ELIZABETH II



1985 CHAPTER xxxiv

An Act to re-enact with amendments and extend certain local statutory provisions in force within the county of Oxfordshire; to confer further powers on the Oxfordshire County Council and local authorities and parish councils in the county; to make further provision with respect to the improvement, health and local government of the county; and for other purposes.

[25th July 1985]

WHEREAS—

(1) The county of Oxfordshire (hereinafter referred to as "the county") is a non-metropolitan county comprising the following areas, described by reference to administrative areas existing immediately before the passing of the Local Government Act 1972, namely:— 1972 c. 70.

The county borough of Oxford;

The administrative county of Oxford;

In the administrative county of Berkshire—

the boroughs of Abingdon and Wallingford;

the urban district of Wantage;

the rural districts of Abingdon, Faringdon and Wallingford and part of the rural district of Wantage:

(2) Section 262 of the said Act of 1972 now has effect so that, subject to modifications and exceptions, local statutory provisions in force in the area of non-metropolitan counties shall continue in force until the end of 1986, and that such provisions shall then cease to have effect:

(3) There are numerous local statutory provisions so applicable in the county and it is expedient that certain of those provisions should be re-enacted with amendments, or otherwise continued in force, and applied to the whole county or to parts of the county, and that other such provisions should be repealed:

(4) It is further expedient that new provision should be made for the improvement, health and local government of the county and to confer further powers on the Oxfordshire County Council, the Oxford City Council, the councils of the districts of Cherwell, South Oxfordsnire, Vale of White Horse and West Oxfordshire and the Abingdon and Wantage Town Councils and other parish councils within the county:

(5) It is expedient that the other provisions in this Act should 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 section 239 of the said Act of 1972 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:—

PART I
PRELIMINARY

Citation and commencement.

1.—(1) This Act may be cited as the Oxfordshire Act 1985.

(2) This Act shall come into operation on the expiration of three months after its passing.

PART I —*cont.*

Inter-pretation. 1971 c. 78. 1972 c. 70.

2.—(1) In this Act unless the context otherwise requires—

"the Act of 1971" means the Town and Country Planning Act 1971;

"the Act of 1972" means the Local Government Act 1972;

"the Act of 1976" means the Local Government (Miscellaneous Provisions) Act 1976; 1976 c. 57.

"the Act of 1982" means the Local Government (Miscellaneous Provisions) Act 1982; 1982 c. 30.

"the Act of 1984" means the Road Traffic Regulation Act 1984; 1984 c. 27.

"the appointed day" has the meaning given by section 3 of this Act;

"the chief constable" means the chief constable of the Thames Valley Police and includes the deputy chief constable of that force acting by virtue of section 6 (1) of the Police Act 1964; 1964 c. 48.

"the city" means the city of Oxford and "the city council" shall be construed accordingly;

"contravention" includes a failure to comply, and "contravene" shall be construed accordingly;

"the county" means the county of Oxfordshire and "the county council" shall be construed accordingly;

"daily fine" means a fine for each day on which an offence is continued after conviction thereof;

"district" means a district in the county;

"district council" means the council of a district;

"electricity area board" means the Eastern Electricity Board, the East Midlands Electricity Board, the Midlands Electricity Board and the Southern Electricity Board or any of them;

"functions" includes powers and duties;

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

"open space" has the meaning given by section 290 of the Act of 1971;

"owner" has the meaning given by section 189 of the Housing Act 1957; 1957 c. 56.

"parish council" means a parish council in the county;

"premises" includes messuages, buildings, lands, easements and hereditaments of any tenure;

"statutory undertakers" means the British Gas Corporation, the Central Electricity Generating Board, the electricity area board, telecommunications

PART I —*cont.*

operators and the water authority or any of them, as the case may be;

"street" has the meaning given by section 329 of the Highways Act 1980;

1980 c. 66.

"telecommunications operator" means the operator of a telecommunications code system within the meaning of Schedule 4 to the Telecommunications Act 1984;

1984 c. 12.

"traffic sign" has the meaning given by section 64 of the Act of 1984;

"water authority" means the Anglian Water Authority, the Severn-Trent Water Authority and the Thames Water Authority or any of them.

(2) Any reference in this Act to a proper officer shall, in relation to any purpose and any local authority or area, be construed as a reference to an officer appointed for that purpose by that authority or, as the case may be, for that area.

(3) Any reference in this Act to a Part not otherwise identified is a reference to that Part of this Act.

Appointed day.

3.—(1) In this Act "the appointed day", in relation to any provision, means such day (not earlier than three months after the passing of this Act) as may be fixed for the purposes of that provision in accordance with subsection (2) below by resolution of the county council or, as the case may be, a district council.

(2) The local authority shall publish in a newspaper circulating in their area notice—

(*a*) of the passing of any such resolution and of the day fixed thereby; and

(*b*) of the general effect of the provision for the purposes of which the day has been fixed;

and the day so fixed shall not be earlier than the expiration of 28 days from the date of the publication of the notice.

(3) A photostatic or other reproduction certified by the proper officer to be a true reproduction of a page or part of a page of any newspaper, being a page or part of a page bearing the date of publication and containing the notice mentioned in subsection (2) above, shall be evidence of the publication of the notice and of the date of publication.

PART II

LAND AND OPEN SPACE

Agreements with developers.

4.—(1) In order to achieve such provision as in the opinion of the local planning authority is appropriate having regard to the nature of any proposed development of land within the county,

PART II —*cont.*

the local planning authority may, at the request of any person interested in that land, enter into agreement with such persons as they consider appropriate to secure the provision of all or any of the following matters or any related or consequential matter, including matters of a financial character:—

(*a*) the construction of new roads and road improvements required for or in connection with the development; and

(*b*) the provision, maintenance or use of facilities for the parking of vehicles for or in connection with the development.

(2) The powers conferred by subsection (1) above shall be additional to, and not in derogation of, the powers of section 52 of the Act of 1971 (which authorises agreements for restricting or regulating the development or use of land, including provisions of a financial character).

(3) Section 33 of the Act of 1982 (which provides for the enforceability of covenants in an instrument under seal executed for the purpose of securing the carrying out of works, facilitating development, or regulating the use of land) shall have effect in the county as if in subsection (2) (*a*) for the words "to carry out any works or do any other thing on or in relation" there were substituted the word "relating".

(4) In this section "local planning authority" has the same meaning as in the Act of 1971 and, without prejudice to that generality, where the exercise of a planning function by the district planning authority is subject to the direction of the county planning authority as local highway authority, includes the county planning authority.

Protection of grass verges and open space.

5.—(1) As from the appointed day in any district, this section applies to any of the following land in the district which, being in, adjoining or accessible from a highway, is mown or otherwise maintained in an ornamental condition:—

(*a*) a grass verge, garden, lawn or green managed by a local authority; or

(*b*) land laid out as a public garden or used for the purpose of public recreation;

and, as from the appointed day in the Vale of White Horse District, applies to the riverside as defined in section 30 (Interpretation of Part VII) of this Act.

(2) The district council may by notice prohibit, either entirely or at such times or on such days as may be specified in the notice, the doing of any of the following things on land to which this section applies:—

(*a*) driving, riding or leaving vehicles;

PART II —*cont.*

(*b*) allowing horses or cattle to enter;

(*c*) using any equipment provided on such land.

(3) Notice of a prohibition under subsection (2) (*c*) above may provide exemption from the prohibition of a child under such age as shall be specified in the notice and of any person in charge of such a child while on the land.

(4) Notice of a prohibition under subsection (2) (*a*) or (*c*) above shall not prohibit the driving or leaving of vehicles or the use of equipment on land—

(*a*) by any person engaged in building operations (as defined in section 168 (5) of the Highways Act 1980); or

1980 c. 66.

(*b*) by statutory undertakers or the British Railways Board where reasonably necessary in the exercise of their statutory functions;

but the exemption given by paragraph (*a*) above is conditional upon steps being taken to the satisfaction of the district council to minimise damage to the land and to protect persons on the land.

(5) (*a*) For the purposes of this section notice shall be given by displaying it in a conspicuous position on or near the land to which it relates.

(*b*) Where the notice is notice of a prohibition under subsection (2) (*a*) or (*c*) above and relates to a grass verge forming part of or adjoining a highway used by motor vehicles (as defined in section 136 of the Act of 1984) it shall be a traffic sign, and the erection and display of the notice by the district council shall be subject to, and in conformity with, general directions given under section 65 (1) of the Act of 1984 whether or not they are also the highway authority.

(6) A person who, without reasonable excuse, contravenes a notice displayed under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) (*a*) If a vehicle is left on any land in contravention of a prohibition under subsection (2) (*a*) above, the district council may cause the vehicle to be removed.

(*b*) For the purposes of this subsection section 99 of the Act of 1984 and the regulations in force under that section shall have effect as if the removal of a vehicle under this subsection were authorised by those regulations.

(8) Notice of a prohibition relating to land vested in a person other than the district council shall not be given under this section except with the consent of that person.

PART II —*cont.*

(9) Where land to which notice of a prohibition under subsection (2) (*a*) or (*b*) above applies forms part of a highway, the rights of the public over the highway, except rights of grazing cattle and horses, shall be subject to the prohibition; but, subject as aforesaid, nothing in this section shall limit any right of way, public or private, over land or restrict the exercise by any person of any statutory right to enter upon land.

