in writing thereof to the Corporation the board may themselves carry out any of the said works and shall commence execute and complete the same with all reasonable dispatch and to the reasonable satisfaction of the Corporation and all reasonable expenses properly incurred by them under this subsection shall be repaid to them by the Corporation:
- (5) The reasonable expense of all repairs or renewals of—
  - (i) any apparatus existing at the time of the laying down placing or construction of the authorised work ;  
or
  - (ii) any apparatus substituted for such existing apparatus or any part thereof and being of reasonably similar size and type ;



PART V  
—cont.

which may at any time hereafter be rendered reasonably necessary by reason of—

(a) the acts or defaults of the Corporation their contractors agents workmen or servants or any person in the employ of them or any of them in the exercise of the powers of this Part of this Act ; or

(b) any subsidence resulting from the laying down placing construction or removal of any authorised work whether during the laying down placing construction or removal of the authorised work or at any time within two years thereafter ;

shall be borne and paid by the Corporation :

- (6) The Corporation in laying down placing constructing or removing any authorised work shall make good all damage done by them to any apparatus and shall make compensation to the board for any loss damage costs or expenses which they may sustain by reason of any interference with such apparatus or the access thereto or with the private service or supply lines or pipes of any person supplied by the board with electricity or gas :
- (7) If any difference shall arise between the Corporation and the board or their respective engineers with respect to any matter under this section the matter in difference shall be referred to and determined by arbitration :
- (8) In settling any difference under this section the arbitrator shall have regard to any duties or obligations which the board may be under in respect of their apparatus and any duties or obligations which the Corporation may be under in respect of the authorised work and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the apparatus is used.

Corporation not to be exempted from proceedings for nuisance.

47. Nothing in this Part of this Act shall exonerate the Corporation from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them.

Separate accounts in respect of heating undertaking.

48.—(1) The Corporation shall in respect of the heating undertaking keep separate accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division on the one side all receipts and on the other side all payments and expenses such payments and expenses



being divided so as also to show the amounts expended in respect of each of the following purposes (that is to say):—

PART V  
—cont.

- (a) the working and establishment expenses and the cost of the maintenance of the heating undertaking;
- (b) the interest on moneys borrowed or applied by the Corporation for the purposes of or connected with the heating undertaking;
- (c) the requisite appropriations instalments or sinking fund payments for the repayment of moneys borrowed or applied by the Corporation for the purposes of or connected with the heating undertaking;
- (d) all other expenses (if any) of the heating undertaking properly chargeable to revenue;
- (e) the amount (if any) appropriated to any reserve fund provided in connection with the heating undertaking.

(2) The Corporation shall show in their accounts relating to the heating undertaking all items which ought to be entered therein in order to show the financial position of that undertaking and shall apportion between the accounts to be kept by the Corporation under this section and any other accounts of the Corporation any receipts credits payments and liabilities which from time to time ought to be so apportioned.

## PART VI

### SMOKE

49.—(1) As from the commencement of this section no person shall instal in any building whether erected before or after the passing of this Act any furnace for the purpose of steam raising or for any manufacturing or trade purpose unless such furnace is so far as practicable capable of being operated continuously without emitting smoke. Prevention of smoke.

(2) Any person who contravenes the provisions of this section shall be liable to a penalty not exceeding ten pounds and any person who after conviction of an offence of installing a furnace in contravention of those provisions uses that furnace shall unless it has been amended so as to comply with those provisions be liable to a penalty not exceeding two pounds for each day on which he so uses the furnace.

(3) If any person before installing in any building a furnace for any of the purposes aforesaid submits to the Corporation plans and specifications of the proposed furnace and furnishes them with such other necessary information with regard thereto as the Corporation may require the Corporation shall within a period of six weeks from the date on which such plans and



PART VI  
—cont.

specifications are received by them serve a notice upon such person stating whether they are or are not satisfied that the furnace is so far as practicable capable of being operated continuously without emitting smoke and if they are so satisfied or if they do not serve a notice upon such person before the expiration of the said period of six weeks no proceedings shall be taken against him under this section in respect of the installation of that furnace in accordance with the plans specifications and information so submitted and furnished.

(4) Before serving a notice under this section stating that they are not satisfied that the furnace is so far as practicable capable of being operated continuously without emitting smoke the Corporation shall consult with the Minister of Fuel and Power.

(5) In determining for the purposes of this section whether a furnace is so far as practicable capable of being operated continuously without emitting smoke the Corporation or a court shall if either of the parties so desire have regard to cost and to local conditions and circumstances.

Smokeless  
zones.

50.—(1) The Corporation may by order to be confirmed by the Minister prohibit the emission of smoke from any premises in any area or areas within the city which may be prescribed in such order.

(2) Before submitting an order under subsection (1) of this section to the Minister the Corporation shall publish in the London Gazette and in one or more local newspapers circulating in the city a notice—

- (a) stating that such an order has been made and is about to be submitted to the Minister for confirmation;
- (b) stating the general effect of the order;
- (c) describing the area or areas to which the order applies; and
- (d) stating that within the period of twenty-eight days after a date named in the notice not being earlier than the first publication thereof any person may object to the confirmation of the order by giving notice in writing to the Minister and sending a copy of such notice to the town clerk.

(3) If no objection is duly made or if all objections so made are withdrawn then the Minister may if he thinks fit confirm the order with or without modification but in any other case he shall before confirming the order cause a local inquiry to be held and shall consider any objection not withdrawn and the report of the person who held the inquiry and may then confirm the order either with or without modification.



(4) The Corporation shall compile and keep a register of the name and address of every person owning or occupying premises within the city who at any time after the passing of this Act shall by notice in writing to the town clerk request the Corporation to serve upon the person making such request a copy of any notice published in pursuance of subsection (2) of this section and the Corporation shall serve upon every such person at the address entered in the said register a copy of any such notice as relates to an order affecting premises owned or occupied by any such person :

Provided that the omission to serve a copy of any such last-mentioned notice on one or more of the persons (not being the whole number of such persons affected by any particular order) hereinbefore referred to shall not invalidate or prejudice any order made by the Corporation under subsection (1) of this section or the confirmation of such order by the Minister. Every notice served upon the Corporation by any person under this subsection shall state his name and address and shall specify the premises within the city of which such person is the owner or occupier.

(5) The Minister may for the purposes of this section designate to the Corporation any specified body of persons as being representative of the interests of the owners or occupiers of premises used for carrying on any trade or industry in the city or of any class of such owners or occupiers and in the event of any such designation the Corporation shall before submitting an order under subsection (1) of this section to the Minister consult with such body.

(6) An order made under the foregoing provisions of this section may—

(a) in relation to any premises specified in the order—

(i) provide that the premises shall be excluded from the area ;

(ii) provide that the operation of the order to the premises shall be deferred for such period as may be specified ;

(b) provide that the operation of the order to premises used for any of the following processes shall be deferred for such period as may be specified or such premises may be excluded from the operation of the order :—

(i) the working of a mine ;

(ii) the smelting of ores and minerals ;

(iii) the calcining puddling and rolling of iron and other metals ; and



PART VI  
—cont.

(iv) the conversion of pig iron into wrought iron or the reheating annealing hardening forging converting and carburising of iron and other metals:

Provided that no premises referred to in paragraph (b) of this subsection shall be excluded from the operation of the order on the ground that they are used for any of the said processes unless the Minister is satisfied that the inclusion of the premises within the operation of the order would obstruct or interfere with any such processes.

(7) Forthwith after an order made under this section has been confirmed by the Minister the Corporation shall publish in one or more local newspapers circulating in the city a notice stating that the order has been confirmed and naming a place where a copy of the order as confirmed may be seen at all reasonable hours and shall serve a like notice on every person who having given notice to the Minister of his objection to the order appeared at the public inquiry in support of his objection but no evidence shall be required in any proceedings that the provisions of this subsection have been complied with.

