# CHAPTER xx.

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An Act to provide for the transfer to the urban district council of Cleckheaton of so much of the gas undertaking of the Bradford Corporation as is situate within the urban district of Cleckheaton to extend and define the limits of the Council for the supply of gas and to confer further powers upon the Council in relation to their gas undertaking to authorise the Council to provide and run motor omnibuses and to make further and better provision with regard to the improvement health and local government of the district and for other purposes. [8th July 1914.]

WHEREAS the district of Cleckheaton in the west riding of the county of York (in this Act called "the district") is an urban district within the meaning of the Local Government Act 1894 and is under the management and control of the Cleckheaton Urban District Council (in this Act called "the Council"):

And whereas by the Cleckheaton Local Board Act 1870 (hereinafter referred to as "the Act of 1870") the Council as the successors of the Local Board are authorised to supply gas within the limits prescribed by that Act:

And whereas by the Cleckheaton Order 1888 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1888 and the Cleckheaton Order 1913 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1913 further powers were conferred upon the Council in relation to their gas undertaking:

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And whereas by the North Bierley Gas Act 1863 the North Bierley Gas Company were incorporated and authorised to supply gas within the limits defined by that Act including amongst other places the hamlets of Oakenshaw and Scholes which are situate in and form part of the district:

And whereas by the Bradford Corporation (Tramways Gas and Various Powers) Act 1900 the undertaking of the North Bierley Gas Company was transferred to the mayor aldermen and citizens of the city of Bradford now the lord mayor aldermen and citizens of the said city (hereinafter referred to as "the corporation") and by section 36 of the said Act it is enacted as follows:—

"If at any time after the passing of this Act any local " authority whose district is beyond the district of the " corporation but as to the whole or any part thereof within " their limits for the supply of gas shall give not less than " six months' notice in writing to the corporation of their " desire to purchase such portion of the gas undertaking of " the corporation as is contained within the district of any " such local authority and shall obtain the consent of the " Local Government Board to such purchase and shall apply " to Parliament or the Local Government Board for power " to purchase such portion of the gas undertaking of the " corporation (except the mains and pipes or other apparatus " which shall be necessary for supplying with gas any other " part of the limits of the corporation for the supply of " gas) and to supply gas within such district then it shall " not be lawful for the corporation to oppose such applica- " tion (except as to the details thereof) and if such powers " of purchase and supply be granted the corporation shall " sell and such local authority shall purchase the portion " of the gas undertaking of the corporation (except as " aforesaid) within the district of such local authority at " such price (being a sum in gross) and upon such terms " and conditions as shall be fixed in default of agreement " by arbitration under the provisions of the Lands Clauses " Acts Any such purchase shall be deemed to be a " purpose of the Public Health Act 1875 except so far " as the same may be otherwise provided for by Parliament " The corporation shall apply the proceeds of any sale " under this section in the same manner as they are required

" to apply money received from sales of land under this " Act Provided that after the completion of such purchase " all obligations on the part of the corporation to supply " gas within the district of the purchasing authority shall " cease ":

And whereas the Council have given notice in writing to the corporation in accordance with the said section of their desire to purchase such portion of the gas undertaking of the corporation as is contained within the district and it is expedient that the Council should be empowered to purchase the same and that the provisions in this Act contained with respect to such purchase should be enacted:

And whereas part of the township of Liversedge is included in the limits of the Council for the supply of gas and the Council or their predecessors have supplied gas therein for seventy years and upwards:

And whereas such part of the township of Liversedge is also included in the limits of supply of the Heckmondwike and Liversedge Gas Company but that company have never afforded a supply of gas therein and it is expedient that their powers in that behalf in respect of so much of the township of Liversedge as is by this Act included within the limits of the Council for the supply of gas should be repealed:

And whereas parts of the township or parish of Gomersal are included in the limits of the Council for the supply of gas and the Council or their predecessors have supplied gas therein for seventy years and upwards:

And whereas such parts of the township or parish of Gomersal are also included in the limits of supply of the Gomersal Gas Company but that company have never afforded a supply of gas therein:

And whereas the Council are and for some years past have been supplying gas within parts of the township of Hunsworth which are included within the limits of supply of the Gomersal Gas Company but are not supplied by that company:

And whereas it is expedient that the powers of the Gomersal Gas Company to supply gas within such parts of the township or parish of Gomersal and of the township of Hunsworth respectively as are by this Act included within the limits of the

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Council for the supply of gas should be repealed and that the Council should be authorised to supply gas in such parts of the township of Hunsworth:

And whereas it is expedient that the existing limits of the Council for the supply of gas should be defined in reference to existing local areas and should be extended as in this Act provided:

And whereas it is expedient that the other powers in this Act contained in relation to the gas undertaking of the Council should be conferred upon the Council:

And whereas it is expedient to authorise the Council to provide and run motor omnibuses within and beyond the district as in this Act provided:

And whereas it is expedient that further powers be conferred upon the Council for the regulation of streets and buildings and sanitary matters and otherwise in relation to the health local government and improvement of the district:

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

And whereas the following adoptive Acts are in force within the district (namely):—

The Baths and Washhouses Acts 1846 to 1899;

The Infectious Disease (Prevention) Act 1890;

The Public Health Acts Amendment Act 1890 (Parts II. III. and V.);

The Private Street Works Act 1892;

The Notification of Births Act 1907:

And whereas an estimate has been prepared by the Council for the purposes hereinafter mentioned and such estimate is as follows:—

| | £ |
|---|---|
| For the provision and running of motor omnibuses | 4,800 |
| For the purchase of lands and the construction of buildings for the purposes of the motor omnibuses - - - - - - - - | 1,400 |

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

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And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

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):—

## PART I.

### PRELIMINARY.

Short title.

**1.** This Act may be cited as the Cleckheaton Urban District Council Act 1914.

Division of Act into Parts.

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

Part I.—Preliminary.
Part II.—Gas.
Part III.—Motor Omnibuses.
Part IV.—Streets Buildings Sewers and Drains.
Part V.—Infectious Disease and Sanitary Provisions.
Part VI.—Financial Provisions.
Part VII.—Miscellaneous.

Incorporation of Acts.

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

(1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):

(2) The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit and section 38) Provided that section 13 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that "every such contract entered into by the Council "shall be alike in terms and amount under like "circumstances to all consumers" were added at the end of that section:

(3) The Gasworks Clauses Act 1871 (except sections 7 8 and 35 thereof).

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Interpretation.