(10) In this section "local authority" includes a parish council.

PART III

HIGHWAYS AND STREETS

Provision of parking places on classified roads.

6.—(1) The powers of the county council under sections 32 to 35, 40 and 41 of the Act of 1984, (other than section 33 (1), the words beginning "and where" in section 33 (3) and section 33 (5)) for the provision of suitable parking places for vehicles shall extend—

(*a*) to the provision of such parking places, other than underground parking places, where it appears to the county council to be necessary for the convenience of persons using any classified road in the county whether or not for the purpose of relieving or preventing congestion of traffic; and

(*b*) to the provision and maintenance of camping places, refreshment rooms, office accommodation, shelters, cloakrooms or other conveniences for use in connection with any such parking place.

(2) Accordingly, the said sections 32 to 35, 40 and 41, as extended by this section, shall have effect as if—

(*a*) references to a parking place were construed as including references to any such camping places, refreshment rooms, office accommodation, shelters, cloakrooms or other conveniences;

(*b*) for section 32 (3) there were substituted the following:—

"(3) Any power conferred by this section to provide a parking place includes power to maintain it and any buildings comprised in it.";

(*c*) in section 32 (4) the words "and for the purposes of this section" to the end of the subsection were omitted; and

(*d*) section 35 (7) were omitted.

(3) The powers conferred on the county council by this section shall not be exercised on land on or adjoining a trunk road without the consent of the Secretary of State.

PART III —*cont.*

(4) Where the county council propose to acquire any land, or to use any land appropriated by them, for the purposes of subsection (1) above, they shall, before carrying the proposal into effect—

(*a*) cause notice of the proposal (specifying the land to which it relates and notifying the period, which shall not be less than 28 days, within which any representations relating to the proposal shall be sent in writing to the county council) to be published in at least one newspaper circulating in the area in which the land is situated and a copy of the notice to be posted for not less than 14 days on, or adjacent to, the land; and

(*b*) consider any representations which are sent to them in writing within the time fixed in that behalf and give notice of their decision on the representations to the person by whom they were made.

(5) The county council shall not themselves provide or sell refreshments at any refreshment room or other premises provided for the purposes of subsection (1) above, and any refreshment room or other premises so provided shall be disqualified for receiving a licence granted by licensing justices under the Licensing Acts 1964 to 1976, other than a Part IV licence within the meaning of section 93 of the Licensing Act 1964.

1964 c. 26.

Street cleansing.

7.—(1) When engaged in the cleansing of any street in the county (other than a trunk road) between 00.01 hours and 07.00 hours on any day, a mechanically propelled and operated street cleansing vehicle shall be entitled to proceed against the flow of traffic prescribed by any provision mentioned in subsection (2) below, whether or not excepted by any order so mentioned.

(2) The provisions referred to in subsection (1) above are any provisions of an order made under, or having effect by virtue of, the Act of 1984 which—

(*a*) prohibit the entry and driving of vehicles on any road specified in such order otherwise than in a specified direction; or

(*b*) specify the direction to be followed by vehicles using roads provided with dual carriageways.

Securing rights for diversion of statutory undertakers' plant.

1980 c. 66.

8.—(1) (*a*) The power of a local highway authority to acquire land under section 239(1), (3), or (4) of the Highways Act 1980 shall in the county include power to acquire rights to which this section applies, and accordingly an acquisition thereunder of any such rights shall be an acquisition in the exercise of highway land acquisition powers for the purposes of that Act.

PART III —*cont.*

(*b*) This section applies to rights in, on, under or over any land for the purpose of constructing, placing and maintaining works or apparatus for drainage, the supply of fuel, electricity, gas or water or for telecommunications in, on, under or in the air-space above such land where required for the diversion, for the purposes of the construction or improvement of a highway, of other such works or apparatus.

(2) An order made under the said section 239, as having effect in accordance with subsection (1) above for the acquisition of rights, may—

(*a*) provide for such rights to be vested in the body in which the works or apparatus last mentioned in subsection (1)(*b*) are vested; and

(*b*) authorise the acquisition of such rights subject to conditions, including conditions as to the persons by whom any works are to be constructed or maintained.

(3) Before making an order under the said section 239 as having effect in accordance with subsection (1) above for the acquisition of rights in, on, under or over any land for apparatus of any statutory undertakers, or making provision in any such order specifying persons by whom works are to be constructed or maintained, the highway authority shall consult the undertakers concerned.

Licensing of structures in highways. 1980 c. 66.

9.—(1) The powers of the highway authority under section 142 of the Highways Act 1980 by licence to permit the occupier or owner of premises adjoining a highway to plant and maintain, or to retain and maintain, trees, shrubs, plants or grass in part of the highway specified in the licence shall extend to enable the highway authority in the county so to permit the occupier or owner to place and maintain, or to retain and maintain, any structure in part of the highway so specified for the purpose of demarking an access or boundary, or of protecting, or containing ground for, any such trees, shrubs, plants or grass.

(2) Accordingly the said section 142 shall have effect in the county as if—

(*a*) the reference in subsection (1) to the planting or retention and maintenance of trees, shrubs, plants or grass included reference to the placing or retention and maintenance of such structures as are mentioned in subsection (1) above;

(*b*) the reference in subsection (7) (*a*) and (*b*) to the removal of trees, shrubs, plants or grass included reference to the removal of such structures;

PART III —*cont.*

(*c*) the reference in subsection (8) to the planting or presence of trees, shrubs, plants or grass included reference to the placing or presence of such structures; and

(*d*) in subsection (10) after the word "plant" there were inserted the words "or place".

Culverting of roadside ditches.

10.—(1) Where the occupier or the owner of any land adjoining a road for which the county council are the highway authority intends to carry out works to lay a pipe in any ditch which adjoins, or connects with a ditch which adjoins, the road, being in either case a ditch which carries away water from the surface of the road, he shall give notice of his intention to the highway authority.

(2) Within 21 days from the receipt of such notice, subject as provided in subsection (3) below, the highway authority may by notice specify the diameter of the pipe to be used and may impose such conditions as may be reasonably necessary to secure the adequate drainage of surface water from the road.

(3) The requirements which may be made by the highway authority under subsection (2) above shall not require the occupier or owner to receive upon his land, or to make provision for the passage of, a greater quantity of water than he is otherwise obliged to receive or to permit to pass and, if at the request of the highway authority the occupier or owner makes provision for the passage of a greater quantity of water than he is obliged to permit to pass before the works are carried out by him, any additional cost reasonably incurred by him in complying with the request shall, unless otherwise agreed, be borne by the highway authority.

(4) If no notice of the laying of a pipe in a ditch on any land is given as required by subsection (1) above, or a pipe of a diameter other than that specified is laid or conditions imposed by the highway authority are contravened, the highway authority may by notice to the owner of the land require the removal of the pipe and the reinstatement of the ditch or the taking of such measures as may be necessary to comply with those conditions.

1936 c. 49.

(5) The provisions of Part XII of the Public Health Act 1936 with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice given by the highway authority under subsection (4) above as if this section were contained in that Act.

(6) On serving notice under subsection (2) above the highway authority shall send a copy of the notice to the water authority

PART III —*cont.*

and before serving notice under subsection (4) above the highway authority shall, except in case of emergency, consult the water authority.

Control of hawking in roads, etc.

11.—(1) For the purposes of road safety and the protection of amenity, the county council may, in accordance with subsection (6) below, designate, as an area to which subsection (2) below applies, any road or any common land or unenclosed land adjacent to, and within 15 metres of, any road.

(2) Except as provided in subsection (9) below any person who, in an area designated under subsection (1) above, without the consent of the county council, or in breach of any condition subject to which the council's consent is given, hawks, sells or offers or exposes for sale anything shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) The conditions of consent referred to in subsection (2) above include conditions as to the times or period for which the consent is valid and the payment for the consent of such reasonable fee as the council may by resolution prescribe to cover their expenses in dealing with applications for such consents, and conditions as to—

(*a*) the place within an area designated under subsection (1) above at which the activities specified in the consent may take place;

(*b*) the design, size and number of any stalls or containers that may be used for the purposes of those activities;

(*c*) the design, size and location of any signs or advertisements which may be erected;

(*d*) the keeping of the place specified in the consent free from litter and refuse.

(4) Subject to any conditions as to the period for which the consent is valid, any such consent may be revoked by notice to the person to whom the consent was given under this subsection.

(5) The county council shall not unreasonably withhold or revoke a consent under this section and a person aggrieved by—

(*a*) the withholding by the county council of consent under subsection (2) above;

(*b*) the conditions subject to which the council give such consent; or

(*c*) the revocation of such consent under subsection (4) above;

may appeal to a magistrates' court which may dismiss or allow the appeal or may vary any conditions imposed by the council.

(6) (*a*) Before designating any area as one to which subsection (2) above applies, the county council shall give notice

PART III —*cont.*

of their proposal by advertisement in a newspaper circulating in the vicinities of those areas, and by posting it in the areas to which it relates, stating that objections to the proposal may be made to the proper officer of the council within a time, not less than 28 days after the giving of the notice, specified in the notice.

(*b*) After taking into consideration any objections made in accordance with paragraph (*a*) above and after consulting the chief constable, the county council may by resolution designate as areas to which subsection (2) above applies, all or any or any part of the areas specified in the notice given under that paragraph.