(8) An order made under this section shall come into operation on but not until such date as may be specified in the order which shall be not less than six months after the date of the confirmation of the order.

(9) The occupier of any premises from which smoke is emitted in contravention of the provisions of an order made under this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds:

Provided that it shall be a defence in any proceedings under this subsection to prove that the smoke emitted arose solely from the consumption of coke anthracite or any other fuel of a type specified by the Corporation and used in a furnace stove or other appliance which is suitable for burning such fuel and is properly maintained and used.

(10) An order under this section may contain such provisions as the Minister may think expedient—

(a) for enabling the lessee or tenant of any premises within the area to which the order relates who has to incur expense in executing works or providing altering or adapting any fixtures fittings or appliances for the purpose of complying with the order and the owner of such premises to enter into and fulfil agreements making such variations of the terms of the lease or tenancy of the premises as may be reasonable having regard to the expense to be incurred and to other relative circumstances; and



(b) for enabling any lessee or tenant of any such premises who has been unable to make an agreement with the owner thereof under paragraph (a) of this subsection to apply to the county court for an order making such variations of the terms of the lease or tenancy of the premises as aforesaid and for enabling the court to make such an order.

PART VI  
—cont.

(11) An order under this section may be varied or revoked by another order made by the Corporation and confirmed by the Minister.

(12) Nothing in this section or in an order made thereunder shall apply to smoke emitted from a railway locomotive.

(13) The Corporation may if they think fit contribute the whole or part of the expense necessarily incurred by any person in executing works or in providing altering or adapting any fixtures fittings or appliances for the purpose of complying with the provisions of any order made by the Corporation and confirmed by the Minister under this section.

(14) Nothing in this section or in any order made thereunder shall apply—

(a) to any existing generating station of the electricity authority or any existing works of the gas board for the manufacture or storage of gas ; or

(b) to any generating station or works for the manufacture or storage of gas permission for the construction or extension of which by the electricity authority or the gas board (as the case may be) is granted or deemed to be granted in accordance with the provisions of the Town and Country Planning Act 1947.

10 & 11 Geo. 6.  
c. 51.

## PART VII

### MARKETS AND FAIRS

51.—(1) On and from the first day of October one thousand nine hundred and forty-nine the Act of 1866 shall be read and have effect as if—

Tolls and charges in respect of Corporation markets and fairs.

(a) a reference to Part I of the Second Schedule to this Act were substituted in section 41 (Markets and fair tolls and stallages) of the Act of 1866 for the reference in that section to the Schedule (B) to the Act of 1866 ;

(b) a reference to Part II of the said schedule to this Act were substituted in section 47 (Weighing and measuring tolls as in Schedule (C)) of the Act of 1866 for the reference in that section to the Schedule (C) to the Act of 1866 ;



PART VII  
—cont.

(c) a reference to Part III of the said schedule to this Act were substituted in section 48 (Weighbridge tolls as in Schedule (D)) of the Act of 1866 for the reference in that section to the Schedule (D) to the Act of 1866; and

(d) a reference to Part IV of the said schedule to this Act were substituted in section 49 (Slaughter-house tolls as in Schedule (E)) of the Act of 1866 for the reference in that section to the Schedule (E) to the Act of 1866.

(2) The Corporation may with the sanction of the Secretary of State from time to time alter or add to the respective tolls and stallages mentioned in Parts I II III and IV of the Second Schedule to this Act and any such altered tolls and stallages shall as from the date on which they come into operation be substituted for the corresponding tolls and stallages mentioned therein:

Provided that notice of the intention of the Corporation to apply to the Secretary of State for his sanction to any alteration of or addition to such tolls or stallages shall be published in a newspaper circulating in the city.

(3) As from the said first day of October Schedules (B) (C) (D) and (E) to the Act of 1866 shall be and are hereby repealed.

Days for holding markets and fairs.

**52.** Notwithstanding anything contained in the Act of 1866 or in any other enactment the Corporation may appoint Good Fridays for the holding of markets and fairs in the city and section 23 (Markets and fairs days) of that Act shall accordingly be read and have effect as if the reference to "Good Friday" in the proviso to that section were omitted therefrom.

Increase of fees for licences to sell marketable articles out of market-place.

**53.** As from the passing of this Act section 43 (Power to Corporation to grant licences to sell marketable articles out of market-place) of the Act of 1866 shall be read and have effect as if the sum of five shillings were substituted in that section for the sum of two shillings and sixpence mentioned therein.

## PART VIII

## SALE OF COKE COAL WOOD FUEL &amp;C.

Application to sale of coke of Weights and Measures Act 1889. 52 & 53 Vict. c. 21.

**54.** The provisions of sections 20 to 29 inclusive of the Weights and Measures Act 1889 as amended by this Part of this Act and of any byelaws made by the Corporation thereunder (which provisions and byelaws relate to the sale of coal) shall also apply to the sale of coke within the city.

Penalty on fraudulent sale.

**55.** If any seller of coke or any person in charge of any vehicle from which coke is being sold or offered or exposed for



sale wilfully makes any false statement as to the weight of the coke or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded such seller or person in charge shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

PART VIII  
—cont.

**56.**—(1) Proviso (a) to section 27 of the Weights and Measures Act 1889 in its application to the city shall except in the case of a horse-drawn vehicle carrying coal or coke be read and have effect as if in that proviso the words “two miles” were substituted for the words “half a mile”.

Amendment  
of section 27  
of Weights  
and Measures  
Act 1889 in its  
application  
to city.

(2) Notwithstanding anything contained in the section of this Act of which the marginal note is “Application of Part VIII of Act” the exception for a horse-drawn vehicle carrying coal or coke contained in subsection (1) of this section shall not apply in the case of any such vehicle carrying wood or any such other solid fuel as is referred to in the said first-mentioned section of this Act.

**57.** The provisions of this Part of this Act relating to coke shall unless the subject or context otherwise requires apply to any solid fuel derived from coal or of which coal or coke is a constituent and to wood sold as fuel as if it were coke.

Application of  
Part VIII of  
Act.

**58.** Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in a newspaper published or circulating in the city.

Notice of  
Part VIII of  
Act.

No evidence shall be required in any proceedings that the provisions of this section have been complied with.

## PART IX

## ESTABLISHMENTS FOR MASSAGE OR SPECIAL TREATMENT

**59.** In this Part of this Act the expression “establishment for massage or special treatment” means any premises in the city used or represented as being or intended to be used for the reception or treatment of persons requiring—

Definition of  
“establish-  
ment for  
massage or  
special treat-  
ment”.

(a) massage or chiropody; or

(b) electric treatment or radiant heat light electric vapour or other baths for therapeutic treatment; or

(c) other similar treatment.

**60.** As from the commencement of this Part of this Act no person shall carry on an establishment for massage or special treatment without a licence from the Corporation authorising him so to do.

Establish-  
ments for  
massage or  
special  
treatment to  
be licensed.



PART IX  
—cont.  
Application  
for licences.

61.—(1) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application in writing to the Corporation and shall in the application state—

- (a) his full name ;
- (b) his age and nationality ;
- (c) his technical qualifications ;
- (d) his private address or if the application be made 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 directors or other persons directly or indirectly responsible for the management of such company society association or body ;
- (e) the name under which and the address at which the establishment is carried on or proposed to be carried on ;
- (f) the nature of the establishment and of the business carried on or proposed to be carried on thereat ;
- (g) whether and if so to what extent he is or has been interested in any other establishment for massage or special treatment ; and
- (h) such further information (if any) as the Corporation may reasonably require with respect to him or the establishment carried on or proposed to be carried on by him.