**4.** The several words and expressions to which by the Acts wholly or partially incorporated with this Act or by the Public Health Acts meanings are assigned shall in this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires—

"The district" means the urban district of Cleckheaton;

"The Council" means the urban district council of the district;

"The corporation" means the lord mayor aldermen and citizens of the city of Bradford;

"The city treasurer" means the treasurer of the city of Bradford;

"The gas undertaking of the corporation" means the portion of the gas undertaking of the corporation within the district including all mains pipes plant machinery and other apparatus and works laid or erected or used by and belonging to the corporation within the district for the purposes of their gas undertaking (except the mains pipes or other apparatus which shall be necessary for supplying with gas any other part of the limits of the corporation for the supply of gas) and all other the real and personal property and effects of the corporation and all the rights powers and privileges if any vested in or belonging to or had or enjoyed by the corporation within the district in relation to the manufacture sale and supply of gas at the date of transfer thereof to the Council under the provisions of this Act;

"The clerk" "the surveyor" and "the medical officer" mean respectively the clerk the surveyor and the medical officer of health of the Council and include respectively any person duly authorised to discharge temporarily the duties of those offices;

"The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the district;

"Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction;

"Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the district;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"Revenues of the Council" includes revenues of the Council from time to time arising from any land undertakings or other property for the time being of the Council and rates or contributions leviable by or on the order or precept of the Council;

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

Application of Act.

**5.** This Act shall extend and apply to and within the district except where otherwise expressed or implied.

## PART II.

## GAS.

Corporation to sell their gas undertaking in district to Council.

**6.**—(1) The corporation shall sell to the Council and the Council shall purchase from the corporation the gas undertaking of the corporation for such price or consideration (being a sum *in* gross) and on and subject to such terms and conditions as may be agreed upon between the corporation and the Council or as failing such agreement shall be determined by arbitration

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in accordance with the provisions of the Lands Clauses Acts with reference to the purchase and taking of lands otherwise than by agreement and in the construction of the said provisions the expression "the promoters of the undertaking" shall mean the Council and the expression "lands" shall mean the gas undertaking of the corporation.

(2) Unless the corporation shall otherwise agree the Council shall pay to the corporation the price or consideration for the purchase of the gas undertaking of the Corporation within two months from the determination of the amount of such price or consideration.

(3) Upon payment of the said price or consideration the gas undertaking of the corporation shall by virtue of this Act become and shall thenceforth be transferred to and vested in the Council and such transfer and vesting are in this Act referred to as "the transfer."

(4) Notwithstanding anything contained in section 36 of the Bradford Corporation (Tramways Gas and Various Powers) Act 1900 the said price or consideration when received by the corporation shall be applied by them either in the repayment of debt or with the approval of the Local Government Board for any other purpose to which capital money may be applied.

Copy of this Act and receipt for purchase-money to be evidence of transfer.

**7.** The production of a King's Printers' copy of this Act duly stamped together with a receipt for the purchase money purporting to be signed by the city treasurer or by the cashier of the Bank of England shall (unless it be proved that such purchase money has not been paid) be conclusive evidence in all courts and proceedings of the transfer to and vesting in the Council of the gas undertaking of the Corporation.

Receipt for purchase money.

**8.** The receipt in writing of the city treasurer for the purchase money or any part thereof or for any other sum of money to be paid to the corporation by the Council shall effectually discharge the Council from the sum which in any such receipt shall be acknowledged to have been received and from being answerable or accountable for the loss misapplication or non-application thereof Provided that if from any cause the Council are unable to obtain such receipt they may pay the money into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme Court to an account to be opened "In the matter of the Cleckheaton Urban District

Council Act 1914" and a receipt shall be given to the Council by the cashier of the said bank for the money which shall have the same effect as the receipt of the city treasurer.

Powers &c. of Corporation to supply gas in district to cease.

**9.** From and after the transfer all rights powers and obligations of the corporation to supply gas within the district shall cease and determine.

Actions &c. not to abate and penalties to be recoverable.

**10.** No action suit prosecution or other proceeding whatsoever commenced and no cause of action suit or arbitration prosecution or proceedings pending or existing either by or against the corporation shall abate or be discontinued or prejudicially affected by reason of the transfer to and vesting in the Council of the gas undertaking of the corporation but the same shall continue and take effect either in favour of or against the corporation in the same manner in all respects as the same would have continued and taken effect in relation to the corporation if the transfer had not been made and all penalties incurred by reason of any offence against the provisions of any regulations of the corporation binding on the corporation previously to the transfer may be sued for and all offences committed against such provisions previously to the transfer may be prosecuted in such or the like manner to all intents and purposes as such penalties might have been sued for or such offence prosecuted if the transfer had not taken place and all rents rates and moneys payable to the Corporation before the date of transfer may be sued for and recovered by the corporation in the same manner in all respects as the same might have been sued for and recovered if this Act had not been passed.

Corporation to carry on gas undertaking until completion of purchase.

**11.** Until the transfer the gas undertaking of the corporation shall be and continue to be maintained and carried on by the corporation as heretofore in the ordinary course of business.

Corporation to pay outgoings and to be entitled to rents &c.

**12.**—(1) The corporation shall pay and discharge all outgoings and liabilities of every kind in respect of the gas undertaking of the corporation properly chargeable to revenue up to the date of the transfer of that undertaking and shall be entitled to all rents profits and other receipts on revenue account from that undertaking up to the said date but as from the said date the corporation shall cease to be under any liability

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with respect to any such outgoings or liabilities as aforesaid or to be entitled to receive any such rents profits or other receipts as aforesaid.

(2) All such apportionments as may be necessary for giving effect to the purposes of this section shall be made and the corporation shall pay to the Council or the Council shall pay to the corporation (as the case may be) any amount which may be ascertained on any such apportionment to be so payable.

Gas limits of supply.

**13.**—(1) The limits of this Act for the supply of gas (in this Act called "the gas limits of supply") shall be and include the area specified in the schedule to this Act and within those limits the Council shall have and may exercise all and the like powers rights privileges and authorities for and in relation to the supply of gas and be subject to all and the like duties and obligations in respect thereof as they have and are subject to under the Act of 1870 as amended by the Cleckheaton Orders 1888 and 1913 and this Act within the limits for the supply of gas as defined by the Act of 1870 Provided that nothing in this section shall entitle the Council to supply gas before the transfer in that part of the district within which the corporation were immediately before the passing of this Act authorised to supply gas.

(2) The area so specified is shown in pink colour on the maps signed in triplicate by the Right Honourable the Earl of Donoughmore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one copy in the Private Bill Office of the House of Commons and one copy with the clerk.

(3) If there is any discrepancy between the area specified in the schedule to this Act and the map signed as aforesaid the latter shall prevail.