(7) A resolution under subsection (6) (*b*) above shall come into force on such day as shall be specified by a notice given in the same manner as a notice given under subsection (6) (*a*) above, being a day not less than 28 days after the day on which the notice is given under this subsection.

(8) The county council may rescind a resolution under subsection (6)(*b*) above and may vary such a resolution so as to reduce the extent of an area designated thereby.

(9) This section shall not prohibit—

(*a*) the doing of anything on land by the owner or occupier of the land, or by any person with the consent of the owner or occupier, or the doing of anything on land forming part of a highway by the owner or occupier of land fronting that part;

(*b*) the selling or offering or exposing for sale of anything to persons on premises fronting on, or adjacent to, a place designated under this section, whether on those premises or in that part of any highway on which the premises front or to which they are adjacent;

and the county council shall not withhold their consent under subsection (2) above to the selling or offering or exposing for sale by any person of newspapers and periodicals except on the ground that their consent has already been given to a sufficient number of other persons.

(10) Before giving a consent under this section the county council shall consult the highway authority (if different).

(11)(*a*) In any district in which Schedule 4 to the Act of 1982 is in force—

(i) the county council shall not designate under this section any place which has been designated under paragraph 2 of that Schedule so long as it remains subject to that designation; and

PART III —*cont.*

(ii) the district council shall not designate under the said paragraph 2 any place which has been designated under this section, so long as it remains subject to that designation;

(*b*) In this subsection the reference to designation under paragraph 2 of Schedule 4 to the Act of 1982 is a reference to designation as a prohibited street, a licensed street or a consent street.

Awnings over footways.

12.—(1) If an awning over the footway of a street in the county which is a highway maintainable at the public expense is dangerous or inconvenient to the public, the highway authority may by notice require the owner or occupier of the premises to which the awning is appurtenant to carry out such work as may be necessary to remove the danger or inconvenience.

(2) Without prejudice to the generality of subsection (1) above, an awning which obscures a traffic sign from the view of persons driving or riding vehicles on the carriageway shall, for the purposes of that subsection, be taken to be dangerous or inconvenient to the public.

(3) The provisions of Part XII of the Public Health Act 1936 with respect to appeals against, and the enforcement of, notices requiring the execution of works shall apply in relation to any notice under this section as if this section were contained in that Act. 1936 c. 49.

(4) In this section "awning" includes a blind, shade or other covering and an awning that can be folded or rolled up without being dismantled shall be treated for the purposes of this section as being in its extended position.

Street names.

13.—(1) Subject to subsection (2) below a district council may name any street or any part of a street in their district which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street in their district.

(2) (*a*) Where the district council propose to alter the name of a street or part of a street they shall—

(i) post notice of the proposal in a conspicuous position at each end of the street or part to which it relates; and

(ii) serve a copy of the notice on the owner or occupier of every dwelling-house in that street or part.

(*b*) The notice under paragraph (*a*) above shall state the new name proposed and that objections to the proposal may be made in writing to the district council before a day, specified in the notice, not earlier than 28 days after the district council have complied with paragraph (*a*) above.

PART III —*cont.*

(*c*) Before determining any alteration of name in accordance with a proposal to which this subsection applies, the district council shall consider all objections made as provided in paragraph (*b*) above and, in the case of an objection by the owner or occupier of any dwelling-house in the street, give to the objector an opportunity of appearing before and being heard by a committee or sub-committee of the council.

(3) A district council may from time to time cause the name of any street or of any part of a street to be placed or marked on a conspicuous part of any building or other erection in *their* district in or near the street.

(4) Any person who, without reasonable excuse, removes any such name shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(5) The following enactments shall cease to have effect in the county:—

1847 c. 34.
(*a*) in the words in the Towns Improvement Clauses Act 1847 introducing sections 64 and 65, the words "naming the streets and";

(*b*) in the said section 64 the words from "and shall" to "to be known", and the words "or name" wherever occurring;

1907 c. 53.
(*c*) section 21 of the Public Health Acts Amendment Act 1907; and

1925 c. 71.
(*d*) sections 17 to 19 of the Public Health Act 1925.

Street numbers.

14.—(1) A district council may allocate to buildings in a street in their district such numbers as they think fit.

(2) Where a number has, or numbers have, been allocated to a building under this section or any other enactment, the district council may serve on the owner or occupier of the building a notice requiring him within such period, not less than three weeks, as may be specified in the notice to mark the building with that number, or those numbers, in such a way as to make the mark legible from the street.

(3) The owner or occupier of a building shall—

(*a*) maintain the mark in such a way that it remains legible from the street; and

(*b*) keep the view of the mark from the street unobstructed to such extent as is practicable.

(4) A district council may alter the number or numbers allocated to a building, and where they do so subsections (2) and (3) above shall apply to the altered number or numbers.

PART III —*cont.*

(5) A district council may, instead of requiring a building to be marked with a number or numbers under this section, require it to be marked with such other means of identification as they may, at the request of the owner or occupier, allow; and subsections (2) and (3) above shall have effect accordingly.

(6) An owner or occupier of a building who without reasonable excuse—

(*a*) fails to comply with a notice served on him under subsection (2) above; or

(*b*) contravenes subsection (3) above;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) The following provisions of the Towns Improvement Clauses Act 1847 shall cease to have effect in the county:— 1847 c. 34.

(*a*) in the words introducing sections 64 and 65, the words "and numbering the houses";

(*b*) in section 64 the words from "shall from time to time" to "think fit, and", and the words "number or" wherever occurring; and

(*c*) section 65.

Removal of snow from highways.

15.—(1) A local authority to which this section applies may remove obstruction arising from any accumulation of snow in any highway (other than a trunk road) maintainable at the public expense in their area.

(2) Nothing in this section affects the duty of the highway authority to remove obstructions from highways under section 150 of the Highways Act 1980 and before exercising the powers of this section the local authority shall give to the highway authority such notice as is practicable of their intention to do so. 1980 c. 66.

(3) In this section "local authority" includes a parish council, and the local authorities to which this section applies are—

(*a*) in the city, the city council;

(*b*) elsewhere in the county, a parish council.

PART IV

PUBLIC HEALTH AND AMENITIES

Parking of goods vehicles in residential areas.

16.—(1) In this section—

"goods vehicle" means a vehicle, whether mechanically propelled or not, constructed or adapted for the carriage of goods, which has a maximum gross weight (within the meaning of the Traffic Signs Regulations

PART IV —*cont.*
S.I. 1981/859.

1981) exceeding 3.5 tonnes, not being a dual purpose vehicle as defined in paragraph 2 of Schedule 6 to the Act of 1984;

"prescribed hours" means any time on Saturday, Sunday or any bank holiday or before 07.00 hours or after 21.00 hours on any other day;

"residential street" means a street predominantly fronted either by residential or mainly residential buildings or by such buildings and schools or public open spaces.

(2) If, after the appointed day in any district, it appears to the district council, that the amenities of any part of the district are prejudicially affected by—

(*a*) the use at any time during the prescribed hours of any residential street as a place for the waiting of one or more goods vehicles; or

(*b*) the habitual use at any time of land within the curtilage of any dwelling-house in a residential street as a parking place for such vehicles except in accordance with such permission to do so as is specified *in* subsection (14) below;

the district council may, by an order made in accordance with this section, prohibit such use of the street, or such use of land within the curtilage of dwelling-houses, or both such uses, in any part of the street specified in the order.

(3) (*a*) Before making an order under this section, the district council shall prepare a draft order and—

(i) post copies of a notice stating the effect of the draft order in a conspicuous position at each end of the street or part thereof to which it relates; and

(ii) serve a copy of the notice and a statement of the council's reasons for making the order on the owner or occupier of every dwelling-house in the street or part thereof to which the draft order relates.

(*b*) The notice under paragraph (*a*) above shall state where the draft order can be inspected and copies purchased and that objections to the order may be made in writing to the district council before such day, not earlier than 28 days after the district council have complied with paragraph (*a*) above, as shall be specified in the notice.

(*c*) Before making the order the district council shall—

(i) consider all objections made as provided in paragraph (*b*) above and, in the case of an objection to an order relating to the curtilage of a dwelling-house, the availability of alternative parking facilities;

PART IV —*cont.*
1968 c. 73.

(ii) consult the chief constable, the licensing authority for Part V of the Transport Act 1968, the highway authority (if any) for the street in question and, if the county council are not the highway authority, the county council; and

(iii) afford to any person who has made objection, being the owner or occupier of a dwelling-house in the street or part thereof to which the draft order relates, an opportunity of being heard by a committee or sub-committee of the district council.

(4) If, after considering objections made under subsection (3) above, the district council determine to make the order, they may make the order in the terms of the draft, or in those terms as modified to meet in whole or in part all or any of the objections, but if the district council consider that any person may be adversely affected by any such modification they shall, before making the order, take such steps as appear to them to be appropriate for informing the persons likely to be so affected of the modification, for giving those persons an opportunity to make representations and for ensuring that any such representations are duly considered by the district council.

(5) When an order has been made by the district council under this section they shall publish notice of it, and of any applicable right of appeal under subsection (10) below, in the manner required by subsection (3) above for notice of a draft order.