(2) The person making an application under this section shall when making the application pay to the Corporation such fee as the Corporation may fix not exceeding—

	£	s.	d.
(a) in respect of an application for the grant of a licence ... ..	2	2	0
(b) in respect of an application for the renewal of a licence ... ..	1	1	0

and the fees paid on any application for the grant or renewal of a licence may be retained by the Corporation whether such licence is or is not granted or renewed.

(3) Subject to the foregoing provisions of this section the Corporation may make such regulations as they think fit as to the manner in which and the dates at which applications for a licence or the renewal of a licence under this Part of this Act shall be made.



62.—(1) The Corporation shall as soon as reasonably practicable after the receipt of an application under this Part of this Act grant or renew a licence to the applicant to carry on an establishment for massage or special treatment of the description and in the name and at the address specified in the application and may attach such conditions thereto as they may consider reasonably necessary for securing the due notification to them of any change in the name or private address of the licensee or in the treatment afforded or the nature of the business carried on at the establishment and generally for securing the proper conduct of the establishment:

PART IX  
—cont.  
Grant of  
licences.

Provided that the Corporation may refuse to grant or renew a licence or may revoke a licence granted—

- (a) to any person under the age of twenty-one years; or
- (b) to any person who may be unsuitable to hold such a licence; or
- (c) in respect of any premises which are unsuitable for the purposes of an establishment for massage or special treatment or in which the accommodation or provision for such treatment is not reasonably adequate or suitable; or
- (d) in respect of any establishment which has been or is being improperly conducted; or
- (e) in respect of any establishment in which massage or special treatment is or may be administered by any person who does not possess such technical qualifications as may be reasonably necessary; or
- (f) in respect of any establishment which is being carried on in contravention of the provisions of this Part of this Act or any byelaw made thereunder.

(2) If the Corporation refuse to grant or renew a licence or revoke a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) send or deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal or revocation.

(3) Where an application is made for the renewal of a licence and it is proposed to refuse such renewal or when it is proposed to revoke a licence notice in writing to that effect shall at least seven days before the question of renewal or revocation is considered be given to the applicant or holder of the licence and if within three days after the receipt of this notice the applicant or holder requires to be heard the application shall not be refused or the licence revoked unless the Corporation have afforded him an opportunity of being heard against the refusal or revocation.



PART IX  
—cont.

Any notice served under this subsection shall state the grounds on which such refusal or revocation is proposed and shall notify the aforesaid right of being heard and also the effect of subsection (2) of this section and the right of appeal conferred by the section of this Act of which the marginal note is "As to appeals" and the time within which such appeal may be brought.

(4) Every such licence as aforesaid shall (unless revoked) be valid until the date of the next annual meeting fixed for the purpose of considering applications under this Part of this Act and no longer.

Byelaws as  
to establish-  
ments for  
massage &c.

**63.**—(1) The Corporation may make byelaws—

- (a) prescribing the keeping by every person holding a licence under this Part of this Act of books cards or forms showing the business conducted by him so far as it relates to his establishment for massage or special treatment ;
- (b) prescribing the entries to be made in connection with such business in such books or cards or forms ;
- (c) prescribing the technical qualifications to be possessed by any person who administers massage or special treatment at any establishment licensed under this Part of this Act ;
- (d) for preventing fraud and immorality in the conduct of establishments so licensed ; and
- (e) generally for regulating any premises used for the purposes of or in connection with any such establishment.

(2) Every person holding a licence under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Corporation) in the premises to which the licence relates a copy of the byelaws made by the Corporation under this section.

Powers of  
entry and  
inspection.

**64.** Any officer or other person duly authorised by the Corporation in that behalf may—

- (a) enter the premises specified in any licence or application under this Part of this Act or any premises which are used or which there is reasonable cause to believe are used for the purposes of or in connection with an establishment for massage or special treatment ; and
- (b) inspect such premises and the books cards or forms kept in connection with the establishment carried on at those premises.

Penalties for  
offences in  
respect of  
establishments  
for massage  
&c.

**65.**—(1) Subject to the provisions of this Act every person who carries on an establishment for massage or special treatment without a licence under this Part of this Act or otherwise than in accordance with the terms and conditions of such licence or



obtains a licence or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give such particulars as are required by this Part of this Act to be given 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 fine impose any term of imprisonment not exceeding three months.

(2) Subject as aforesaid every person who—

(a) refuses to permit any officer or person duly authorised by the Corporation to enter or inspect any premises which such officer or person is authorised under the provisions of this Part of this Act to enter and inspect or obstructs any such officer or person in the execution of his duty under such provisions or under the provisions of any byelaw made thereunder ; or

(b) contravenes the provisions of any byelaw made under this Part of this Act ; or

(c) issues publishes or displays or causes to be issued published or displayed any advertisement relating to an establishment for massage or special treatment which is not licensed in accordance with the provisions of this Part of this Act after the expiration of a period of seven days from the receipt of notice in writing from the Corporation that the licence relating to such establishment has expired or has been refused or revoked 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) In respect of any conviction for an offence under this Part of this Act the court may (in lieu of or in addition to imposing a penalty) make an order revoking the licence (if any).

66. Where an offence under this Part of this Act has been committed by a body corporate every person who at the time of the commission of the offence was a director general manager secretary or other similar officer of the body corporate or was purporting to act in any such capacity shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

Provisions as  
to offences by  
corporations.



## PART IX

—cont.

Saving for  
establishments  
carried on by  
medical  
practitioners.

Saving for  
members of  
Chartered  
Society of  
Physiotherapy.

67. Subject as hereinafter provided the provisions of this Part of this Act shall not apply to an establishment for massage or special treatment carried on by a duly registered medical practitioner.

68.—(1) Subject as hereinafter provided the provisions of this Part of this Act prohibiting a person from carrying on an establishment for massage or special treatment without a licence from the Corporation authorising him so to do shall not apply to a registered member of the Chartered Society of Physiotherapy carrying on or proposing to carry on any such establishment with respect to which there has been lodged with the Corporation a certificate in a form to be approved by the Corporation and signed by two registered medical practitioners practising or residing in the city not being in partnership with each other and not having any financial or other interest in such establishment to the effect that the person carrying on or proposing to carry on such establishment is a suitable person to carry on the same at the premises used or to be used therefor:

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 expiration of one month after the date of the annual meeting fixed for the purpose of considering applications under this Part of this Act.

(2) Any registered member of the said society carrying on an establishment for massage or special treatment with respect to which a valid certificate is deposited with the Corporation under subsection (1) of this section is in this section referred to as a “registered member”.

(3) During the validity of any such certificate the provisions of this Part of this Act (other than the sections of which the marginal notes are respectively “Establishments for massage or special treatment to be licensed” “Application for licences” and “Grant of licences”) shall apply to a registered member and to the establishment carried on by him—

- (a) as if he held a licence under this Part of this Act; and
- (b) as if the premises with respect to which the certificate has been given were the premises specified in the licence:

Provided that no person other than the medical officer or a qualified medical practitioner in the employment of the Corporation shall be entitled for the purposes of this Part of this Act to inspect the premises at which the establishment is carried on or the books cards or forms kept in connection with such establishment.



(4) The provisions of this section shall apply to a registered member and to the establishment carried on by him so long only as he complies with the provisions of the charter granted to the said society and with the byelaws made thereunder.

PART IX  
—cont.

69. Notwithstanding anything in this Part of this Act the provisions thereof shall not except as provided by the next succeeding section apply to—

Saving for  
certain  
premises.

- (a) any hospital provided by the Minister ; or
- (b) any nursing home which is for the time being registered under Part VI of the Act of 1936 or exempted from registration under that Act by a certificate granted either by the Corporation or by the Minister and at which the persons administering massage or special treatment have such technical qualifications as may be reasonably necessary ; or
- (c) any premises used for the reception or treatment of persons for any purpose to which the provisions of this Part of this Act apply but not so used for the purpose of gain or reward ; or
- (d) any premises being an establishment for massage or special treatment merely by reason of face or scalp massage being administered in those premises.