(4) Copies of the map deposited with the clerk in pursuance of this section and certified by the clerk to be true copies shall be received in all courts of justice and elsewhere as primâ facie evidence of the gas limits of supply.

Repeal of power of Heckmondwike and Liversedge

**14.** So much of the Heckmondwike and Liversedge Gas Acts 1862 to 1909 as authorises the Heckmondwike and Liversedge Gas Company to supply gas within any portion of the township of Liversedge which is within the gas limits of supply

is hereby repealed and from and after the passing of this Act all the powers and obligations of that company with reference to the supply of gas within any portion of the gas limits of supply shall cease and determine and this Act shall have as full validity and effect as though such portion of the township of Liversedge had never been included within the limits within which that company were immediately before the passing of this Act authorised to supply gas.

Gas Company to supply gas within limits.

**15.** So much of the Gomersal Gas Acts 1865 and 1904 as authorises the Gomersal Gas Company to supply gas within any portion of the township or parish of Gomersal or of the township of Hunsworth which is within the gas limits of supply is hereby repealed and from and after the passing of this Act all the powers and obligations of that company with reference to the supply of gas within any portion of the gas limits of supply shall cease and determine and this Act shall have as full validity and effect as though any such portion of the township or parish of Gomersal or of the township of Hunsworth had never been included within the limits within which that company were immediately before the passing of this Act authorised to supply gas.

Repeal of power of Gomersal Gas Company to supply gas within limits.

**16.** Subject to the provisions of this Act the Council may maintain use renew alter extend and repair any mains pipes and other works already laid down by them in the township of Hunsworth and the construction of the said works and the expenditure thereon is hereby sanctioned and confirmed.

Confirmation of construction of existing works.

**17.** The Council may on the application of the owner or occupier of any premises within the gas limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in this Act and the Act of 1870.

Power to lay pipes in private streets.

**18.** The Council may lay down place repair alter remove and renew mains and pipes within the gas limits of supply for the purpose of procuring conducting or disposing of any tar or other materials used by them in or resulting from any manufacture of gas or any residual products thereof or for any purpose connected with their business and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for

Power to lay pipes for ancillary purposes.

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the purpose of laying pipes shall so far as they are applicable extend and apply mutatis mutandis to the exercise of the powers of this section.

For protection of West Riding County Council.

**19.** The following provisions for the protection of the county council of the west riding of Yorkshire (in this section called "the county council") shall unless otherwise agreed upon in writing between the county council and the Council apply to any works executed by the Council under the powers of this Part of this Act within so much of the gas limits of supply as is not included within the limits for the supply of gas as defined by the Act of 1870 (that is to say):—

(1) The Council shall not lay any mains pipes or works on any county or main road bridge without the consent of the county council but such consent shall not be unreasonably withheld:

(2) The Council shall submit to the surveyor of the county council a plan and section showing the manner in which they propose to construct or lay any mains pipes or works over such bridge or the stream crossed thereby If the said surveyor has any objection thereto he shall give notice thereof to the Council within twenty-one days after the receipt by him of such plan and section and in default of any such notice or in the case of emergency the Council may proceed to execute the proposed work in the manner shown upon the said plan and section:

(3) Any difference that may arise between the Council and the county council as to whether such consent as aforesaid is unreasonably withheld or as to the said plan and section shall be determined by an arbitrator as hereinafter provided:

(4) Notwithstanding anything in this Act contained it shall be lawful for the county council at any time or times to remove alter widen or renew any county or main road bridge or the approaches thereto on alongside or near to which any mains pipes or works of the Council are constructed laid or carried in the same manner as they might have removed altered widened or renewed any such bridge or the approaches thereto if this Act had not been passed and such mains pipes

or works had not been constructed laid or carried on over alongside or near to such bridge without making any compensation to the Council for any expense or loss to which they may be put in consequence of such removal alteration widening or renewal and in the event of any such bridge or the approaches thereto on alongside or near to which such mains pipes or works are constructed laid or carried being removed altered widened or renewed as aforesaid the Council shall at their own expense within such reasonable time as the said surveyor may prescribe remove or alter the position of their said mains pipes or works and replace the same in such position as the said surveyor shall reasonably approve Provided that before and during such removal alteration widening or renewal of any such bridge or approaches as aforesaid the county council shall afford reasonable facilities for temporarily carrying such mains or pipes so as not to interrupt the continuous supply of gas:

(5) Notwithstanding anything in this Act contained if any difference arises between the Council and the county council touching this section or anything to be done or not to be done thereunder such difference shall be settled by arbitration by an arbitrator to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either of the parties in difference and subject thereto in accordance with the provisions of the Arbitration Act 1889.

For protection of Lancashire and Yorkshire Railway Company.

**20.** For the protection of the Lancashire and Yorkshire Railway Company (in this section called "the railway company") the following provisions shall unless otherwise agreed between the Council and the railway company be observed and have effect (that is to say):—

(1) Whenever under the powers of the sections of this Act of which the marginal notes are "Power to lay pipes in private streets" and "Power to lay pipes for ancillary purposes" or whenever within so much of the gas limits of supply as is not included within the limits for the supply of gas as defined by the

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Act of 1870 the Council shall require to lay down place repair alter remove or renew any mains pipes conduits service pipes apparatus or other works in connection with their gas undertaking upon across or under any railway for the time being belonging to or worked by the railway company or the stations bridges approaches or other works thereof or to construct any works in any street adjoining thereto they shall (except in cases of emergency) give to the engineer of the railway company fourteen days' notice in writing of their intention to carry out any such works accompanied by sufficient plans:

(2) Such works including the making good and repairing of any roads over any such railway and over any bridges and approaches which the railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Council to which this section is applicable shall be laid constructed and executed at the expense of the Council under the superintendence if the same be given and to the reasonable satisfaction of the said engineer and (except in cases of emergency) according to plans to be previously reasonably approved by him and so as to avoid as far as possible injury to any such railway or any of the works thereof and so as not to cause any interruption to the passage or conduct of the traffic over or at any such railway or station Provided that if the said engineer shall not express his disapproval of such plans within fourteen days from the submission thereof he shall be deemed to have approved thereof:

(3) When the Council in connection with any such works as aforesaid open or break up any road or pavement of any street or other works belonging to or repairable by the railway company they shall with all convenient speed complete the work for which the same shall be broken up and reinstate and make good the road or works so opened or broken up and shall keep any road or pavement so broken up in good repair for three months after reinstatement and making good and for such further time if any not

exceeding in the whole twelve months as the soil so broken up shall continue to subside:

(4) If the Council make any unnecessary delay in completing such work or reinstating and making good such road or works so opened or broken up or neglect to keep the road or pavement in repair as aforesaid the railway company may cause such work to be executed or effect such repair and the reasonable expense of executing the same shall be repaid to them by the Council:

(5) The Council shall repay to the railway company the reasonable expense of any temporary works or watching which may be necessary to provide for the protection of any such railway or the traffic thereon or thereto during the carrying out of the works aforesaid:

(6) If in the execution or maintenance of such works any injury shall arise to any such railway or station or any works connected therewith or any interruption of traffic be caused the Council shall make full satisfaction in respect thereof to the railway company and in the event of any dispute as to the amount of such satisfaction the same shall be determined by arbitration in manner hereinafter provided:

(7) Any difference which may arise between the Council and the railway company under the provisions of this section shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party.