(6) (*a*) An order under this section relating to the curtilage of a dwelling-house shall come into operation on the expiration of three months after the district council have published notice of its making under subsection (5) above and any other order under this section shall come into operation on the expiration of one month after the district council have published notice of its making under subsection (5) above:

Provided that, if an appeal is lodged under subsection (10) below, the order shall not come into operation until the district council publish notice, in the manner required by subsection (3) above for notice of a draft order, that the appeal has been disposed of or withdrawn or has failed for want of prosecution.

(*b*) Any such order shall have effect for such period, not exceeding five years, as the district council may determine, but this paragraph does not prejudice the power of the district council to make a further order.

(7) A district council may revoke an order made under this section and may vary an order so made so as to diminish its scope.

(8) An order under this section relating to the curtilage of a dwelling-house shall be a local land charge.

PART IV —*cont.*

(9) Notice of the effect of an order under this section prohibiting the use of a street or part thereof as a place for the waiting of goods vehicles shall be given by traffic signs displayed in conspicuous positions in the street.

(10) (*a*) A person who is aggrieved by an order under this section prohibiting the habitual use of land within the curtilage of a dwelling-house as a parking place for goods vehicles may, within 28 days after the first publication of the notice of the making of the order under subsection (5) above, appeal to the county court.

(*b*) On an appeal to the county court under this subsection the judge may make such order, either confirming or quashing or varying the order as he thinks fit, but shall not so vary the order that it is more onerous than the order made by the district council.

(11) An order under this section shall not prevent the waiting of a goods vehicle in any residential street or on land within the curtilage of any dwelling-house for such period as is reasonably necessary for loading or unloading or for dealing with a breakdown or other emergency.

(12) An order under this section shall not—

(*a*) prevent the waiting of a goods vehicle in a residential street for so long as may be necessary to enable the vehicle, if it cannot reasonably be used for such purpose without waiting in that street, to be used in connection with the erection, laying, placing, maintenance, testing, alteration, repair, renewal or removal of—

(i) any structure, works or apparatus in, on, under or over the street;

(ii) any structure, works or apparatus of statutory undertakers or the British Railways Board in land adjacent to the street, in any case where it is reasonably necessary to carry out those operations on that land during the prescribed hours in order to minimise any disruption of service provided by them.

(*b*) apply to any goods vehicle held ready for use in an emergency by the British Gas Corporation, not being a vehicle which has a maximum gross weight (within the meaning of the Traffic Signs Regulations 1981) exceeding 5.6 tonnes, but nothing in this paragraph shall be taken to prejudice any rule of law or other enactment.

S.I. 1981/859.

(13) (*a*) If a goods vehicle is found waiting in a residential street in contravention of an order under this section, the person in charge of the vehicle shall be guilty of an offence.

PART IV —*cont.*

(*b*) If any person uses, or permits to be used, land within the curtilage of a dwelling-house in contravention of an order under this section, he shall be guilty of an offence.

(*c*) A person who is guilty of an offence under this subsection shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(14) The permission referred to in subsection (2) (*b*) above is a planning permission granted upon an application made under the Act of 1971 specifying , as a permitted use of the land in question, use as a parking place for one or more goods vehicles.

Power to order alteration of chimneys.

17.—(1) If, upon a complaint by a district council under this section, a magistrates' court is satisfied that any gas, vapour or fumes from a chimney of a building in the district is or is likely to be injurious to health or a nuisance, the court may make an order requiring the owner of the chimney within such time as may be specified in the order—

(*a*) to raise it to a height so specified; or

(*b*) to take such other measures for remedying the cause of complaint as the court thinks fit.

(2) The court shall not make an order under this section unless it is satisfied that the work to be done in pursuance of the order need not involve an expenditure exceeding—

(*a*) in the case of a single private dwelling-house, £600; and

(*b*) in any other case, £1,800;

or, in any case, such greater sum as may be specified in an order made by the Secretary of State by statutory instrument under this section.

(3) Any person who, without reasonable excuse, fails to comply with an order made under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale and to a daily fine not exceeding £20.

(4) Unless the Secretary of State has granted scheduled monument consent under section 3 or 4 of the Ancient Monuments and Archaeological Areas Act 1979 or listed building consent under section 55 of the Act of 1971 for the alteration of any chimney in a scheduled monument or listed building, no complaint shall be made to a magistrates' court under this section in respect of any chimney in such monument or building. 1979 c. 46.

(5) This section does not apply to premises which are subject to the Factories Act 1961 or the Alkali, &c. Works Regulation Act 1906 or to any class of premises prescribed for the purposes of section 1 (1) (*d*) of the Health and Safety at Work etc. Act 1974. 1961 c. 34. 1906 c. 14. 1974 c. 37.

PART IV —*cont.*

(6) In this section "chimney" includes structures, openings and ducts of any kind from which any gas, vapour or fumes may be emitted whether or not as the product of combustion; and reference to a chimney of a building includes reference to a chimney of a building which serves the whole or a part of a building but is structurally separate therefrom.

Notification of premises for sale, etc., of food.

18.—(1) As from the appointed day in any district, any person intending to use for private gain any premises for—

(*a*) the sale or offer or exposure for sale; or

(*b*) the storage for purposes of sale; or

(*c*) the preparation for sale;

of any food (other than milk) intended for human consumption which were not used by him for any such purpose immediately before the appointed day shall give notice of his intention to the proper officer of the district council not less than 14 days and not more than six months before the commencement of that use.

(2) Nothing in this section shall apply to—

(*a*) the sale or offer or exposure for sale, or the storage for purposes of sale, of ice-cream or sugar confectionery in premises used as a theatre, music hall, bingo hall or cinematograph theatre;

(*b*) premises used for any purpose mentioned in subsection (1) above in pursuance of a planning permission granted on an application made under the Act of 1971 specifying that use;

(*c*) premises in respect of which there is a justices' licence for the sale of intoxicating liquor for consumption on the premises;

(*d*) premises used exclusively for purposes of agriculture as defined in section 109 of the Agriculture Act 1947;

1947 c. 48.

(*e*) premises required to be registered under section 16 of the Food Act 1984;

1984 c. 30.

(*f*) premises licensed under the Late Night Refreshment Houses Act 1969;

1969 c. 53.

(*g*) premises registered under Part IX of the Act of 1982; or

(*h*) premises forming part of a railway station.

(3) (*a*) If any act or omission in the course of, or in connection with, any use of premises to which this section applies constitutes an offence under any of the statutory provisions specified in paragraph (*b*) below, a person found guilty of that offence shall, if it is shown that he has also contravened subsection (1) above in respect of those premises, be liable to a fine not exceeding level 3 on the standard scale in addition to any penalty to which he is liable for the offence under that statutory provision.

(*b*) The statutory provisions mentioned in paragraph (*a*) above are any provision in regulations made under section 13 of the Food Act 1984 (regulations as to food hygiene) and any of the following provisions of that Act:— PART IV —*cont.* 1984 c. 30.

section 1 (preparation and sale of injurious or adulterated food);
section 2 (protection for purchasers of food);
section 6 (false labelling or advertisement of food);
section 8 (sale of food unfit for human consumption);
section 28 (prevention of spread of disease by ice-cream);
section 29 (sale of horseflesh);
section 31 (inspection and control of infected food).

(4) In this section "food" has the meaning given by section 131 of the Food Act 1984.

Control of stray dogs. 1906 c. 32.

19.—(1) A duly authorised officer of the city council, and, as from the appointed day in their district, a duly authorised officer of any other district council, may exercise the powers in section 3 of the Dogs Act 1906 with respect to the seizure, detention and disposal of stray dogs in the district and, for the purposes of that section as it applies to the district, a dog shall be treated as a stray if it appears not to be in the charge of any person.

(2) Where subsection (1) above applies in any district, section 3 of the Dogs Act 1906 shall, in consequence of that subsection, have effect in the district subject to the following modifications:—

(*a*) the substitution for subsection (1) of the following:—

"(1) Where it appears to a police officer or a duly authorised officer of the district council that any dog found in a highway or place of public resort is not in the charge of any person he may seize the dog and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.";

(*b*) in both subsections (2) and (4), the substitution for "the chief officer of police, or any person authorised by him in that behalf," of the words "the chief officer of police or, as the case may be, the district council, or any person authorised by him or them in that behalf,";

(*c*) in subsection (6), the substitution for "of a police area" of the words "and the district council" and for "in that area" of the words "by him or them respectively"; and

(*d*) in subsection (7), the substitution for "The police shall not dispose of any dog seized under this section" of the

PART IV —*cont.*

words "A dog seized under this section shall not be disposed of" and the insertion after "inspection" of the words "at all reasonable times".

Byelaws as to leisure centres.

20.—(1) A local authority may make byelaws for the regulation of any leisure centre for which they are responsible, that is to say, any place owned or managed by them (whether alone or in conjunction with any other body) at which recreational facilities of any description mentioned in section 19 (1) of the Act of 1976 are provided, including land used for any such recreation and buildings connected therewith.

(2) Without prejudice to the generality of subsection (1) above, byelaws under this section may make provision for—

(*a*) the good and orderly conduct of persons resorting to the leisure centre;

(*b*) the exclusion or control of animals;

(*c*) regulating the movement and parking of vehicles at the leisure centre;

(*d*) prohibiting or regulating the use of vehicles by the public at the leisure centre otherwise than on a road as defined in section 142 of the Act of 1984.