70. In any case in which the Corporation have reason to believe that any premises in the city to which the provisions or some of the provisions of this Part of this Act do not apply (including premises referred to in the section of this Act of which the marginal note is "Saving for certain premises") are advertised or held out as being used for some legitimate business but are in fact being used for immoral purposes the Corporation may subject to the approval of the Secretary of State by resolution determine that all or any of the provisions of this Part of this Act and of any byelaws made thereunder shall extend and apply to such premises and the business carried on therein as if such premises and business were included in the expression "establishment for massage or special treatment" within the meaning of this Part of this Act and as from the passing of any such resolution as aforesaid or as from such date (if any) as may be specified therein all or any of the provisions of this Part of this Act and any such byelaws as aforesaid shall extend and apply accordingly.

Extension of  
Part IX to  
other premises  
and businesses

## PART X

### FINANCE

71.—(1) Subject to the provisions of this Act the Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time



PART X  
—cont.

to borrow without the consent of any sanctioning authority for and in connection with the payment of the costs charges and expenses of this Act as hereinafter defined and they shall pay off all moneys so borrowed within such period as the Corporation may determine not exceeding five years from the passing of this Act.

(2) The provisions of Part IX (Borrowing) of the Act of 1933 so far as they are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

(3) In the application of the provisions of Part IX of the Act of 1933 to the borrowing of moneys for the purposes of Part II (Transport) of this Act the Minister of Transport shall be the sanctioning authority.

Saving for powers of Treasury.  
8 & 9 Geo. 6. c. 18.  
9 & 10 Geo. 6. c. 58.

72. It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 or of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Application of Act of 1933 to existing sinking funds.

73. Section 213 (Sinking fund) and section 214 (Adjustments of sinking fund) of the Act of 1933 shall apply with respect to any sinking fund formed by the Corporation for the repayment of any money borrowed (otherwise than by the issue of any stock) before the passing of this Act under any statutory borrowing power as if it had been borrowed by way of mortgage and the Corporation shall make such adjustments of any existing sinking funds as may be proper.

Reserve funds.

74.—(1) The Corporation may provide a reserve fund in respect of any undertaking of the Corporation from time to time existing from which revenue is derived by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are applied in any other manner authorised by any enactment) investing the same in statutory securities and accumulating the same until the fund so provided amounts to the maximum reserve fund for the time being prescribed by the Corporation.

(2) Any reserve fund provided under this section may be applied—

(a) in making good to the general rate fund any deficiency at any time happening in the income of the Corporation from the undertaking in connection with which it is formed; or



- (b) in meeting any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking ; or
- (c) in or towards the payment of the cost of renewing improving or extending any buildings or works forming part of that undertaking or otherwise for the benefit thereof ;

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 provided under this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

**75.**—(1) Notwithstanding anything in this or any other Act or any Order on and after the thirty-first day of March one thousand nine hundred and fifty the Corporation may establish a fund to be called “the consolidated loans fund” to which shall be paid—

- (a) all moneys borrowed by the Corporation by the issue of any authorised securities together with all moneys borrowed under any enactment without or pending the issue of an authorised security in connection with the exercise of any statutory borrowing power ;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose ; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt :

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys so borrowed or received and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of authorised securities the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation ; and



PART X  
—cont.

(b) in the exercise of any statutory borrowing power by the transfer of the required amount to the appropriate fund and account of the Corporation:

And the moneys of the consolidated loans fund not used or applied in these ways or intended to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection.

(3) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet the interest charges and the financing and other revenue expenses connected with the management of that fund and separate accounts shall be kept of these sums and their application.

(4) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewal and repairs depreciation capital contingency art insurance accident superannuation or other fund (in this section respectively referred to as "the lending fund") and not for the time being required for the purposes for which the lending fund was established and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of subsection (1) of this section and shall be used accordingly subject to the following conditions:—

(a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(b) There shall be paid out of the consolidated loans fund to the general rate fund an amount equal to the interest on any moneys so used and for the time being not repaid to the lending fund at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings and in the accounts of the general rate fund an amount equal to the interest as aforesaid shall (subject to any prescribed limit on the amount of the lending fund) be credited to the lending fund.

(5) Save as in this section expressly provided all the obligations of the Corporation to the holders of authorised securities shall continue in force.

(6) (a) The powers conferred by this section shall not be exercised except in accordance with a scheme to be made by the Corporation and approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.



(b) Any scheme approved by the Minister under this section may from time to time be altered extended amended or revoked by a subsequent scheme made and approved in like manner as the original scheme.

PART X  
—cont.

76.—(1) The Corporation may establish a fund to be called Capital fund. “the capital fund” to which they may pay—

- (a) any sums derived from the sale of any property of the Corporation ;
- (b) the surplus of the revenue income over the revenue expenditure of the general rate fund (not required by law to be applied to or carried forward for any other purpose) on the thirty-first day of March in any year or any part of such surplus ; and
- (c) such other sums from the revenue of the general rate fund (including a sum equal to the interest earned on the capital fund and the income (if any) arising from the application of that fund to the purposes authorised) as the Corporation may by resolution direct (not being moneys directed by law to be applied to any other purpose) :

Provided that—

(i) the aggregate amount paid to the capital fund under paragraph (b) and paragraph (c) of this subsection (in addition to the sum equal to the interest earned on the capital fund and the income (if any) arising from the application of the fund to the purposes authorised) shall not except with the consent of and to such extent as may be approved by the Minister exceed in any year the equivalent of twice the product of a penny rate as estimated for the purpose of subsection (2) of section 9 of the Rating and Valuation Act 1925 ; and

15 & 16 Geo. 5.  
c. 90.

(ii) payments into the capital fund shall not be made whenever that fund amounts to the sum of two hundred thousand pounds or such greater sum as may from time to time be approved by the Minister.

(2) The Corporation may apply the moneys in the capital fund (a) in defraying any expenditure to which capital is properly applicable (other than expenditure in connection with an undertaking of the Corporation from which revenue is derived) or (b) in providing money for repayment of loans (other than loans in respect of any such undertaking) but not in making the annual payment required to be made in respect of such repayment or (c) in the purchase or acquisition or taking on lease of any lands or buildings which they are authorised to purchase or acquire



PART X  
—cont.

or take on lease under section 26 (Further powers for the acquisition of lands) of the Bradford Corporation Act 1925:

Provided that the amount to be expended under this subsection shall not exceed the sum of twenty thousand pounds in any one transaction unless a greater sum shall in any case be allowed by the Minister.

(3) (a) Pending the application of the capital fund to the purposes authorised in the last preceding subsection the moneys in the fund shall (unless applied in any other manner authorised by any enactment) be invested in statutory securities.

(b) Any income arising from the investment of the moneys in the capital fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by proviso (ii) to subsection (1) of this section) an amount equivalent to such income shall be credited to the capital fund out of the general rate fund.

(4) All moneys derived from the sale of any land of the Corporation which are applied from the capital fund under the provisions of this section shall and all other moneys which are applied from the capital fund may if the Corporation think fit be repaid from the account to which such moneys were advanced by such annual instalments with or without interest and within such period as may be determined by the Corporation.

(5) Any sum derived from the sale of any corporate land of the Corporation as defined in section 305 of the Act of 1933 and paid to the capital fund shall not except with the consent of the Minister be applied otherwise than in the purchase or acquisition of other corporate land.