For protection of London and North Western Railway Company.

**21.** The provisions of the section of this Act of which the marginal note is "For protection of Lancashire and Yorkshire Railway Company" so far as the same apply to the execution by the Council of any works under the powers of the sections of this Act of which the marginal notes are "Power to lay pipes in private streets" and "Power to lay pipes for ancillary purposes" shall extend to and have effect for the protection of the London and North Western Railway Company as if that company had been named in the said first-mentioned section instead of the Lancashire and Yorkshire Railway Company.

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Quality of gas.

**22.** The prescribed number of candles shall be not less than fourteen.

Testing place.

**23.** For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place which has been provided by the Council on the lands described in the schedule to the Cleckheaton Order 1888.

Testing quality.

**24.**—(1) The quality of the gas supplied by the Council shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer or the table photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Council or any five consumers approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

(3) The Council shall within three months after the passing of this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair.

Saving as to penalties.

**25.** No penalty shall be incurred by the Council for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Council Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Council.

Power to supply gas fittings &c.

**26.**—(1) The Council may purchase sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other gas fittings for lighting motive heating ventilating

cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(2) The Council may enter into contracts for the execution of any of the powers of this section and shall not themselves lay any pipes on the consumer's premises except between the main of the Council and the consumer's meter nor shall they sell any such gas fittings as aforesaid except through a contractor.

(3) Any fittings let for hire under the provisions of this section 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 proceedings in bankruptcy against the person in whose possession the same may be and all such fittings shall notwithstanding that they be fixed or fastened to any part of any 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 removable by the Council Provided that nothing in this section shall affect the amount of assessment for rating of any premises upon which any such fittings are or shall be fixed Provided also that the Council shall only be entitled to the privileges and exemptions conferred by this section in respect of such fittings as shall be marked or impressed with a sufficient mark or brand indicating the Council as the actual owners thereof.

(4) Provided as follows—

(A) The Council shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connection therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) Every sum charged by the Council in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Council to the consumer:

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(c) The total sums expended and received by the Council in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the gas undertaking of the Council for that year.

(5) So much of section 17 of the Act of 1870 as relates to the manufacture or the selling letting or dealing in gas fittings tubes meters pipes and other articles and things is hereby repealed.

Gas consumers to give notice before removing.

**27.** At least twenty-four hours' notice shall be given to the Council by every gas consumer either personally at the office of the Council or in writing before he shall quit any premises supplied with gas by meter by the Council and in default of such notice the consumer so quitting shall be liable to pay to the Council the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Council to supply gas to such premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Council.

Supply of gas where consumer has separate supply.

**28.** Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or continue to receive from the Council a supply of gas for any premises for which he has at the same time a supply of gas from any installation other than that of the Council or a supply of electricity unless he shall have previously agreed to pay the Council such minimum annual sum as will give them a reasonable return on the capital expenditure and other charges incurred by them to meet the possible maximum demand for those premises and the minimum annual sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Power to refuse supply to persons in debt for other premises.

**29.** If a person requiring a supply of gas from the Council has previously quitted premises at which gas was supplied to him by the Council without paying to them all gas charges and meter rent due from him to the Council they may refuse to furnish to him a supply of gas until he pays the same.

Notice to discontinue supply of gas.

**30.** A notice to the Council from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Council or be given by the consumer personally at the office of the Council.

Power to enter premises and remove fittings.

**31.** The power to enter premises and to remove pipes meters fittings or apparatus conferred upon the Council by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Council shall not require to take a supply of gas from the Council or to hire from the Council all or any of the pipes meters fittings or apparatus belonging to the Council and let by them on hire to any former occupier of such premises.

Period of error in defective meters.

**32.** In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Council shall be paid by or to the Council to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Council.

Power to require use of anti-fluctuators for gas engines.

**33.** Every consumer of gas supplied by the Council who uses a gas engine shall if required to do so by the Council use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper repair and in default of his so using or keeping such anti-fluctuator in proper repair the Council may cease to supply gas to such consumer The Council shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Council if the anti-fluctuator be found in proper order but otherwise at the expense of the consumer.

Silencers for internal combustion engines.

**34.**—(1) Every consumer of gas whether supplied by the Council or from any other source and every other person who uses a stationary or fixed internal combustion engine shall provide and use effective means to silence the exhaust gases of

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such engine and shall at all times at his own expense keep the same in proper repair and in default of his so providing using or keeping the same in proper repair the Council may if gas is supplied by them cease to supply gas to such consumer The Council shall have access to and be at liberty to inspect and test at all reasonable times any means of silencing so provided such inspecting and testing to be done at the expense of the Council if the means of silencing be found in proper order but otherwise at the expense of the consumer or other person aforesaid.

(2) Any person neglecting to carry out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

As to construction and placing of pipes &c. between mains and meters.

**35.** In order to enable the Council to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Council may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Council's mains and the meter so far as such pipes and fittings are intended to be covered over:

(2) The Council may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) The specification shall be published twice in some newspaper (or once in each of two newspapers) circulating within the gas limits of supply and a copy thereof shall be kept exhibited in the office of the Council:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Council's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Council and the pipe shall not be covered over until

after the expiration of twenty-four hours from the service of such notice on the Council Any officer of the Council duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Council's specification or if the meter is not placed as required by this section the Council may refuse to supply gas to the premises until the provisions of this section have been complied with:

(6) Any person to whom the Council refuses a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Council's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

Council to pay interest on money deposited as security for gas meter.

**36.** If any person is required by the Council to give to them security for any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Council shall pay interest after the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Power to supply gas in bulk.

**37.** The Council may contract with any local authority company or person authorised to supply gas under parliamentary powers in any district adjacent to the gas limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Council to lay any mains or interfere with any street beyond the gas limits of supply.