(3) Byelaws made under subsection (2) (*a*) above may provide for the removal from the leisure centre, by a duly authorised officer of the local authority or a police constable, of any person infringing any such byelaw.

(4) In this section "local authority" includes a parish council.

PART V

FINANCE AND MISCELLANEOUS

Division of county superannuation fund.
S.I. 1974/520.

21.—(1) In this section expressions to which meanings are assigned by the Local Government Superannuation Regulations 1974 as for the time being amended have the same respective meanings and references to regulations are to those regulations.

(2) (*a*) In its application to the county council regulation B1 shall have effect so as to enable the county council, within six months of any actuarial valuation of the Oxfordshire County Council Superannuation Fund ("the main fund") under regulation B7 in respect of any period ending not later than 31st March 1989 to establish and administer an additional superannuation fund to be known as "the Admission Agreement, etc. Superannuation Fund" ("the second fund").

(*b*) The regulations shall with any necessary modifications apply to the second fund as they apply to the main fund.

PART V —*cont.*

(3) (*a*) The second fund shall be the appropriate superannuation fund for all pensionable employees and other persons who before the establishment of the fund have been entitled to participate in the benefits of the main fund by virtue of the operation of regulations B4, B4A or J8 (admission agreements for employees of other bodies) or who thereafter are admitted by virtue of the operation of any of the said regulations.

(*b*) So long as the second fund is maintained any employee admitted by the county council under an agreement to which regulation B4 or B4A applies shall be admitted to participate in that fund and not in the main fund.

(4) (*a*) Upon the establishment of the second fund the main fund shall be apportioned; and the provisions of Schedule 24 of the regulations shall apply for such apportionment and for the transfer of assets from the main fund to the second fund as those provisions apply where there occurs such a change of employment as is mentioned in regulation P2 (6).

(*b*) The county council shall bear the costs of the apportionment required by this subsection.

(5) (*a*) The county council may, in connection with the second fund and out of the moneys of that fund, insure with an insurance company pensionable employees in the second fund against death in service to an amount not exceeding pensionable remuneration for one year payable by way of death gratuity under regulation E11.

(*b*) In this subsection "insurance company" means a body to which the Insurance Companies Act 1982 applies and which is authorised by or under section 3 or 4 of that Act to carry on long term business as defined in section 96 of that Act. 1982 c. 50.

(6) The county council may if they think fit, at their own cost, wind up the second fund and transfer the assets thereof to the main fund, and thereupon—

(*a*) the pension rights in the second fund of all pensionable employees and persons entitled to participate in that fund shall be transferred to, and become rights in and entitlements to participate in, the main fund;

(*b*) the main fund shall become the appropriate superannuation fund for those employees and persons; and

(*c*) the foregoing provisions of this section shall cease to have effect.

PART V —*cont.*

Extension of powers to grant gratuities.

22.—(1) A local authority may grant to any employee on his ceasing to be employed by them, or to a dependant of an employee who dies while in their employment, a gratuity which shall be—

(*a*) by way of a lump sum not exceeding an amount equal to twice that of the annual emoluments of the employment; or

(*b*) by way of periodical payments not exceeding in the aggregate the amount aforesaid; or

(*c*) by way of an annuity the capital value of which does not exceed the amount aforesaid; or

(*d*) partly by way of an annuity for the benefit of the widow and partly by way of periodical payments for the benefit of such of the children of the deceased employee who shall for the time being be under the age of 18 years, so that the aggregate of the capital value of such annuity and of such periodical payments does not exceed the amount aforesaid.

(2) (*a*) A gratuity granted under subsection (1) above shall not be paid out of any superannuation fund maintained by the county council.

(*b*) No gratuity shall be granted under subsection (1) above in the case of an employee who is entitled to any payment out of any superannuation fund maintained by the county council other than a return of contributions.

(3) Subsection (1) above shall apply to a dependant of a former employee of a local authority who dies within one year after ceasing to be in their employment as it applies to a dependant of an employee who dies whilst in their employment but no gratuity shall be granted under this section to a dependant of a former employee to whom a gratuity has been granted under section 18 (1) of the Local Government Superannuation Act 1953 or under this section.

1953 c. 25.

(4) Where a local authority have granted a gratuity under this section and either—

(*a*) the gratuity was by way of periodical payments and the employee dies before all the payments are completed; or

(*b*) the gratuity was by way of an annuity and the employee dies before receiving an aggregate amount equal to the capital value of the annuity;

the authority may grant a gratuity to a dependant of the employee, and for that purpose this section shall have effect as if—

(i) the employee had died while in the employment of the authority; and

PART V —*cont.*

(ii) for the amount specified in subsection (1) above there were substituted the aggregate amount of the periodical payments outstanding at the employee's death or, as the case may be, the difference between the capital value of the annuity and the aggregate amount of the payments made to the employee before his death.

(5) For the purposes of this section, a person employed in a voluntary school in the county shall be deemed to be employed by the county council and the county council may grant to, or in respect of, any such person a gratuity in accordance with the provisions of this section.

(6) Section 18 of the Local Government Superannuation Act 1953 shall cease to apply in the county. 1953 c. 25.

(7) In this section "local authority" includes a parish council, the Oxfordshire Magistrates' Courts Committee and the Oxfordshire Area Probation Committee.

Provision of information.

23.—(1) The information which may be made available pursuant to arrangements which a local authority make, or assist in making, under section 142(1) of the Act of 1972 shall include any information with regard to matters of recreational, cultural or scientific interest in their area and its neighbourhood, and information for tourists.

(2) The arrangements which may be made by a local authority under section 142(2) of the Act of 1972 shall include arrangements for publication within their area and neighbourhood of information on matters relating to local government and of works of historical or literary interest with a local connection.

(3) A local authority may incur expenditure in advertising and making known the advantages, facilities and amenities afforded or to be afforded by their area for commerce and industry in any manner which the local authority may think fit, and, without prejudice to the generality of the foregoing provisions of this subsection, they may for that purpose combine with or engage other persons.

(4) The expenditure of a local authority under subsection (3) above shall not in any financial year exceed the product of a rate of 2p in the pound for their area for that year which shall be computed in the manner prescribed by section 137 (8) of the Act of 1972.

PART VI

PROVISIONS APPLICABLE TO PARTS OF OXFORDSHIRE

Oxford

Extension of section 21 of Town Police Clauses Act 1847.

1847 c. 89.

24.—(1) The power to make orders under section 21 of the Town Police Clauses Act 1847 (prevention of obstruction in streets during public processions, etc.) shall in the city include power to make orders—

(*a*) directing particular routes to be taken by particular classes of traffic; or

(*b*) directing or prohibiting the passage or stopping of vehicles along or in particular streets.

(2) Section 66 of the Act of 1984 (traffic signs for giving effect to local traffic regulations) shall apply to orders made under the said section 21 as having effect in the city as if the reference in that section to traffic signs included reference to bollards or other obstructions.

Carfax Tower.

25. The city council shall continue to maintain in good repair the tower of the former church of St. Martin in the city (now known as Carfax Tower), with the bells therein.

Carfax Gardens.

1890 c. ccxxiii.

26.—(1) The following provisions of this section shall have effect with respect to the part of the site of the former church of St. Martin and the churchyard thereof in the city coloured red on the plan referred to in section 11 of the Oxford Corporation Act 1890 and referred to in this section as "the specified land".

1906 c. 25.

(2) The specified land (now known as Carfax Gardens) shall be freed and discharged from all trusts, uses, obligations and restrictions which attach to it under the proviso to section 11 of the Oxford Corporation Act 1890 and section 12 of the Open Spaces Act 1906 (the effect of which is that the land is at present held by the city council as an open space).

(3) (*a*) No part of the specified land shall be used for a purpose likely to involve the disturbance of the remains of any deceased person interred therein until those remains have been removed and re-interred or cremated in accordance with the following provisions of this section.

(*b*) Before any such remains are removed from any part of the specified land the city council shall give notice in accordance

PART VI —*cont.*

with subsection (4) below of the intended removal of the remains from that part of the land.

(*c*) No part of the specified land shall be used for the purpose of carrying out any work which does not involve the disturbance of the remains of any deceased person interred therein until the city council have given notice in accordance with subsection (4) below that the work is to be carried out.

(4) Notice under paragraph (*b*) or (*c*) of subsection (3) above shall describe the part of the land and, in the case of notice under paragraph (*c*), the nature of the work and state the general effect of the following provisions of this section, and shall be given by:—

(*a*) publishing it once in each of two successive weeks in a newspaper circulating in the city with an interval between publications of not less than six days;

(*b*) displaying it in a conspicuous place on that part of the specified land.

(5) (*a*) At any time within two months after the first publication of a notice under paragraph (*b*) or (*c*) of subsection (3) above relating to any part of the specified land, any person who is a personal representative or relative of any deceased person whose remains are interred in that part of the land may give notice in writing to the city council—

(i) in the case of a notice given under subsection (3) (*b*) above, of his intention to undertake the removal of such remains;

(ii) in the case of a notice given under subsection (3) (*c*) above, requiring such remains to be removed.

(*b*) On the giving of any notice under paragraph (*a*) above, if the remains can be identified the person giving the notice may, in the case mentioned in paragraph (*a*) (i), and the city council shall, in the case mentioned in paragraph (*a*) (ii), without in either case any faculty for the purpose, cause such remains to be removed and interred in any burial ground or cemetery in which burials may legally take place, or to be removed to and cremated in any crematorium.