## Art fund.

77.—(1) The Corporation may if they think fit establish a fund to be called "the art fund" to provide for the purchasing of any pictures sculptures or other objects of artistic scientific or historical interest which in their opinion it is desirable at any time to acquire for exhibition in and as additions to the collection in the art gallery and museum or other building of the Corporation and such fund shall be formed by annually appropriating thereto out of the general rate fund such an amount as the Corporation may from time to time determine not exceeding in any year the amount equivalent to one-quarter of the product of a penny rate estimated for the purpose of subsection (2) of section 9 of the Rating and Valuation Act 1925 or such higher rate as the Minister may from time to time approve:

Provided that when the art fund shall amount to the sum of twenty thousand pounds or such larger sum as may from time



to time be approved by the Minister the Corporation shall discontinue such annual payments but if the said fund be at any time reduced below the sum of twenty thousand pounds or such larger sum as aforesaid the Corporation may recommence and continue the annual payments until the said fund be restored to the sum of twenty thousand pounds or such larger sum as aforesaid.

(2) (a) Pending the application of the art fund to the purposes referred to in the foregoing subsection the moneys in the said fund shall unless used or applied in any other manner authorised by any enactment be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the art fund in the manner provided by this subsection shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (1) of this section) an amount equivalent to such income shall be credited to the art fund.

**78.** The Corporation may out of the general rate fund and the general rate pay and discharge the net liabilities (as certified by the treasurer) incurred by the committee appointed to organise the celebrations in the year one thousand nine hundred and forty-seven of the centenary of the grant of a charter of incorporation to the inhabitants of the city. As to discharge of liabilities of centenary committee.

**79.**—(1) Where the owner of any hereditament has agreed with the occupier thereof that the owner shall pay the general rate or the water rate or charges charged on such hereditament the owner shall be liable to pay to the Corporation so much of any payment in respect of rent received by him from the occupier as shall represent the proportion of rate or charge included in such payment and so much of such payment may on proof of such agreement be recovered by the Corporation from the owner in the same manner and subject to the same conditions under and subject to which rates are recoverable from occupiers of rated hereditaments. Recovery of rates and water charges from certain owners.

The remedy of the Corporation under this section shall be in addition and without prejudice to their other remedies for the recovery of rates.

(2) This section shall not apply in the case of the general rate to any hereditament to which subsection (1) of section 11 (Rating of and collection of rates by owners) of the Rating and Valuation Act 1925 applies or in the case of the water rate or charge to any hereditament to which section 19 (Rates payable by owners in certain cases) of the Bradford Corporation Act 1928 applies by virtue of resolutions of the council. 18 & 19 Geo. 5. c. cxvi.

(3) For the purposes of this section the expression "owner" in relation to a hereditament has the same meaning as is assigned to that expression by section 68 of the Rating and Valuation Act 1925.



PART X  
—cont.  
Loans for  
erection &c. of  
buildings.

**80.**—(1) The Corporation may advance money to the purchaser or lessee of any land acquired from or leased by the Corporation for the purpose of enabling or assisting him to build on such land or to extend or improve any existing building thereon :

Provided that any such advance shall not exceed in the case of a building being a dwelling-house nine-tenths or in the case of any other building three-quarters of the amount which in the opinion of the Corporation will be the market value of the interest of the borrower in the land after the purpose of the loan has been effected.

(2) Before any advance is made under this section its repayment shall be secured to the satisfaction of the Corporation by a mortgage of the land and building in respect of which the advance is to be made or of the lessee's interest therein and the instrument securing the advance—

- (a) shall fix the rate of interest to be paid being a rate not less than the rate for the time being in operation under the Small Dwellings Acquisition Acts 1899 to 1923 as amended by section 92 of the Housing Act 1935 ;
- (b) shall fix the period within which the advance is to be repaid being a period not exceeding thirty years from the date of the advance ;
- (c) shall require the repayment to be made either by equal instalments of principal or by an annuity of principal and interest combined ;
- (d) shall fix the intervals at which all payments on account of principal and interest are to be made being intervals not exceeding half a year ;
- (e) shall authorise the borrower at any of the usual quarter days after one month's notice and on paying all sums due on account of interest to repay the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the said instrument or as the Corporation may be prepared to accept) or a multiple of one hundred pounds (or of such less sum as aforesaid) ;
- (f) shall where the repayment is to be made by an annuity of principal and interest combined and where part of the outstanding principal is repaid under paragraph (e) of this subsection provide for determining the amount by which the annuity will be reduced ;
- (g) shall require the borrower to keep the building in respect of which the advance is made insured against fire to the satisfaction of the Corporation and to produce to the Corporation when required the receipts for the

25 & 26 Geo. 5.  
c. 40.



premiums paid in respect of the insurance or (if the Corporation themselves insure the building against fire) to repay to the Corporation the amounts of any premiums paid by the Corporation from time to time for the insurance of the building against fire;

(h) shall require the borrower to keep the said building in good repair.

(3) Any person acting on behalf of the Corporation and authorised in writing by the town clerk shall have power at all reasonable times to enter any building in respect of which an advance has been made under this section for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are being complied with.

(4) The borrower may with the permission of the Corporation (which shall not be unreasonably withheld) at any time transfer his interest in the land and building in respect of which the advance was made but any such transfer shall be made subject to the terms of the instrument securing the advance.

(5) In this section the expression "lessee" includes a person to whom the Corporation have agreed to grant a lease and the expression "lease" shall be construed accordingly.

## PART XI

### MISCELLANEOUS

**81.** Paragraph 1 of the schedule to the Bradford Corporation Waterworks Act 1890 shall be read and have effect as if the word "registered" were omitted from that paragraph.

As to summoning meetings of Gouthwaite Board of Management. 53 & 54 Vict. c. ccxxi.

**82.** Notwithstanding anything contained in any conveyance or deed to the contrary the Corporation may if they so resolve permit Peel Park or any part of that park to be used on Sundays for the playing of games or for other forms of recreation.

Use of Peel Park.

**83.—(1)** The Corporation may make and submit to the Secretary of State for his approval a scheme relating to the retirement of a stipendiary magistrate for the city and the making to him of a superannuation allowance.

Retirement and superannuation of stipendiary magistrate.

(2) A scheme made under this section—

(a) shall prescribe the age at which a stipendiary magistrate shall retire and may authorise the Secretary of State to continue him in office until a later date;

(b) shall require a stipendiary magistrate to pay to the Corporation such contributions as may be prescribed;



PART XI  
—cont.

- (c) shall prescribe the amount scale or rate of the superannuation allowance ;
- (d) may apply to a stipendiary magistrate with or without modification such of the enactments relating to the superannuation of officers or servants of the Corporation as may be deemed expedient ;
- (e) may be amended or revoked by a scheme made and approved in like manner as the scheme under subsection (1) of this section.

(3) A scheme made and approved under this section shall have full force and effect :

Provided that the scheme shall not apply to the stipendiary magistrate in office at the date of the passing of this Act if within three months after the date upon which the town clerk notifies him that the Corporation have made the scheme he gives notice to the Secretary of State and to the Corporation that he does not desire the scheme to apply to him.

School  
attendance.

84.—(1) As a condition of the admission to a secondary school of any pupil for a course of education which will not terminate until after such pupil has ceased to be of compulsory school age the Corporation may require the parent or guardian of such pupil to enter into an agreement for the retention of such pupil at such secondary school until a date to be fixed by the agreement (not being later than the end of the term during which the pupil will attain the age of sixteen years) and such agreement may make provision for the payment by such parent or guardian to the Corporation of any sum not exceeding ten pounds in the event of the pupil ceasing without the consent of the Corporation to attend such school before the date fixed by such agreement and the Corporation shall be entitled without proof of any actual damage incurred by reason of such pupil ceasing to attend such school to recover from such parent or guardian any sum not exceeding the sum specified in the agreement.

(2) For the purposes of this section—

the expression “ secondary school ” includes—

(a) a secondary school as defined by section 114 of the Education Act 1944 ; and

(b) a school in respect of which grants are paid by the Minister of Education under regulations made in pursuance of paragraph (b) of subsection (1) of section 100 of that Act and in which secondary education as defined by section 8 of the said Act is provided ; and



the expressions "pupil" and "compulsory school age" have the same respective meanings as in the said Act of 1944.