Power to take a supply of gas in bulk.

**38.** Subject to the provisions of this Act the Council may enter into and carry into effect agreements with any local authority company or person within or beyond the gas limits of supply for the purchase by the Council of gas in bulk for the

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purposes of this Act but nothing in this section shall authorise the Council to lay any mains or interfere with any street beyond the gas limits of supply.

Repeal of certain sections of Act of 1870.

**39.** The following sections of the Act of 1870 are hereby repealed (that is to say):—

Section 22 (Incoming tenant not liable for arrears);
Section 23 (Local Board may require consumers to use meters);
Section 24 (Consumer to keep his own meter in proper order);
Section 25 (Local Board to have access to and power to remove and examine meters);
Section 26 (Penalty for altering or injuring gas meters);
Section 27 (Power to remove meters and fittings);
Section 28 (Quality of gas);
Section 29 (Test meter to be erected);
Section 30 (Justices on requisition of consumers may appoint inspector of gas);
Section 31 (Costs of experiment);
Section 43 (Recovery of gas and meter rents by distress);
Section 44 (Contents of summons or warrant);
Section 45 (Recovery of sums by action);
Section 47 (Contract for supply of gas not to disqualify members of Local Board);
Section 48 (Authentication of notices);
Section 49 (Penalties not cumulative).

## PART III.

### MOTOR OMNIBUSES.

Power to provide and run motor omnibuses.

**40.**—(1) The Council may provide (but shall not manufacture) motor omnibuses and may run the same within the district and also beyond the district along the following routes within the urban districts of Liversedge and Gomersal with the consent of the councils of such districts respectively:—

(A) Along the Halifax Road from its junction with Scholes Lane to the terminus of the tramway of the Yorkshire (Woollen District) Electric Tramways Limited at Hightown in the township or parish of Liversedge:

(B) From the boundary of the district along Spen Bank and Spen Lane to the tramway of the Yorkshire (Woollen District) Electric Tramways Limited at Gomersal Hill Top in the parish of Gomersal:

Provided that the Council shall not without the consent of the Yorkshire (Woollen District) Electric Tramways Limited run motor omnibuses under the provisions of this Part of this Act along the portions of roads upon which the following tramways or parts of tramways of that company are situate so long as such tramways or parts of tramways are worked by the company (that is to say):—

(A) So much of Railway (No. 2) authorised by the Spen Valley Light Railway Order 1901 as lies between the junction of St. Peg Lane in the township or parish of Cleckheaton with the Bradford Road and the boundary dividing the parish or township of Liversedge from the township or parish of Heckmondwike:

(B) So much of Railway (No. 2) authorised by the Spen Valley Light Railway (Extension) Order 1901 as lies between the terminus thereof at Hightown in the township or parish of Liversedge and the boundary dividing the last-mentioned township or parish from the township or parish of Heckmondwike:

(c) Railway (No. 4) authorised by the Spen Valley Light Railway (Extension) Order 1901 in the parish of Gomersal.

(2) The Council may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses but the Council shall not create or permit any nuisance on any such lands.

(3) The Council may make byelaws for regulating the travelling and for the prevention of nuisances in their motor omnibuses Provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(4) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with

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telegraphic communication by means of any telegraphs of the Postmaster-General.

(5) The Council shall perform in respect of the motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

(6) In this section the expression "motor omnibus" means any stage carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

Fares for passengers.

**41.** The Council may demand and take for every passenger travelling upon the motor omnibuses including every expense incidental to such conveyance a fare not exceeding one penny per mile and in computing the said fare the fraction of a mile shall be deemed a mile Provided that the Council may appoint stages for the motor omnibuses each of not less than half a mile in length and may demand and take for every such passenger including every such incidental expense a fare not exceeding one penny for any two consecutive stages or portion thereof travelled by such passenger.

Passengers' luggage.

**42.** Every passenger travelling upon the motor omnibuses may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof all such luggage to be carried by hand and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Rates for parcels.

**43.** The Council may demand and take in respect of parcels conveyed by them on the motor omnibuses including every expense incidental to such conveyance any rates or charges not exceeding the following (that is to say):—

For any parcel not exceeding seven pounds in weight three-pence;

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight fivepence;

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight sevenpence;

For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight ninepence.

Council not to carry animals and goods other than small parcels.

**44.** The Council shall not carry on the motor omnibuses any goods animals or other things other than passengers and passengers' luggage not exceeding the weight in this Act in that behalf mentioned and small parcels not exceeding fifty-six pounds in weight.

For further protection of West Riding County Council.

**45.** The following provisions for the protection of the county council of the west riding of Yorkshire (in this section called "the county council") shall notwithstanding anything in this Act and unless otherwise agreed in writing apply and have effect with respect to motor omnibuses run by the Council under the provisions of this Part of this Act on any main road maintained by or at the expense of the county council (that is to say):—

(1)—(A) The Council shall pay to the county council an annual sum equal to three-eighths of a penny per car mile run by the motor omnibuses over any main road towards the cost of the maintenance by the county council of such road All sums of money payable to the county council under the provisions of this section shall be deemed to be a debt due to the county council and recoverable from the Council accordingly;

(B) The Council shall keep statements for the purposes of this subsection showing in proper detail the mileage run by each motor omnibus on any such main road and shall furnish copies of such statements annually to the county council and the Council shall allow any person duly authorised by the county council in that behalf at all reasonable times to inspect and take copies of all such statements and any accounts kept by the council relating to the running of all such motor omnibuses;

(c) In consideration of the payments to be made by the Council to the county council under this section the county council shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Council in respect of extraordinary traffic by reason of the user of any main road by the motor omnibuses of the Council by this Act authorised:

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(2) The Council shall not construct any shelter or waiting room on any portion of a main road without the consent of the county council:

(3) Any difference at any time arising between the county council and the Council as to the sum from time to time payable under the provisions of this section shall be settled by an arbitrator to be agreed upon between the county council and the Council or failing 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 Act 1889 shall apply to any such arbitration.

Trees overhanging highways.

**46.**—(1) Where any tree overhangs any highway along their motor omnibus routes which may in any way interfere with the clear and safe passage of the motor omnibuses and the passengers thereon the Council may serve a notice on the owner of the tree or on the occupier of the premises on which such tree is growing requiring him to lop the tree within seven days so as to prevent such obstruction or interference and in default of compliance the Council may themselves carry out the requisition of their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Council under this section may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the clerk and the court shall have power to make such order as the court may think fit and to award costs.

(3) Notice of the right to appeal shall be endorsed on every requirement of the Council under this section.