(6) If any person giving such notice as aforesaid fails to satisfy the city council that he is such personal representative or relative as he claims to be or that the remains in question can be identified, the question shall be determined on the application of either party by the registrar of the consistory court who shall have power to make an order specifying who shall remove the remains and as to the payment of the costs of the application.

(7) The city council shall defray the reasonable expenses of the removal and re-interment or cremation of such remains.

PART VI —*cont.*

(8) If—

(*a*) within the said period of two months no notice under subsection (5) above has been given to the city council in respect of the remains in any grave or vault; or

(*b*) notice is given in the case mentioned in subsection (5) (*a*) (i) above and no application is made under subsection (6) above within two months after the giving of the notice but the person who gave notice fails to remove the remains within a further period of two months thereafter; or

(*c*) within two months after any order is made by the registrar under the said subsection (6) any person, other than the city council, specified in the order fails to remove the remains; or

(*d*) it is determined that the remains to which any such notice relates cannot be identified;

the city council, without any faculty for the purpose, shall be at liberty—

(i) in the case where notice of intended removal of the remains was given under subsection (3) (*b*) above, to remove the remains and cause them either to be re-interred in such burial ground or cemetery in which burials may legally take place as the city council think suitable for the purpose, or, after consultation with any personal representative or relative by whom notice under subsection (5) above has been given in respect of the remains, to be removed to and cremated in such crematorium as the city council think suitable for the purpose;

(ii) in the case where notice of intended works was given under subsection (3) (*c*) above, to carry out that work.

(9) Upon any removal of remains from the specified land and their re-interment or cremation a certificate of removal and re-interment or cremation shall be sent to the Registrar General by the city council giving the date of re-interment or cremation and identifying the place from which the remains were removed and the place in which they were re-interred or cremated, showing the particulars of each removal separately.

(10) (*a*) Subject as hereinafter provided, any monument or tombstone relating to the remains of any deceased person removed and re-interred under this section shall be removed to and re-erected at the place of re-interment of such remains or at such other place as the registrar of the consistory court may direct on the application either of such personal representative or relative as aforesaid or of the city council.

PART VI —*cont.*

(*b*) Subject as aforesaid, any monument or tombstone relating to the remains of any deceased person removed and cremated under this section shall, at the request of such personal representative or relative as aforesaid or, if no such request is made, at the discretion of the city council, be removed to and re-erected at such place as may be agreed between such personal representative or relative and the city council or, in default of such agreement, at such place as the registrar of the consistory court may direct on the application either of such personal representative or relative or of the city council.

(*c*) In the case of a monument or tombstone in respect of which no application is made by a personal representative or relative under paragraph (*a*) or (*b*) above, it shall not be necessary to re-erect the monument or tombstone if the city council consider that, by reason of its ruinous condition, it is unsuitable for re-erection.

(*d*) Any monument or tombstone not re-erected in accordance with paragraph (*a*) or (*b*) above shall be broken and defaced before being disposed of in such manner as the city council think fit.

(*e*) The reasonable expense of removing and re-erecting or disposing of any monument or tombstone under this subsection shall be defrayed by the city council.

(*f*) The city council shall cause a record to be made of each monument and tombstone taken from the specified land under this section containing—

(i) a copy of the inscription thereon; and

(ii) if it is intended to preserve the monument or tombstone, a statement naming the place, if any, where it has been re-erected;

and shall deposit a copy of the record with the Registrar General.

(*g*) In this subsection references to re-erection include placing a monument or tombstone in any position in which any words inscribed thereon are visible.

(11) The city council shall cause a record to be made of every grave or vault rendered inaccessible by any such work as is referred to in subsection (3) (*c*) above containing a copy of any legible inscription on any monument or tombstone on, or forming part of, the grave or vault.

(12) The removal of the remains of any deceased person under this section shall be carried out in accordance with any directions that may be given by the Secretary of State.

PART VI —*cont.*

Common rights of freemen of City of Oxford.
1965 c. 64.

27. For the avoidance of doubt it is hereby declared that the rights of common over Port Meadow and Wolvercote Common in the city, registered in the register of common land maintained by the county council under the Commons Registration Act 1965 in the names of the freemen of the city at the date of registration, are the rights of the freemen as such, being the persons who from time to time are entered in the roll of freemen of the city.

Cherwell

Banbury Corporation Stock.
1946 c. lxii.

28. Section 262 (9) of the Act of 1972 shall not apply to section 58 (Creation of stock as consideration for transfer) of the Banbury Corporation Act 1946 as having effect for the servicing and redemption of Banbury Corporation 4 per cent. Stock by the Cherwell District Council subject to the repayment by the Thames Water Authority of loan charges and other costs and expenses under section 15 of the Oxford and District Water Board Order 1966.
S.I. 1966/1163.

Vale of White Horse, Wantage

Wantage markets and fairs.

29.—(1) In this section—

"the District Council" means the Vale of White Horse District Council;

"the town" means the town and parish of Wantage;

"the Town Council" means the council of the parish of Wantage.

(2) Subject to the provisions of this section, the Town Council may continue the markets and fairs customarily held in the town at the commencement of this Act, and may continue and from time to time provide market-places and market-houses for the sale of any animals or articles and places for fairs together with all such market stands, buildings, offices, approaches, appliances, conveniences and things as may be necessary or incidental.

(3) Subject as provided in subsection (4) below, the fairs which may lawfully be held in the town shall be held on the following days in every year, namely:—

(*a*) the May Fair on a date in May appointed under subsection (4) below;

(*b*) the September Fair on the last three days of the week in which the St. Giles' Fair is held in the city; and

(*c*) the October Fair on the Saturday falling on, or next after, 11th October.

PART VI —*cont.*

(4) The Town Council may, after consultation with the District Council and the highway authority, by resolution—

(*a*) appoint the hours during which the said markets or fairs are to be or may be held;

(*b*) appoint the days on which the said markets or the said May Fair are to be or may be held;

(*c*) designate the places in which the markets or fairs are to be or may be held and prescribe the placing of stalls and standings and the parking of vehicles.

(5) If any person contravenes the requirements of a resolution under subsection (4) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) For any purpose of, or in connection with, any of their markets the Town Council may appropriate and use any lands for the time being belonging to them.

(7) The Town Council may, subject to the approval of the highway authority, provide for the off-street parking of vehicles in any of their market-places on such days and at such hours as they may determine and may make reasonable charges for the parking of vehicles therein.

PART VII

ABINGDON PROVISIONS

Interpretation

Interpretation of Part VII.

30.—(1) In this Part, unless the context otherwise requires—

"Abingdon Common" means the part of the lands vested in the Town Council numbered 1 to 19 on the deposited plans referred to in the Abingdon Corporation Act 1951, being the lands lying to the west of the A34 highway embankment; 1951 c. xxx.

"the Abingdon fisheries" means the fisheries vested in the Town Council in—

(*a*) the bed and waters of the river Thames or Isis between Nuneham railway bridge and a point 200 yards measured upstream from the junction of the Andersey Backwater with that river near Culham Bridge, including the Abbey stream but excluding the Andersey Backwater; and

(*b*) the bed and waters of the river Ock between Drayton Road bridge and its confluence with the river Thames or Isis;

PART VII —*cont.*

"the District Council" means the Vale of White Horse District Council;

"the riverside" has the meaning given by subsection (2) below;

"the town" means the town and parish of Abingdon;

"the Town Council" means the council of the parish of Abingdon;

"the water authority" means the Thames Water Authority.

(2) For the purposes of this Part the riverside comprises—

(*a*) land extending to a distance of 60 feet from the nearest bank on each side of the river Thames or Isis forming part of the Abingdon fisheries and includes land between the river and the Abbey stream; and

(*b*) land, other than land described in paragraph (*a*) above, between the northern and southern branches of the river Ock below Drayton Road bridge;

being land in which rights are vested in the Town Council for the purposes of the Abingdon fisheries or forming part of any highway.

Abingdon fisheries

Maintenance of fisheries by Town Council.

31.—(1) The Town Council may do all such acts and things as they consider necessary or desirable for the maintenance and improvement of the Abingdon fisheries, and for those purposes they may—

(*a*) maintain, improve and cleanse the Abingdon fisheries and the banks of the river forming part of the riverside;

(*b*) restock the Abingdon fisheries with fish;

(*c*) maintain and improve the riverside, and provide and maintain footbridges over streams, backwaters and ditches therein;

(*d*) provide and maintain mooring places for boats used by the holders of fishing permits;

(*e*) provide and maintain, or contribute to the provision and maintenance of, facilities for ferrying holders of fishing permits across the river, and make reasonable charges for the use of such facilities.

(2) The Town Council shall not under this section do any act or thing affecting the banks or bed of the river, or any stream or backwater under the jurisdiction or control of the water authority, or provide facilities for ferrying holders of fishing permits across the river, without the consent in writing of the water

PART VII —*cont.*

authority, but the consent of the water authority to the provision of any such facilities shall not be unreasonably withheld, and any question whether or not any consent for that purpose is unreasonably withheld shall be determined by arbitration.