PART XI  
—cont.

**85.**—(1) In and for the purposes of section 9 of the Children and Young Persons Act 1933 (which section imposes a penalty on purchases by dealers in old metal from persons apparently under the age of sixteen years) in its application to the city the expression "old metal" shall be deemed to include old gold silver or other precious metal (being either scrap broken or defaced) or the whole or part of any secondhand watch jewellery or other like article or commodity.

As to purchase of precious metal from persons under sixteen.  
23 & 24 Geo. 5.  
c. 12.

(2) (a) The Corporation shall forthwith after the passing of this Act give notice of the effect of subsection (1) of this section by advertisement in a newspaper circulating in the city.

(b) No evidence shall be required in any proceedings that the provisions of this subsection have been complied with.

(3) Nothing in this section shall apply to or affect the carrying on of the business of a pawnbroker for the time being holding a licence under the Pawnbrokers Act 1872.

35 & 36 Vict.  
c. 93.

**86.**—(1) Any person who shall wilfully or negligently obstruct or interfere with the convenient access to any police telephone call box or police shelter or box or who shall remove or efface any plate or mark indicating the position of such call box shelter or box or any fire hydrant shall be liable to a penalty not exceeding five pounds and the Corporation may recover the expenses of replacement and making good from such person.

Interference with telephone call boxes &c.

(2) Any person who shall knowingly and improperly use or cause to be used by means of any false or malicious statement message or otherwise any police telephone call box or (for the purposes of requiring the services of the police or an ambulance) any telephone call box of the Post Office telephone service shall for every such offence be liable to a penalty not exceeding five pounds.

**87.**—(1) As from the commencement of this section the provisions of Part IV of the Public Health Acts Amendment Act 1890 shall in their application to the city extend to any place kept or used for any boxing or wrestling entertainment as though such entertainment were of the like kind with public dancing and music.

Places used for boxing or wrestling entertainments to be licensed.  
53 & 54 Vict.  
c. 59.

(2) For the purposes of this section "boxing or wrestling entertainment" means any public contest or display of boxing or wrestling except such as may be provided or given—

(a) by travelling showmen at pleasure fairs ;



PART XI  
—cont.  
6 & 7 Vict.  
c. 68.

- (b) in premises licensed under the Theatres Act 1843 if and so long as the conditions attached to the licence under the said Act are complied with as though such contest or display were a stage play ;
- (c) by members of any youth organisation ;
- (d) by any hospital or school.

As to personal  
weighing  
machines.

**88.**—(1) In this section unless the subject or context otherwise requires the expression “personal weighing machine” means any weighing machine in the city which is used or exposed for use or proposed to be used or exposed for use for the purpose of ascertaining the weight of any person and—

- (a) for the use of which a charge is made or is proposed to be made ; or
- (b) which is kept or is proposed to be kept in any premises or place to which the public have access.

(2) The Corporation may make byelaws—

- (i) generally with respect to the examination both on verification and inspection of personal weighing machines and the distinguishing marks to be fixed to personal weighing machines under this section and the circumstances and conditions under which such marks may be affixed or cancelled ;
- (ii) with respect to the tests to be applied for the purpose of ascertaining the accuracy and efficiency of personal weighing machines ;
- (iii) for fixing the limits of error to be allowed on verification and inspection of any personal weighing machine ;
- (iv) for fixing the fees to be paid to the Corporation for the examination and marking of personal weighing machines submitted for verification or for the examination thereof if found to be incorrect or defective.

(3) Every personal weighing machine shall be examined by an inspector of weights and measures of the Corporation and if verified by him in accordance with the byelaws made under subsection (2) of this section shall be marked by him with a distinguishing mark.

(4) (a) On and after the expiration of a period of twelve months from the coming into force of any such byelaws as aforesaid the owner or the person in charge of any personal weighing machine which is used or exposed for use and which is not marked with a distinguishing mark in accordance with subsection (3) of this section shall be liable to a penalty not exceeding two pounds or in the case of a second or any



subsequent offence five pounds and the machine shall be liable to be forfeited.

PART XI  
—cont.

(b) On and after the expiration of the said period the owner or the person in charge of any personal weighing machine which is used or exposed for use and which is false or unjust beyond the limits allowed by any such byelaws as aforesaid shall if he fails to correct the machine within such period (not being less than forty-eight hours) after the receipt by him of a notice from an inspector of weights and measures requiring him so to do as may be specified in that behalf in such notice be liable to a penalty not exceeding two pounds or in the case of a second or any subsequent offence five pounds and the machine shall be liable to be forfeited.

(5) If any person forges or counterfeits or removes any such distinguishing mark as is referred to in subsection (3) of this section or has in his charge or under his control any personal weighing machine with such forged or counterfeit mark thereon he shall be liable to a penalty not exceeding five pounds and the machine shall be liable to be forfeited.

(6) No personal weighing machine shall be forfeited under the foregoing provisions of this section unless the court having cognizance of the case are satisfied that it is not reasonably practicable having regard to cost or other relevant circumstances for such machine to be restored to a condition in which it may lawfully be used or exposed for use under this section.

(7) (a) Any inspector of weights and measures of the Corporation may at all reasonable times inspect and examine any personal weighing machine which is used or exposed for use and may seize and detain any personal weighing machine which there is reasonable cause to believe may be liable to be forfeited under the provisions of this section and may for any such purpose enter any premises or place within the city where there is any such personal weighing machine.

(b) Any person who neglects or refuses to produce for inspection and examination any such personal weighing machine in his charge or on his premises or refuses to permit any such inspector of weights and measures to examine or inspect the same or otherwise obstructs or hinders him from acting under this subsection shall be liable to a penalty not exceeding five pounds or in the case of a second or any subsequent offence ten pounds.

(8) The provisions of subsections (3) (4) (5) (6) and (7) of this section shall come into operation on but not until the date on which any byelaws made under subsection (2) of this section shall come into force and the Corporation shall forthwith after the confirmation of any such byelaws give public notice of the provisions of this section by advertisement in a local newspaper circulating within the city.



PART XI  
—cont.

(9) No evidence shall be required in any proceedings that the provisions of this section as to public notice have been complied with.

Fencing and  
lighting of  
obstructions  
in highways.

**89.**—(1) Where in any highway repairable by the inhabitants at large any danger or obstruction is caused or is likely to be caused to persons or vehicles using such highway by reason of the erection thereon or thereover of any hoarding or scaffolding or the deposit thereon or therein of any material or of the presence thereon or therein of any defective gully grid grating manhole or other cover step area grate or other fitting or structure of whatsoever character or description (all of which are in this section included in the expression “defective fitting or structure”) the surveyor may cause proper boards or fences to be put up for the protection of passengers or vehicles and may cause such hoarding or scaffolding or such boards or fences to be lighted during the hours of darkness.

(2) Any expenses reasonably incurred by the Corporation in erecting or removing any such board or fence or in lighting any such hoarding scaffolding board or fence shall be recoverable from the owner of such hoarding scaffolding or material or of the defective fitting or structure or from the person or persons responsible for the erection of the hoarding or structure or for the deposit of the material on over or in the highway or for the condition of the defective fitting or structure.

Treatment  
of contents  
of sewers.

**90.** The Corporation may convert into merchantable form any sewage or matter contained in the sewers vested in them or under their control or any matter produced in the treatment or purification of such sewage or matter and may obtain and use for such purposes such materials as they may consider necessary and may sell or otherwise dispose of any product matter or thing so converted or produced :

Provided that nothing in this section shall exonerate the Corporation from any action indictment or other proceedings for nuisance in the event of any nuisance being caused or permitted by them thereunder.

Power to  
provide public  
entertainment  
on certain  
occasions.