Shelters or waiting rooms.

**47.**—(1) The Council may erect and maintain sheds or shelters or waiting rooms for the accommodation of passengers and of the Council's servants on the motor omnibus routes and may use for that purpose portions of the public streets or roads Provided that the Council shall not use portions of the public streets or roads beyond the district for the purposes mentioned in this section except with the consent of the local and road authority in whose district such streets or roads are situate.

(2) Notwithstanding anything in this section contained no shed shelter or waiting room shall be erected or maintained in

any street or road so as to interfere with or render less convenient the access to or exit from any station of any railway company except with the consent in writing of that company nor except with the like consent on any bridge carrying any street or road over any railway and any difference arising under this section between the Council and such railway company shall be determined by an arbitrator to be agreed upon by both parties or failing such agreement to be appointed by the Board of Trade on the application of either party.

Power to make agreements for working &c. motor omnibuses.

**48.** The Council may enter into and carry into effect agreements with any company or person for such periods not exceeding in any case seven years from the making of the agreement with respect to the following purposes or any of them (that is to say):—

(A) The management use and working of the motor omnibuses by this Act authorised and the conveyance of traffic thereon:

(B) The interchange accommodation conveyance transmission and delivery of traffic arising from or destined for the respective undertakings of the contracting parties:

(C) The payment collection and apportionment of tolls rates charges or other receipts arising from such respective undertakings.

## PART IV.

### STREETS BUILDINGS SEWERS AND DRAINS.

Continuation of existing streets to be deemed new streets.

**49.** Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any byelaws made thereunder and for the time being in force be deemed to be a new street.

Widening of roads when only one side is built upon.

**50.** When a road or lane is about to become a new street within the meaning of the Public Health Act 1875 but the land on only one side of such street is about to be built on the Council may instead of requiring the owner of such land to widen such road or lane to a width prescribed by the byelaws in force within the district require such owner to widen such road or lane so as to give a width not less than one half of such prescribed width from the old centre line of such road or lane to the boundary thereof adjoining such land Provided

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that when the land on the opposite side of such road or lane is about to be built on the Council shall require the owner of such land to complete the widening of such road or lane so as to give the complete width prescribed by the byelaws of the Council and the said owner shall complete the same accordingly The provisions of this section shall not extend or apply to any land belonging to and used and occupied by a railway company as a part of or in connection with their railway under any Act of Parliament upon which any building (not being a dwelling-house) is now or hereafter about to be erected.

Forecourts to be fenced off from streets.

**51.** Whenever any person erecting any building shall be desirous of leaving an opening which may be a source of danger to the public or of placing any steps or other projection on any forecourt area or space left in front of such building such forecourt area or space shall if required by the Council be well and sufficiently fenced off from the footpath or street and any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Means of escape from building in case of fire.

**52.**—(1) Every new building exceeding thirty-five feet in height used or intended to be used as a tavern hotel restaurant hospital boarding-house common lodging-house or school shall be provided on the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in the case of fire for the persons dwelling or employed therein or resorting thereto as may be reasonably required under the circumstances of the case and no such building shall be occupied until the Council shall have issued a certificate that the provisions of this subsection have been complied with in relation thereto.

(2) The means of escape in case of fire provided in any building in pursuance of this section shall be maintained in good and efficient condition and free from obstruction.

(3) Nothing in this section contained shall be deemed to interfere with the operation of sections 14 and 15 of the Factory and Workshop Act 1901 or of any Act amending the same.

(4) 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.

Erection of buildings to greater height than adjoining buildings.

**53.**—(1) In case any building is after the passing of this Act erected or raised to a greater height than the adjoining building or buildings and any flues or chimneys of such adjoining building or buildings are in the outer or party wall or against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised.

(2) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Reconstruction of drains.

**54.**—(1) It shall not be lawful for any person to reconstruct or alter the course of any drain communicating with any sewer of the Council except in accordance with the provisions of the byelaws of the Council relating to the drainage of existing buildings.

(2) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Notice of intention to repair drains.

**55.**—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Council without giving to the Council or the surveyor twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so.

(2) Free access to such drain or work of repair shall be afforded to the surveyor or any officer of the Council authorised in writing by the clerk for the purpose of inspection.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

Provisions as to combined drainage for two or more houses.

**56.** The powers given by section 19 of the Public Health Acts Amendment Act 1890 in relation to two or more houses belonging to different owners shall extend and apply to two or more houses belonging to the same owner.

Power to order houses to be drained by a combined drain.

**57.**—(1) If it appears to the Council that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of a sufficient size

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already exists or is about to be constructed within one hundred feet of any part of such houses the Council may when the drains of such houses are first laid order that such houses be drained by a combined drain to be constructed either by the Council if they so decide or by the owners in such manner as the Council shall direct and the costs and expenses of such combined drain and of the repair and maintenance thereof shall be apportioned between the owners of such houses in such manner as the Council shall determine and if such drain is constructed by the Council such costs and expenses may be recovered by the Council from such owners summarily as a civil debt.

(2) Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts be deemed to be a drain and not a sewer.

(3) Provided that the Council shall not exercise the powers conferred by this section in respect of any house plans for the drainage of which shall have been previously approved by the Council except with the consent of the owner or owners of the said house.

As to houses without proper water supply.

**58.** The owner of any dwelling-house which is not provided with a proper and sufficient water supply who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings unless the dwelling-house was erected before the passing of this Act and such supply is not available.

Saving as to railway companies.

**59.** The provisions of this Part of this Act shall not extend or apply to any building (not being a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connection with their railway under any Act of Parliament.

## Part V.

## Infectious Disease and Sanitary Provisions.

Regulation of manufacture and sale of ice-cream.

**60.**—(1) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity who—

(a) Causes or permits ice-cream or other similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any room cellar or place which is in a condition likely to render such commodity injurious to health

or in which there is an inlet or opening to a drain; or

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

(c) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in such building and the Council shall compensate the owner of the ice-cream commodity or materials so destroyed.

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

(4) Any officer duly authorised by the Council in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of any manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Council would have under section 102 of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings for each offence.

Information to be furnished in case of infectious disease.

**61.**—(1) The occupier of any building which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person

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or within six weeks from the occurrence 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.

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

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

Power to require names of laundrymen to whom clothes &c. from infected houses are sent.

**62.** If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundrymen to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for mangling or washing from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly.

Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

Places used for storage &c. of human food not to be used as sleeping places.

**63.**—(1) No room shop or other part of a building in which any food is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings but no penalty shall be imposed for an offence against this section if in the opinion of the court the occupation of such room shop or other part of a building in contravention of this section would not have caused risk of infection or of contamination of food.

