Croydon Corporation Act, 1957

5 & 6 ELIZ. 2 **Ch. xx**

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Appeal by Corporation in regard to deposit or disposal of refuse.
4. Power to borrow.
5. Local inquiries.
6. Costs of Act.



CHAPTER xx

An Act to confer upon the mayor aldermen and burgesses of the borough of Croydon rights of appeal in regard to the deposit and disposal of refuse and other matter and for other purposes. [17th July 1957.]

WHEREAS—

(1) The borough of Croydon is a county borough under the management and local government of the mayor aldermen and burgesses of the said borough (in this Act called "the Corporation"):

(2) Section 94 of the Surrey County Council Act 1931 as amended by the Surrey County Council Act 1936 provides inter alia that subject as therein provided it shall not be lawful for any authority body or person to deposit or otherwise dispose of or permit the deposit or disposal of any refuse (including trade refuse house refuse filth rubbish dust and other like matter) in any place within the administrative county of Surrey without the consents first obtained in writing of the county council of the administrative county of Surrey (in this Act referred to as "the county council") and of the local authority of the county district in which such deposit or disposal shall be intended to be made:

(3) The said section further provides that the county council and the local authority of the county district in which such deposit or disposal shall be intended to be made may grant or withhold their consents thereto or may make the granting of their consents subject to such terms and conditions as they think fit and may withdraw any such consents previously given:

(4) It is expedient to confer upon the Corporation such rights of appeal as is in this Act provided:

(5) It is expedient that the other provisions contained in this Act be enacted:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

(7) In relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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):—

Short title.

1. This Act may be cited as the Croydon Corporation Act 1957.

Interpretation.

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

" the Act of 1933 " means the Local Government Act 1933;

" the Corporation " means the mayor aldermen and burgesses of the borough of Croydon;

" the county council " means the county council of the administrative county of Surrey;

" county district " means a borough or urban district or rural district in the administrative county of Surrey;

" local authority " means the council of a county district;

" the Minister " means the Minister of Housing and Local Government;

" refuse " includes trade refuse house refuse filth rubbish dust and other like matter.

Appeal by Corporation in regard to deposit or disposal of refuse.

3.—(1) Notwithstanding anything contained in the Surrey County Council Act 1931 or any other enactments if the Corporation are aggrieved by—

(*a*) the withholding by the county council or a local authority of their consent under section 94 (Refuse dumps) of the Surrey County Council Act 1931 as amended by the Surrey County Council Act 1936 to the deposit or disposal of refuse by or on behalf of the Corporation; or

(*b*) any terms or conditions subject to which any such consent may be granted; or

(*c*) the withdrawal of any consent given or deemed to have been given under the said section 94 (whether given or deemed to have been given before or after the passing of this Act) or of any consent having effect as a result of a decision of the Minister under this section;

they may within twenty-eight days after the receipt by them of a notification of such withholding of consent or the imposition of such terms or conditions or such withdrawal of consent (as the case may be) or within such longer period as the Minister may allow appeal to the Minister against such withholding or the imposition of such terms or conditions or such withdrawal and the Minister may dismiss or allow the appeal either unconditionally or subject to such conditions as he thinks proper to impose.

(2) (*a*) If the Corporation appeal to the Minister under this section against the withholding by the county council or by a local authority of their consent to the deposit or disposal of refuse in a county district the Corporation shall not later than the day upon which they so appeal—

(i) give notice of the appeal to the county council and to such local authority; and

(ii) advertise notice of the appeal in a local newspaper circulating in such county district specifying the time (not being less than twenty-eight days from the first publication of the notice) within which representations may be made to the Minister with respect to the appeal.

(*b*) Where such representation is made to the Minister by not less than twenty owners or occupiers of dwelling-houses situated within three hundred yards from the land on which it is proposed that refuse shall be deposited or disposed of the Minister shall before determining the appeal cause a public local inquiry to be held into the subject and when determining whether or not to allow the appeal he shall consider the report of the person by whom the inquiry was held.

(3) The decision of the Minister on an appeal under this section shall have effect as if it were a decision of the county council and the local authority under the said section 94.

Power to borrow.

4.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority the sum requisite for the payment of the costs charges and expenses of this Act and they shall repay the sum so borrowed within such period as the Corporation may determine not exceeding five years from the date of borrowing.

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

Local inquiries.

5.—(1) The Minister may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.

(2) Subsections (2) to (5) of section 290 of the Act of 1933 shall apply in relation to any such inquiry.

Costs of Act.

6. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation.

Table of Statutes referred to in this Act

Short title	Session and chapter
Surrey County Council Act 1931 ...	21 & 22 Geo. 5 c. ci.
Local Government Act 1933	23 & 24 Geo. 5 c. 51.
Surrey County Council Act 1936 ...	26 Geo. 5 & 1 Edw. 8 c. cxxx.

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