**91.** The Corporation may pay out of the general rate fund and the general rate the reasonable expenses incurred in connection with—

- (a) the provision of public entertainment on the occasion of public ceremony or rejoicing ;
- (b) the presentation of the freedom of the city to persons whom the council may resolve to admit as honorary freemen ;
- (c) the reception and entertainment of distinguished persons residing in or visiting the city ; and



(d) the attendance of members of the fire brigade of the Corporation at meetings and competitions of fire brigades.

PART XII  
—cont.

92. Any notice served by the Corporation under section 23 (Lopping of trees overhanging highways) of the Public Health Act 1925 may be signed in manner provided by section 284 (Authentication of documents) of the Act of 1936.

As to authentication of certain notices.  
15. & 16 Geo. 5.  
c. 71.

93. Notwithstanding anything contained in paragraph 3 of Part V of the Third Schedule to the Act of 1933 or in any other enactment or rule of law to the contrary the minutes of the proceedings of meetings of the council or of any committee thereof may be recorded on loose leaves consecutively numbered the minutes of the proceedings of any meeting being signed and each leaf comprising those minutes being initialled at the same or next ensuing meeting of the council or committee as the case may be by the person presiding thereat and any minutes purporting to be so signed shall be received in evidence without further proof.

As to minutes of council meetings &c.

## PART XII

### GENERAL

94. Section 298 (Restriction on right to prosecute) of the Act of 1936 shall apply to offences created by or under Part III (Buildings sewers and drains) Part IV (Infectious disease and sanitary matters) and Part VI (Smoke) of this Act as if they were offences created by or under that Act.

Restriction on right to prosecute.

95.—(1) Any person aggrieved by any requirement refusal or other decision of the Corporation or of any officer thereof under Part III (Buildings sewers and drains) (except the section of this Act of which the marginal note is "As to defective drains &c.") Part IV (Infectious disease and sanitary matters) (except the section of this Act of which the marginal note is "Power to close schools and exclude children from entertainments") or Part IX (Establishments for massage or special treatment) of this Act may except where otherwise expressly provided or when some other right of appeal is conferred by this Act appeal to a court of summary jurisdiction.

As to appeals.

(2) The procedure upon any such appeal shall be by way of complaint for an order and the Summary Jurisdiction Acts shall apply to the proceedings.

(3) The time within which any such appeal may be brought shall except where otherwise expressly provided be twenty-one days from the date on which notice of the requirement refusal or decision was published or served upon the person desiring



PART XII  
—cont.

to appeal and for the purposes of this subsection the making of the complaint shall be deemed to be the bringing of the appeal.

(4) In any case in which such an appeal lies the document notifying the requirement refusal or decision in the matter shall state the right of appeal to a court of summary jurisdiction and the time within which such an appeal may be brought unless these have already been stated in a notice to the person concerned informing him of his right to a hearing before the council or a committee of the council with regard to the same matter.

(5) Where a person aggrieved by any order determination or other decision of a court of summary jurisdiction under this Act is not by any other enactment authorised to appeal to a court of quarter sessions he may except where otherwise expressly provided appeal to such a court.

(6) Where any requirement refusal order determination or other decision against which a right of appeal is conferred by this Act involves the execution of any work or the taking of any action or makes it unlawful for any person to carry on any business which he was lawfully carrying on up to the time of such requirement refusal order determination or other decision or to use any premises for any purpose for which they were lawfully used up to such time—

(a) no proceedings in respect of any failure to execute the work or take the action shall be taken ;

(b) the Corporation shall not execute such work or take such action ; and

(c) any such person may carry on such business and use such premises for such purpose ;

until the time for appealing has expired or when an appeal is lodged until the appeal has been disposed of or withdrawn or fails for non-prosecution thereof.

(7) Where upon an appeal under this Act a court varies or reverses any requirement refusal or other decision of the Corporation effect shall be given to the order of the court and in particular any necessary consent certificate or other document shall be granted or issued and any necessary entry in any register shall be made.

## Byelaws.

96. As respects byelaws made under this Act the confirming authority for the purposes of section 250 of the Act of 1933 shall be—

(a) in the case of byelaws made under the section of this Act of which the marginal note is "Byelaws as to establishments for massage &c." the Secretary of State ;



- (b) in the case of byelaws made under the section of this Act of which the marginal note is "As to personal weighing machines" the Board of Trade; and
- (c) in all other cases the Minister.

**97.** When any compensation costs damages or expenses is or are by this Act or by any local Act or Order for the time being in force in the city directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by subsection (2) of section 278 of the Act of 1936. Compensation how to be determined.

**98.** Whenever the Corporation or any officer of the Corporation under any enactment or byelaw for the time being in force in the city execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to execute re-execute or alter such work or do such act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on their part or the part of any contractor or other person employed by them 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 payable 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. In executing works for owner Corporation liable for negligence only.

**99.** Where under the provisions of this Act or any local Act for the time being in force in the city the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different 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. Apportionment of expenses in case of joint owners.

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

**101.** Where under any enactment for the time being in force in the city the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms Breach of conditions of consent of Corporation.



PART XII  
—cont.

or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Application of section 265 of Public Health Act 1875. 38 & 39 Vict. c. 55.

**102.** Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of this Act or any local Act or Order for the time being in force applying to the council as if the same were re-enacted therein.

Application of Arbitration Acts 1889 to 1934.

**103.** Where under this Act any dispute or difference is to be referred to arbitration then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties to the dispute or difference or in default of such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such arbitration.

Commencement of certain provisions of this Act.

**104.**—(1) The provisions of this Act to which this section applies shall come into operation on but not until such date as may be fixed by a resolution of the council of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the city. Every such advertisement shall also state the effect of the provisions to which it relates and the date specified therein as the date on which such provisions shall come into operation shall not be less than one month after the date of publication of the advertisement. Provided that if the provision is one which requires the licensing or registration of any person or premises the application for the licence or registration may be made and determined before the provision comes into operation.

(2) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

(3) This section shall apply to Part IX (Establishments for massage or special treatment) of this Act and the sections of this Act of which the marginal notes are respectively—

“Restrictions on attendance at schools and places of assembly”;

“Registration of hairdressers and barbers and premises”;

“Prevention of smoke”; and

“Places used for boxing or wrestling entertainments to be licensed”.



(4) As respects any of the said provisions which requires the licensing or registration of persons carrying on any business or of premises used for any purpose it shall be lawful for any person who when such provision came into operation—

- (a) was carrying on any such business or using any premises for any such purpose ; and
- (b) had made application in accordance with the provisions of this Act for such licence or registration as is required by this Act ;

to continue to carry on such business and to use such premises for such purpose until such time as he has been informed of the decision with regard to his application and if the decision is adverse during such further time as is provided under subsection (6) of the section of this Act of which the marginal note is “As to appeals.”

**105.**—(1) The sections of the Act of 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable thereto :—

Application of provisions of Act of 1936.

- Section 271 (Interpretation of “provide”);
- Section 275 (Power of local authority to execute certain work on behalf of owners or occupiers);
- Section 276 (Power of local authority to sell certain materials);
- Section 277 (Power of councils to require information as to ownership of premises);
- Section 283 (Notices to be in writing; forms of notices &c.);
- Section 284 (Authentication of documents);
- Section 285 (Service of notices &c.);
- Section 286 (Proof of resolutions &c.);
- Section 287 (Power to enter premises);
- Section 288 (Penalty for obstructing execution of Act);
- Section 289 (Power to require occupier to permit works to be executed by owner);
- Section 291 (Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments);
- Section 292 (Power to make a charge in respect of establishment expenses);
- Section 293 (Recovery of expenses &c.);
- Section 294 (Limitation of liability of certain owners);
- Section 295 (Power of local authority to grant charging orders);



PART XII  
—cont.

