

CHAPTER xx.

An Act to confer upon the Brighton Hove and Worthing Gas Company powers with reference to the making of provision for supplies of gas in certain cases and for other purposes. A.D. 1937.

[29th April 1937.]

WHEREAS the Brighton Hove and Worthing Gas Company (in this Act referred to as "the Company") were incorporated by the Brighton and Hove Gas Act 1839 and under the provisions of that Act and subsequent Acts and Orders the Company supply gas within the county borough of Brighton and the boroughs of Hove and Worthing and other parts of the administrative counties of East Sussex and West Sussex: 2 & 3 Vict. c. xxxviii.

And whereas the councils of the boroughs and urban and rural districts in the limits of supply of the Company (certain of whom carry on undertakings for the supply of electricity) are for the purposes of the Housing Acts the local authorities for their respective areas and have provided and are in process of providing or will hereafter be called upon to provide housing accommodation for the working classes and in so doing have expended or will require to expend large sums of money raised on the security of the rates leviable by them to which the Company contribute as ratepayers:

And whereas with a view to securing to the tenants of houses provided by the said local authorities under the Housing Acts a freedom of choice which had been denied to them by certain of those authorities as to the

A.D. 1937.

form of heat light power or energy to be supplied to or used in such houses it was enacted by the Brighton Hove and Worthing Gas Act 1934 that the councils of the boroughs and urban and rural districts in the limits of supply of the Company should not in or in connection with the selling leasing letting or other disposal of any building or part of a building or land for the time being belonging or leased to them make or impose any term condition or restriction with respect to the form of heat light power or energy to be supplied or used in any such building or part thereof or in any building erected on any such land:

24 & 25 Geo. 5. c. xvii.

24 & 25 Geo. 5. c. 28.

And whereas by section 27 of the Gas Undertakings Act 1934 provisions similar in effect to those of the last-mentioned Act were enacted with reference to all statutory gas undertakings in Great Britain:

And whereas such of the said local authorities as carry on electricity undertakings are in a position to supply electricity to those of their tenants who may require such a supply and with that object in view it is the general practice of the said local authorities to install the necessary wiring for a supply of electricity or to provide for such installation in the houses erected by them and in the course of such erection:

And whereas it is expedient in order to give full and due effect to the object with which the provisions hereinbefore referred to of the said Act of 1934 were enacted that provision for a supply of gas in buildings erected by such local authorities under the Housing Acts and the several parts of such buildings should be made in the course of such erection but in the case of certain of such buildings the Company have been denied the necessary facilities for that purpose by the local authority responsible for the erection thereof:

And whereas it is expedient that the provisions contained in this Act relating to the granting to the Company of such facilities as aforesaid should be enacted:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the

Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):— A.D. 1937.

1. This Act may be cited as the Brighton Hove and Worthing Gas Act 1937. Short title.

2. In this Act unless the subject or context otherwise requires— Interpretation.

"the Company" means the Brighton Hove and Worthing Gas Company;

"the limits of supply" means the limits within which the Company are for the time being authorised to supply gas;

"housing authority" means the council of any borough (whether a county or other borough) or urban or rural district;

"building" means any dwelling-house block of flats or shop erected under the Housing Act 1936 or any Acts re-enacting amending or extending the same. 26 Geo. 5. & 1 Edw. 8. c. 51.

3.—(1) Any housing authority by whom or by whose contractors or agents any building of which the whole or any part is intended or adapted to be sold leased let or otherwise disposed of to any person other than such housing authority is for the time being in process of erection re-erection conversion or alteration within the limits of supply shall if so requested in writing by the Company afford to the Company all such reasonable facilities as may be necessary for the provision laying placing and fixing by and at the expense of the Company during such process of pipes and any necessary fittings for and in connection with the supply of gas to and in such building or any part or parts thereof or (in the case of a building for the time being in process of alteration) to and in the part of the building which is undergoing alteration (as the case may be) Provided that if any housing authority intending to erect re-erect convert or alter any such building as aforesaid shall give to the Company notice in writing of such intention accompanied by particulars as to the position of the building and the purposes for which the same or the several parts thereof is or are intended to be used and the Company do not within one month after the receipt Housing authorities to afford facilities for provision of pipes &c. in buildings in process of erection.

A.D. 1937.

of such notice and particulars intimate in writing to such housing authority their intention to request with reference to that building such facilities as aforesaid such housing authority shall not be required during such process as aforesaid to afford any such facilities as aforesaid with reference to the said building.

(2) If any housing authority shall refuse or omit to afford to the Company in accordance with the foregoing provisions of this section any facilities required by the Company as aforesaid the Company may apply to a court of summary jurisdiction to issue a summons calling on such authority to show cause why the facilities so required should not be afforded and upon any proceeding arising out of a summons issued under this subsection the court shall make such order in the matter as shall be necessary or expedient for giving effect to the provisions of this section and may award costs.

(3) The Company shall comply with any reasonable requirements made by a housing authority as to the number and position of any pipes and fittings in any room or other part of a building.

(4) Nothing in this section shall prejudice or affect the right of any housing authority or of the occupier of any building belonging to a housing authority to require the Company under any enactment relating to or affecting the Company or their undertaking to give a supply of gas for any building.

(5) In and for the purposes of this section the expression "fittings" includes only the joints angles clamps connections and other like things used in providing laying placing and fixing pipes.

Costs of Act.

4. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may be defrayed wholly or partly out of revenue.

Printed by Eyre and Spottiswoode Limited
for
Sir William Richard Codling, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

Price 2*d*. net