



Local Government Act 1929

1929 CHAPTER 17

PART VII

PROPERTY LIABILITIES AND OFFICERS.

Transfer of Property and Liabilities.

118 Transfer of quarries, plant, materials and depots.

- (1) The council of every county shall, on the appointed day, take over—
- (a) if desired by the council of any urban district within the county (not being a council who have claimed or are deemed to have claimed to exercise the functions of maintenance and repair of county roads within their district), any quarry belonging to the district council in their capacity as highway authority, together with any fixed plant therein; and
 - (b) if desired by the council of any rural district within the county, any quarry, plant or materials belonging to the district council in their capacity as highway authority, or any depots used by the district council exclusively in that capacity,

and shall pay therefor such sum as may be agreed upon, or, in default of agreement, as may be determined by an arbitrator appointed by the Minister; but the district council shall, save in so far as may be otherwise agreed between them and the county council, remain subject to any liabilities contracted in respect of any such quarry, plant, material or depots.

- (2) Where in pursuance of Part III of this Act a district council relinquish, or a county council determine the delegation of, any functions with respect to the maintenance, repair or improvement of, or other dealing with, any road, the last foregoing subsection shall apply as if the date on which the relinquishment or determination takes effect were the appointed day and, in the case of a rural district council, as if the rural district council had on that date been a highway authority.
- (3) Where a district extends into more than one county, the obligation under this section shall be undertaken by such one of the county councils or partly by one such council

Status: This is the original version (as it was originally enacted).

and partly by another as may be agreed between the councils concerned, or as in default of agreement may be determined by the Minister.

- (4) Any capital sum paid to a district council under this section shall be treated as capital, and applied with the sanction of the Minister either in repayment of debt or for any other purpose for which capital money may be applied.