(3) Nothing in subsection (1)(*b*) above shall relieve the Town Council from the need to obtain the written consent of the water authority before introducing fish or spawn of fish into the Abingdon fisheries.

Byelaws for riverside.

32.—(1) The District Council may at the request of the Town Council make byelaws for all or any of the following purposes:—

(*a*) for prescribing the parts of the riverside (other than any highways therein) over which holders of fishing permits and the public may respectively pass and repass;

(*b*) for preventing or restraining any act or default tending to injury to, or disfigurement of, the riverside or other land, or the trees, fences and bridges therein, or injury to, or interference with, wildlife or cattle;

(*c*) for preventing or restraining any act or thing tending to interfere with the use or enjoyment of the riverside by the holders of fishing permits or the public.

(2) (*a*) No byelaws made under this section shall affect any public right of towing.

(*b*) If and so far as a byelaw made under this section is inconsistent with a byelaw made by the water authority, the latter shall prevail.

Regulation of fisheries.

33.—(1) In this section "local resident" means any person who—

(*a*) is for the time being registered in the local government register of electors as a resident of premises within three miles of the Guildhall in the town; or

(*b*) satisfies the Town Council, or an authorised officer of the Town Council, that for a period of not less than three months immediately preceding the making by him of an application for a fishing permit under this section he has been a resident of premises within three miles of the said Guildhall.

(2) Any person who, without reasonable excuse, fishes or attempts to fish in or from the Abingdon fisheries without a fishing permit from the Town Council authorising him to do so shall be guilty of an offence.

PART VII —*cont.*

(3) (*a*) No fee shall be charged for the issue of a fishing permit to a local resident but a person who is not a local resident shall, on making application for the issue of a fishing permit, pay to the Town Council such fee as the Town Council may fix.

(*b*) The Town Council may fix different fees for permits in respect of different periods.

(*c*) Nothing in this subsection shall prevent the Town Council from making a charge to cover the cost of a permit issued to replace one previously issued during its currency.

(4) Except as provided in subsections (5) and (6) below, the Town Council shall as soon as reasonably practicable after the receipt of an application for a fishing permit, and (except in the case of an application by a local resident) of the appropriate fee, issue a fishing permit to the applicant for such period, not exceeding one year, as may be specified in the application, and may attach to the permit such conditions as they think fit.

(5) If the applicant is not a local resident the Town Council may refuse to issue a fishing permit on the ground that if such permit were issued the number of fishing permits would be excessive having regard to the size of the Abingdon fisheries.

(6) The Town Council may—

(*a*) revoke a fishing permit if the holder has contravened any condition attached to the permit or has been convicted of an offence against any byelaw made under section 32 (Byelaws for riverside) of this Act; and

(*b*) refuse the issue of a fishing permit to a person who has contravened a condition attached to a permit previously issued to him or has been convicted of any such offence.

(7) (*a*) The Town Council shall not refuse to issue, and shall not revoke a fishing permit for a period exceeding one month, without giving to the applicant or, as the case may be, the holder of the permit not less than 7 days' notice that objection has been or will be taken to the issue of the permit or that revocation of the permit is proposed and, if within 7 days after the receipt of such notice the applicant or holder requires to be heard, the permit shall not be refused or revoked unless the Town Council have afforded him an opportunity of being heard before a committee of the Town Council against the refusal or revocation.

(*b*) A notice served under this subsection shall state the objection to the issue of the permit, or, as the case may be, the grounds on which revocation of the permit is proposed, and shall state the effect of paragraph (*a*) above.

PART VII —*cont.*

(8) Any person who obtains, or attempts to obtain, a fishing permit by means of a statement which he knows to be false in a material respect shall be guilty of an offence.

(9) A person guilty of an offence under subsection (2) or (8) above shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Water keepers.

34.—(1) The Town Council may appoint water keepers for securing the observance of the foregoing provisions of this Part and of the byelaws made thereunder.

(2) Any person fishing or attempting to fish in or from the Abingdon fisheries shall on being so requested by any such water keeper (who shall produce if so required some duly authenticated document showing his authority) either produce his fishing permit for inspection by the water keeper or, failing that, produce it at, or send it to the offices of the Town Clerk within five days after the production of the fishing permit was required.

(3) If any person contravenes the provisions of subsection (2) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Agreements with associations of fishermen.

35. The Town Council may enter into and carry into effect agreements with any association or group of associations which appears to the Town Council to represent fishermen for and in connection with—

(1) the issue (but not the refusal or revocation) of fishing permits by such association or group of associations;

(2) the compounding of fees payable for permits by members of such association or group of associations;

(3) the exercise by such association or group of associations on behalf of the Town Council of any of the powers of section 31 (Maintenance of fisheries by Town Council) and subsection (1) of section 34 (Water keepers) of this Act.

Other provisions

Restriction on mooring houseboats.

36.—(1) In this section the expression "houseboat" includes any vessel (other than a vessel bona fide used for navigation) which is used or intended for use as a place of habitation (whether by day and night) or as a place for accommodating or receiving persons for the purpose of shelter, recreation, entertainment or refreshment or as club premises or as offices or as a kitchen, pantry or store place.

PART VII —*cont.*

(2) No houseboat shall be moored to or alongside or near the northern bank of the river Thames or Isis between Abingdon bridge and the confluence of the river Ock adjoining Saint Helen's Wharf.

(3) If any person contravenes the provisions of this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Abingdon Common.

37.—(1) The Town Council may retain, hold, manage and use for agricultural purposes, and may let for such purposes, the whole or any part of Abingdon Common.

(2) The Town Council may from time to time appropriate for the purpose of any of their functions (including the provision of public walks and recreation grounds) so much of Abingdon Common as they think fit not exceeding in the aggregate 25 acres or such greater area as may from time to time be approved by the Secretary of State.

(3) On an appropriation of land under subsection (2) above such adjustment shall be made in the accounts of the Town Council as the Secretary of State may direct.

(4) The District Council may at the request of the Town Council make byelaws for the regulation of any land appropriated under subsection (2) above as a public walk or recreation ground.

Abingdon fairs.

38.—(1) Subject to the provisions of this section, the Town Council shall continue to hold the fairs customarily held in the town at the commencement of this Act.

(2) The fairs which may lawfully be held in the town shall be held on the following days in every year namely:—

(*a*) the Saint Mark's Fair on the Monday falling on, or next before, 6th May;

(*b*) the Saint Edmund of Abingdon Fair on the Monday falling on, or next after, 20th June;

(*c*) the Michaelmas Fair (or Hiring Fair) on the Monday falling next before 11th October and on the following Tuesday;

(*d*) the Runaway Fair on the Monday next following the Michaelmas Fair.

(3) The Town Council may, after consultation with the District Council and the highway authority, by resolution—

(*a*) appoint the hours during which the fairs are to be or may be held;

(*b*) designate the places in which the fairs are to be or may

be held and prescribe the placing of stalls and standings and the parking of vehicles. PART VII —*cont.*

(4) If any person contravenes the requirements of a resolution under subsection (3) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(5) The Town Council may, upon such terms and conditions and for such period as they think fit, lease to any person the right to collect and retain tolls in respect of any fair or any part of a fair lawfully held in any streets or market places in the town.

(6) Section 186 (1) of, and Schedule 5 to, the Berkshire County Council Act 1953 shall cease to apply to fairs. 1953 c. xli.

PART VIII

GENERAL

Penalty for obstruction.

39. Any person who intentionally obstructs any officer of a local authority or a member or officer of a parish council acting in execution of this Act or of any byelaws made thereunder shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Local inquiries.

40. A Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act, and section 250 (2) to (5) of the Act of 1972 shall apply to any such inquiry.

Arbitration.

41. Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration then, unless other provision is made, the reference shall be to a single arbitrator to be agreed upon between the parties, or, failing agreement, appointed on the application of either party to the dispute after notice in writing to the other by the President of the Institution of Civil Engineers.

Appeals to magistrates' court.

42. Sections 300 to 302 of the Public Health Act 1936 shall apply in respect of appeals to a magistrates' court under this Act.

1936 c. 49.

Suspension of proceedings pending appeal.

43. Where a requirement, refusal or other decision of a local authority against which a right of appeal is conferred by this Act—

(*a*) involves the execution of any work or the taking of any action; or

PART VIII —*cont.*

(*b*) makes it unlawful for a person to carry on any undertaking, trade or business which he was lawfully carrying on immediately before the requirement, refusal or decision was made or, but for this section, came into effect, or to use premises for any purpose for which they were lawfully then used;

then until the time for appealing has expired or, if an appeal is lodged, until it is disposed of or withdrawn or fails for want of prosecution—

(i) no proceedings shall be taken in respect of any failure to execute the work or to take the action, nor shall the local authority themselves execute the work or take the action; and

(ii) the person may continue to carry on the undertaking, trade or business, or to use the premises for that purpose.

Restriction on right to prosecute.

44. The written consent of the Director of Public Prosecutions is needed for the laying of an information of an offence created by or under this Act by any person other than a party aggrieved, a local authority, a parish council or a police constable.

Liability of directors, etc.

45.—(1) Where an offence under this Act, or against any byelaw made under this Act, committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of the offence.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Defence of due diligence.