(3) Any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

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Defining establishment of new business.

**64.** For the purposes of section 112 of the Public Health Act 1875 a trade business or manufacture shall be deemed to be established not only if it is established anew but also if it is removed from any one set of premises to any other premises or if it is renewed on the same set of premises after having been discontinued for a period of six months or upwards or if any premises on which it is for the time being carried on are enlarged without the consent in writing of the Council but a trade business or manufacture shall not be deemed to be established anew on any premises by reason only that the ownership of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

Power to compensate persons for ceasing employment to prevent spread of disease.

**65.** If any person shall at the request of the Council or of the medical officer stop his employment for the purpose of preventing the spread of infectious disease the Council may make compensation to him for any loss he may sustain by reason of such stoppage.

Public notice of provisions of this Part of Act.

**66.**—(1) Public notice of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the district and by a notice affixed outside the Council offices and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section have been complied with.

## Part VI.

## Financial Provisions.

Power to borrow.

**67.**—(1) The Council may independently of any other borrowing power borrow at interest money for the following purposes (that is to say):—

(A) For the purchase of the gas undertaking of the corporation including any sum payable by the Council to the corporation under the section of this Act of which the marginal note is "Corporation to sell their gas undertaking in district to Council" and for defraying the costs charges and expenses incidental

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to such purchase and to the transfer of such undertaking to the Council (other than the costs of this Act) such sum or sums as may be necessary:

(B) For or in connection with the provision and running of motor omnibuses authorised by this Act the sum of four thousand eight hundred pounds:

(C) For the purchase of lands and the construction of buildings for the purposes of the motor omnibuses the sum of one thousand four hundred pounds:

(D) For paying the costs charges and expenses of and in relation to this Act the sum requisite for the purpose.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Council may mortgage or charge in the case of moneys borrowed for the purposes (A.) before-mentioned the revenue of their gas undertaking and the district fund and general district rate or either of those securities in the case of moneys borrowed for the purposes (B) and (C) before-mentioned the revenue of their motor omnibus undertaking and the district fund and general district rate or either of those securities and in the case of moneys borrowed for the purpose (D) before-mentioned the district fund and general district rate.

Power to borrow additional moneys with consent of Local Government Board.

**68.**—(1) The Council independently of any other borrowing power may also from time to time with the consent of the Local Government Board borrow at interest such further moneys as may be required for any of the purposes of this Act.

(2) In order to secure the repayment of any moneys borrowed under this section and the payment of interest thereon the Council may mortgage or charge such fund rate or revenue as the Local Government Board may prescribe.

Certain provisions of Public Health Acts not to apply.

**69.** In calculating the amount which the Council may borrow under the provisions of the Public Health Acts any sums which the Council may borrow under or for the purposes of this Act shall not be reckoned and the powers of the Council of borrowing and reborrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Mode of raising money.

**70.** The Council may raise all or any moneys which they are authorised to borrow under this Act by mortgages or by

the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions contained in the section of this Act whereof the marginal note is "Sinking fund" shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of sections 15 and 16 of that Act.

Provisions as to mortgages.

**71.** The provisions of sections 236 237 and 238 of the Public Health Act 1875 with respect to mortgages to be executed by a local authority shall apply in the case of all mortgages granted by the Council under this Act as if they were with the necessary modifications re-enacted in this Act.

Appointment of receiver.

**72.**—(1) Any mortgagee of the Council by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

Protection of lenders from inquiry.

**73.** A person lending money to the Council shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or any part thereof.

Periods for repayment of money borrowed.

**74.** The Council shall pay off all moneys borrowed by them under this Act within the respective periods (each of which is in this Act referred to as "the prescribed period") following (that is to say):—

As to moneys borrowed for the purposes (A) mentioned in the section of this Act the marginal note whereof is "Power to borrow" thirty-five years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (B) in the said section mentioned five years from the date or dates of borrowing the same;

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As to moneys borrowed for the purposes (c) in the said section mentioned thirty years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (d) in the said section mentioned five years from the passing of this Act;

As to moneys borrowed with the approval of the Local Government Board within such period as that Board may prescribe.

Mode of payment off of money borrowed.

**75.** The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months if by yearly repayments or within six months if by half-yearly repayments from the time of borrowing the sum in respect of which the payment is made.

Power to reborrow.

**76.**—(1) The Council shall have power—

(A) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

(B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying

any instalment or making any annual payment which has or may become due in respect of borrowed moneys. A.D. 1914.

(4) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) By instalments or annual payments; or

(B) By means of a sinking fund; or

(C) Out of moneys derived from the sale of land; or

(D) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Sinking fund.

**77.**—(1) If the Council determine to repay by means of a sinking fund any money borrowed by virtue of this Act such sinking fund shall be formed and maintained either—

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is hereinafter called an "accumulating sinking fund."

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in any statutory security the Council being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(4) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue

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of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Council:

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Council in addition to the payments provided for by this Act.

(7) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as that Board may direct.

(8) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the

sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of that Board discontinue the annual payments to such sinking fund until the Board shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Council with the consent of the Local Government Board may determine.

Return respecting sinking fund to Local Government Board.

**78.**—(1) The clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any moneys raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown

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in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Power to invest all sinking funds in statutory securities.

**79.** When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Council are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

Council not to regard trusts.

**80.** The Council shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Council shall be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council have had express or implied notice of any such trust or of any charge or encumbrance upon or transfer of such loan or security or any part thereof or any interest thereon not entered in their register.

Application of money borrowed.

**81.** All money borrowed under the provisions of this Act shall be applied only to the purposes for which it is authorised to be borrowed and to which capital is properly applicable Provided that moneys which may have been borrowed in excess of the amount required shall be paid into the sinking fund or shall be applied in such manner as the Council with the consent of the Local Government Board determine.

Expenses of execution of Act.

**82.** All expenses incurred by the Council in carrying into execution the provisions of this Act (except such of those expenses as are to be paid out of borrowed moneys or are otherwise provided for) shall be paid out of the district fund and general district rate or other fund or revenue as the Council may in their discretion having regard to the object of the expenditure think just.

## Part VII.

## Miscellaneous.

Power to grant occasional licences for public vehicles.

**83.** An occasional licence for a hackney carriage or other public vehicle may be granted by the Council to be in force for such day or days or other period less than a year as may be specified in the licence.

Inspection of public vehicles.

**84.**—(1) Any person appointed by the Council in writing may examine all hackney carriages and other public vehicles plying for hire and shall see that the laws and byelaws relating to such hackney carriages and public vehicles are duly observed.

