



Local Government Act 1929

1929 CHAPTER 17

PART III

ROADS AND TOWN PLANNING.

Roads.

36 Conditions and effect of delegation of functions.

- (1) Where in pursuance of the last foregoing section functions are delegated to a district council, the district council, in the discharge of those functions, shall act as agents for the county council, and it shall be a condition of any such delegation—
- (a) that the works to be executed and the expenditure to be incurred by the district council in the discharge of those functions shall be subject to the approval of the county council; and
 - (b) that the district council shall comply with any requirement of the county council as to the manner in which and the persons by whom any works are to be carried out and with any general directions of the county council as to the terms of contracts to be entered into for such purposes; and
 - (c) that the works shall be completed to the satisfaction of the county council;
- and if at any time the county council are satisfied on the report of their surveyor or other person appointed for the purpose that any portion of a road with respect to which functions are so delegated is not in proper repair and condition, the county council may cause notice to be given to the district council requiring them to place the road in proper repair and condition, and if such notice is not complied with within a reasonable time, the county council may do anything that seems to them necessary to place the road in proper repair and condition.
- (2) Where in pursuance of the foregoing section functions are delegated to a district council, then, so long as the, delegation is in force, the district council shall discharge as agents for the county council the functions of the county council within the district under the enactments mentioned in Part I or Part III of the First Schedule to this Act,

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as the case may require, except so far as those functions relate to roads with respect to which functions are not delegated to the district council:

Provided that—

- (a) the county council may impose on the district council such conditions as they think fit with respect to any action to be taken by the district council in the discharge of such functions as aforesaid, and with respect to any work being completed to their satisfaction;
- (b) if for the purpose of making any contribution towards the cost of private street works or for any other purpose in connection with such functions as aforesaid the district council desire to incur expenditure which in the opinion of the county council would not be properly chargeable as general county expenses, the district council shall have the same powers of raising money for the purposes of any such expenditure as they would have had if the functions under the said enactments had been directly vested in them;
- (c) the surveyor of the district council shall be the surveyor for the purposes of the Private Street Works Act, 1892.