- Section 296 (Summary proceedings for offences) ;  
 Section 297 (Continuing offences and penalties) ;  
 Section 299 (Inclusion of several sums in one complaint &c.) ;  
 Section 304 (Judges and justices not to be disqualified by liability to rates) ;  
 Section 328 (Powers of Act to be cumulative) ;  
 Section 329 (Saving for certain provisions of the Land Charges Act 1925) :

Provided that—

- (a) the said sections 277 287 288 289 291 292 293 294 295 and 329 shall only apply to the provisions contained in Part III (Buildings sewers and drains) Part IV (Infectious disease and sanitary matters) and Part VI (Smoke) of this Act and the section of this Act of which the marginal note is “ Fencing and lighting of obstructions in highways ” ; and  
 (b) the said sections 287 and 288 shall not apply to the provisions of the sections of this Act of which the marginal notes are respectively “ Prohibition on sale of verminous furniture or clothing ” and “ Registration of hairdressers and barbers and premises.”

(2) Sections 283 and 285 of the Act of 1936 shall extend and apply in relation to any local enactment in force in the city at the date of the passing of this Act as if such sections were re-enacted in that local enactment and in terms made applicable thereto.

## Inquiries.

**106.** The Secretary of State the Minister the Minister of Transport and the Minister of Fuel and Power may respectively hold such inquiries as such Secretary or Minister may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Act and section 290 of the Act of 1933 shall apply accordingly.

## Saving for town and country planning.

**107.** This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

## Costs of Act.

**108.** 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 general rate fund and the general rate or out of moneys to be borrowed under the authority of this Act for that purpose.



## The SCHEDULES referred to in the foregoing Act

## FIRST SCHEDULE

CONFIRMATION OF USE OF ROADS FOR TROLLEY VEHICLE  
TURNING POINTS AND CONNECTING ROUTES

The southern fork of Albion Road between the respective junctions of that fork with the northern fork of Albion Road and with Leeds Road.

Mulcott Road.

The unnamed road connecting Thornton Road and Bell Dean Road and so much of Bell Dean Road as is situate between the respective junctions of Bell Dean Road with the said unnamed road and with Thornton Road.

Union Street.

Northcote Road and so much of Idle Road as is situate between the respective junctions of Idle Road with Northcote Road and with Otley Road.

Squire Lane.

## SECOND SCHEDULE

## PART I

## TOLLS AND STALLAGES FOR MARKETS AND FAIRS

	s.	d.
From the occupier of every shop stall or standing place according to the surface of the ground occupied thereby—		
For every superficial foot—		
If the shop stall or standing place or the passage in front thereof be covered over from the weather—		
For every market day or other day in the week not exceeding ... ..	0	3
If not so covered over—		
For every market day or other day in the week not exceeding ... ..	0	2
From every person selling or exposing for sale the under-mentioned animals or articles (otherwise than in any of the shops or on any of the stalls or standing places taken as such) the sums following:—		
For every bull cow ox steer or heifer if sold by the carcase ... ..	5	0
For every calf sheep lamb or pig if sold by the carcase	2	0
And so on in proportion for every quantity less than the entire carcase.		



2ND SCH.  
—cont.

	s.	d.
For every live bull cow ox steer or heifer ... ..	0	6
For every live calf ... ..	0	3
For live sheep lambs and pigs for every pen of six or under ... ..	1	6
For every live horse ass or mule ... ..	0	6
For every cart ... ..	1	0
From every person selling or exposing for sale the under-mentioned commodities or articles (otherwise than in any of the shops or on any of the stalls or standing places taken as such) the sums following for every day or part of a day:—		
Groceries provisions fruit fish game vegetables confec- tionery materials hardware fodder and other com- modities and articles including gooseberries potatoes onions carrots turnips peas beans pears apples plums cabbage broccoli cauliflower radishes salads nuts celery rhubarb evergreens game rabbits poultry bacon pork cheese butter eggs shellfish earthenware glass flowers flower roots plants calicoes cloth linen articles of dress cooper's ware pastry spices confec- tionery pottery-ware books old iron smallware white sand brooms besoms oats wheat barley flour oatmeal Italian images pictures cutlery hardware mercery hay and straw—		
For each motor vehicle of the capacity of over four tons containing any of such commodities or articles ... ..	20	0
For each motor vehicle of the capacity of over two tons and not over four tons containing any of such commodities or articles ... ..	15	0
For each motor vehicle of the capacity of two tons or under containing any of such commodities or articles ... ..	10	0
For each four-wheeled cart containing any of such commodities or articles ... ..	6	0
For each two-wheeled cart containing any of such commodities or articles ... ..	3	0
For each hand-cart or barrow containing any of such commodities or articles ... ..	4	0
For each big basket bag cane barrel crate net chip tray hamper box or case containing any of such commodities or articles ... ..	2	0
For each small basket bag cane barrel crate net chip tray hamper box or case containing any of such commodities or articles ... ..	1	0
From every person standing or walking in any open space in the market-place and selling or exposing for sale other- wise than as aforesaid any of such last-mentioned com- modities or articles for every day or part of a day ...	1	0
From every person giving or performing in any show or public exhibition ... ..	1	0



During the fairs double the amount of the hereinbefore mentioned tolls and stallages for the time being appointed may be taken for shops stalls stands benches or spaces of ground occupied only by the day or part of a day.

From the occupier of any ground during the fairs for any booth tent show public exhibition convenience for amusement as follows:—

Not exceeding thirty feet in depth per foot of frontage	5	0
Exceeding thirty feet and not exceeding sixty feet in depth per foot of frontage ... ..	7	6
Exceeding sixty feet and not exceeding ninety feet in depth per foot of frontage ... ..	8	9
Exceeding ninety feet in depth per foot of frontage	10	0

And in the case of a round machine or round stall for every foot in the diameter of the base thereof unless the maximum diameter of the machine or stall exceeds the diameter of the base thereof by more than twenty-five per centum or four feet whichever is the greater in which case the charge shall be calculated by reference to such maximum diameter—

Up to thirty feet ... ..	10	0
Over thirty feet up to fifty feet ... ..	15	0
Over fifty feet up to seventy-five feet ... ..	17	6
Over seventy-five feet ... ..	20	0

PART II

WEIGHING AND MEASURING TOLLS

For every quantity of meat commodities or articles sold by weight—

If not exceeding twenty pounds ... ..	0	1
If exceeding twenty pounds and not exceeding one hundred and twelve pounds ... ..	0	2
And for every additional one hundred and twelve pounds or fractional part of one hundred and twelve pounds ... ..	0	1

For every quantity of commodities or articles sold by measure—

If not more than one bushel ... ..	0	1
If more than one bushel and not more than two bushels ... ..	0	2
And for every bushel or fractional part of a bushel beyond two bushels ... ..	0	1

For every bull ox cow or other like cattle horse ass or mule

0 6

For every five head or part of five head of sheep or pigs or other like animals ... ..

0 3



2ND SCH.  
—cont.

## PART III

## WEIGHBRIDGE TOLLS

For every vehicle with the loading thereof—

Up to twenty tons ... ..	3d. per ton or part thereof.
Exceeding twenty tons but not exceeding twenty-five tons ... ..	4d. per ton or part thereof.
Exceeding twenty-five tons but not exceeding thirty tons ... ..	5d. per ton or part thereof.
Over thirty tons ... ..	6d. per ton or part thereof.

## PART IV

## SLAUGHTER-HOUSE TOLLS

	s.	d.
For every bull ox cow or bullock ... ..	5	0
For every calf ... ..	1	8
For every sheep or lamb ... ..	0	10
For every hog or pig ... ..	2	2
For every other beast ... ..	3	4

PRINTED BY HENRY GEORGE GORDON WELCH, C.B.E.  
Controller of His Majesty's Stationery Office and King's Printer  
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PRINTED IN GREAT BRITAIN