(2) If the proprietor driver conductor or other person shall obstruct or hinder such person so appointed as aforesaid in the execution of his duty such proprietor driver conductor or person shall be liable to a penalty not exceeding forty shillings.

Power to convert destructor refuse into slabs &c.

**85.** The Council may convert any clinkers or other refuse or surplus material or product arising in connection with their refuse destructor into slabs or blocks of artificial stone bricks concrete mortar and other materials and may construct such buildings and works and may in connection therewith provide and erect such machinery plant and appliances as may be required and any such slabs blocks bricks concrete mortar or other materials so produced may be utilised by the Council for making and repairing streets or for any other purposes connected with the work of the Council for which they may be suitable or may

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be sold by the Council who shall carry the proceeds arising from any sales thereof to the credit of the district fund.

Effect of breach of conditions attached to consent.

**86.** Where under this Act or under any general or local Act for the time being in force the Council give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms and 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.

Determination of compensation.

**87.** When any compensation costs damages or expenses is or are by this Act 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 for by the Public Health Acts.

Power to enter premises.

**88.** The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of Part IV. and Part V. of this Act as if those purposes had been mentioned in the said section 102.

Penalty on occupiers refusing execution of Act.

**89.** If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Council under this Act or under any byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Council to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

In executing works in default of owner &c.

**90.** Whenever the Council under any enactment or byelaw for the time being in force within the district 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 do such work act or thing the Council shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Council or the surveyor or any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Council 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.

Council only liable for negligence.

**91.** No matter or thing done or contract entered into by the Council nor any matter or thing done by the clerk or by any member or officer of the Council or any person whomsoever acting under the direction of the Council shall if the matter or thing be done or the contract be entered into bonâ fide for the purpose of executing this Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Council or clerk member officer or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Council.

Persons acting in execution of Act not to be personally liable.

**92.** Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of penalties &c.

**93.** Save as otherwise in this Act specially provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaw made thereunder may be laid by any officer of the Council duly authorised in that behalf or by the clerk.

Laying of information and complaints.

**94.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Council or of or by any officer or valuer of the Council or by any *conviction or order* by a court of summary jurisdiction under any provision of this Act may if no other mode of appeal is

Appeal to quarter sessions.

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provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

Application of penalties.

**95.** All penalties recovered by the Council or any officer of the Council on their behalf whether under this Act or any byelaw thereunder shall be paid to the treasurer and shall be carried by him to the credit of the district fund or to such other fund as the Council direct.

Saving for indictments.

**96.** Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequences to which he would have been liable if such matter had not been made punishable by this Act Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Judges and justices not disqualified by liability to rates.

**97.** A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Recovery of demands in county court.

**98.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Authentication and service of notices &c.

**99.**—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the district requires authentication by the Council the signature of the clerk or other duly authorised officer of the Council shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the district may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

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Evidence of appointments &c.

**100.** Where in any legal proceedings taken by or on behalf of the Council under this Act or under any general or local Act for the time being in force in the district it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Council or of any committee of the Council or to prove any resolution of the Council or of any committee of the Council a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the chairman of the Council or the clerk shall be primâ facie evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document.

Inquiries by Local Government Board.

**101.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred on them or the giving of any consents under this Act and their inspectors shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Powers of Act cumulative.

**102.** All the powers rights and remedies given to the Council by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Council or such committee (as the case may be) may exercise such other powers and shall be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Saving rights of Crown.

**103.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

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Costs of Act.

**104.** The costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act including the costs charges and expenses preliminary to and of and connected with the compliance with the requirements of the Borough Funds Acts 1872 and 1903 shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Council out of the district fund and general district rate or out of moneys to be borrowed by the Council under this Act.

## The SCHEDULE referred to in the foregoing Act.



The township of Cleckheaton so much of the township of Liversedge as lies within and to the north of an imaginary line commencing at the boundary of the townships of Cleckheaton and Liversedge at a point 367 yards measured in a straight line in a north-easterly direction from the north side of the Halifax Road where such road is intersected by the said boundary and extending thence in an easterly direction to the bridge under the Cleckheaton branch of the Lancashire and Yorkshire Railway which bridge lies in a south-westerly direction from Sike otherwise Syke Fold in the township of Liversedge and extending from the said bridge along the north-eastern side of the said railway in a south-easterly direction to a culvert under the said railway through which flows a rivulet from the Hightown Heights in the township of Liversedge and extending thence in an easterly direction along the course of the said rivulet to its junction with the Rawfolds Beck and continuing in the same direction from the last-mentioned point in a straight line for a distance of 200 yards to a point 140 feet measured at right angles from the centre line of the Bradford Road at Eddercliffe and continuing thence in a north-easterly direction to the centre line of such road and continuing thence in a south-easterly direction along such centre line to a point opposite the end of the footpath at Eddercliffe which leads to Little Gomersal and extending thence along the said footpath towards Little Gomersal to a point where it crosses the boundary of the township or parish of Gomersal and township of Liversedge so much of the parish of Gomersal as lies within and to the south and south-west of an imaginary line commencing at a point on the open watercourse called Nann Hall Beck which point is situate at a distance of 205 yards north-east of the centre line of the bridge crossing the River Spen at its junction with the Nann Hall Beck at Brookhouses and extending from such point on Nann Hall Beck in a south-easterly direction to a point 55 yards north of the centre line of the tunnel conducting the public footpath under the London and North Western Railway and thence in an easterly direction to the north-easterly corner of the residence called High Royd thence in a south-easterly direction along the fence on the easterly side of High Royd aforesaid to and across Spen Lane and thence in a south-easterly direction along the north-easterly boundary of the Spen Victoria Cricket Ground and thence in a south-westerly direction to a point in Gomersal Lane 133 yards from its junction with Spen Lane thence in a southerly direction to the railway bridge opposite the north-easterly end of New Street and so

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much of the township of Hunsworth as lies within and to the west and south of an imaginary line commencing at the aforesaid point on the open watercourse called Nann Hall Beck and extending thence in a northerly direction to a point in Whitehall Road at its intersection by Green Lane thence in a north-westerly direction to the east side of Hunsworth Lane at a point in such lane 500 yards measured in a straight line north of the junction of Hunsworth Lane with Mill Lane and thence in a south-westerly direction to a point on the boundary of the townships of Hunsworth and Cleckheaton situate at a distance of 450 yards measured in a straight line in a north-westerly direction from the bridge carrying Whitehall Road over the River Spen all in the west riding of the county of York.

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