46.—(1) In proceedings for an offence under any provision of this Act mentioned in subsection (2) below it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) The provisions referred to in subsection (1) above are the following:—

Section 11 (Control of hawking in roads, etc.);

PART VIII —*cont.*

Subsection (13) of section 16 (Parking of goods vehicles in residential areas);
Section 18 (Notification of premises for sale, etc., of food);
Subsection (2) of section 34 (Water keepers);
Section 36 (Restriction on mooring houseboats).

(3) If in any case the defence provided under subsection (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending 7 clear days before the hearing, he has served on the prosecutor a notice in writing giving such information as was then in his possession, identifying, or assisting in the identification of, that other person.

Application of general provisions of Public Health Act 1936.

1936 c. 49.

47.—(1) The sections of the Public Health Act 1936 mentioned in Schedule 1 to this Act shall have effect as if references therein to that Act included references to this Act.

(2) Section 287 of the said Act of 1936 (powers of entry) shall have effect as if references therein to that Act included a reference to the following provisions of this Act:—

Section 10 (Culverting of roadside ditches);
Section 17 (Power to order alteration of chimneys).

(3) Before entry on any operational railway line of the British Railways Board in pursuance of any of the provisions of this Act mentioned in subsection (2) above and of the said section 287 as it has effect by virtue of this section, not less than 24 hours' notice of intended entry shall, except in case of emergency, be given to that board, and any person entering on any such railway line in pursuance of that notice or in any such emergency shall comply with the reasonable requirements of that board for the protection of their undertaking.

Saving for Health and Safety at Work etc. Act 1974.

1974 c. 37.

48.—(1) In the Health and Safety at Work etc. Act 1974—

(*a*) subsection (5) of section 62 (repeal or modification of certain enactments by building regulations) shall apply to any enactment in this Act and to any provision of a byelaw made under it as that subsection applies to any enactment mentioned therein;

(*b*) subsection (1) of section 80 (repeal or modification of certain provisions by regulations) shall apply to any provision of this Act and to any byelaw made under it as that subsection applies to any provision mentioned in subsection (2) of the said section 80.

PART VIII —*cont.*

(2) Nothing in section 17 (Power to order alteration of chimneys) of this Act shall prejudice or affect the operation of any of the relevant statutory provisions as defined in Part I of the said Act of 1974.

Transitional provisions, savings and repeals.

49.—(1) The transitional provisions and savings in Schedule 2 to this Act shall have effect.

(2) Subject to the provisions of the said Schedule 2 the statutory provisions specified in columns (1) and (2) of Schedule 3 to this Act are hereby repealed to the extent specified in column (3) of that Schedule.

(3) Nothing in this section shall prejudice the operation of section 254 of the Act of 1972.

(4) The inclusion in this Act of any express transitional provision or saving shall not be taken as prejudicing the operation of sections 15 to 17 of the Interpretation Act 1978 (effect of repeals).

1978 c. 30.

SCHEDULES

Section 47.

SCHEDULE 1

SECTIONS OF PUBLIC HEALTH ACT 1936 APPLIED

1936 c.49.

Section	Marginal note
283 (1)	Notices to be in writing; forms of notices, &c.
285	Service of notices, &c.
289	Power to require occupier to permit works to be done.
291	Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments.
297	Continuing offences and penalties.
304	Judges and justices not to be disqualified by liability to rates.
328	Powers to Act to be cumulative.
341	Power to apply provisions of Act to Crown property.

SCHEDULE 2

Section 49 (1).

TRANSITIONAL PROVISIONS AND SAVINGS

St. Michael at North Gate, Oxford

1. The repeal by this Act of the Oxford Corporation Act 1890 shall not affect any trust established by— 1890 c. ccxxiii.

(*a*) section 10 of that Act (under which charitable gifts etc. in favour of the former parish of St. Martin or the rector or churchwardens thereof are now held in trust for the united parish of St. Michael at North Gate with St. Martin and All Saints, Oxford or the rector or churchwardens thereof); or

(*b*) section 14 of that Act (under which purchase money for the former church of St. Martin is now held for the maintenance of the fabric and services of the church of the said united parish).

General

2. In so far as anything done under a statutory provision in force in any area which is repealed by this Act could have been done under any provision of this Act or of any public general Act relating to the same matter in the same area, it shall not be invalidated by the repeal but shall have effect as if done under that last-mentioned provision.

3.—(1) Where any period of time specified in, or having effect in relation to, a statutory provision repealed by this Act is current at the date of such repeal, any provision of this Act or of a public general Act relating to the same matter shall have effect as if it were in force when that period began to run.

SCH. 2 —*cont.*

(2) References in this Act to things done, left undone, suffered or occurring in the past shall, so far as the context requires for the continuity of operation between a statutory provision in force in any area which is repealed by this Act and any provision of this Act relating to the same matter in the same area, be construed as including reference to things done, left undone, suffered or occurring before the coming into operation of that provision of this Act.

4. The repeal by this Act of any statutory provision shall not affect the operation of any byelaw made under that provision if the byelaw is one which could be made under or by virtue of any corresponding provision of this Act or of a public general Act, and any such byelaw shall have effect as if made under that last-mentioned provision.

5. Where an Act or Order is repealed by this Act subject to exceptions and a provision included in the repeal is material for the interpretation of a provision excepted from the repeal, the repeal shall not affect the interpretation of the excepted provision.

SCHEDULE 3

Section 49 (2).

STATUTORY PROVISIONS REPEALED

PART I

LOCAL ENACTMENTS

Chapter (1)	Title or short title (2)	Extent of repeal (3)
53 Geo. 3. c.lxxviii. (1813)	An Act for making an equal County Rate for the County of Oxford.	The whole Act.
6 Geo. 4. c.cxxx. (1825)	An Act for paving, cleansing, lighting, watching, and otherwise improving the several Streets, Lanes, public Passages and Places, in the Borough of Banbury in the County of Oxford.	The whole Act.
6 Geo. 4. c.clxxiv. (1825)	An Act for better assessing and collecting the Poor and other Parochial Rates within the Town and Parish of Henley-upon-Thames in the County of Oxford.	The whole Act.
9 Geo. 4. c.xc. (1828)	An Act for lighting, watching, cleansing, paving, and otherwise improving the Town of Wantage in the County of Berks.	The whole Act.
44 & 45 Vict. c. xxxix.	Oxford Police Act 1881.	The whole Act.
53 & 54 Vict. c. ccxxiii.	Oxford Corporation Act 1890.	The whole Act.
15 & 16 Geo. 5. c. xxviii.	Oxford Corporation Act 1925.	The whole Act except Part IX.
18 &19 Geo. 5. c. xxix.	Oxford Corporation (Water &c.) Act 1928.	Parts III and IV.
18 &19 Geo. 5. c. lxxxiv.	Oxford Extension Act 1928.	The whole Act.
23 &24 Geo. 5. c. xxi.	Oxford Corporation Act 1933.	The whole Act except Part II and sections 84 to 89.

SCH. 3 —*cont.*

Chapter (1)	Title or short title (2)	Extent of repeal (3)
14 &15 Geo. 6. c. xxx.	Abingdon Corporation Act 1951.	The whole Act.
1 & 2 Eliz. 2. c. xxxix.	Oxford Corporation Act 1953.	The whole Act.
1 & 2 Eliz. 2. c. xli.	Berkshire County Council Act 1953.	The whole Act so far as applying to the county except sections 185 to 189 and Schedule 5. In section 186(1)(*a*) the words "Subject to the provisions of section 191 (Further provisions as to fairs) of this Act" and the words "and fairs".
1970 c. lxxxiii.	Oxfordshire County Council Act 1970.	The whole Act.
1971 c. viii.	Berkshire County Council Act 1971.	The whole Act so far as applying to the county.
1971 c. lxiii.	Oxfordshire County Council Act 1971.	The whole Act.
1972 c. xxxiv.	Oxford Corporation Act 1972.	The whole Act.

PART II

OTHER PROVISIONS

Chapter (1)	Short title (2)	Extent of repeal (3)
28 & 29 Vict. c. 24.	Local Government Supplemental Act 1865.	Section 3 and the Orders relating to Henley and Wallingford.
34 & 35 Vict. c. clxxxvii.	Local Government Supplemental Act 1871 (No. 4).	The Order relating to Henley-on-Thames.
38 & 39 Vict. c. x.	Local Government Board's Provisional Orders Confirmation Act 1875 (No. 1).	The Order relating to the District of Bicester.

SCH. 3 —*cont.*

Chapter (1)	Short title (2)	Extent of repeal (3)
38 & 39 Vict. c. ccxi.	Local Government Board's Provisional Orders Confirmation (Abingdon, Barnsley, &c.) Act 1875.	The Order relating to the Borough of Abingdon.
40 & 41 Vict. c. cxxxii.	Local Government Board's Provisional Orders Confirmation (Belper Union, &c.) Act 1877.	The Order relating to the Borough of Chipping Norton.
43 & 44 Vict. c. xxxvi.	Local Government Board's Provisional Orders Confirmation (Abingdon, &c.) Act 1880.	The Order relating to Abingdon.
47 & 48 Vict. c. iv.	Local Government Board's Provisional Orders Confirmation Act 1884.	The Order relating to Henley.
52 & 53 Vict. c. xv.	Local Government Board's Provisional Orders Confirmation Act 1889.	The City of Oxford Order 1889, except articles XXIV, XXV (3) and (4), XXVI and XXXII, and so much of the Order relating to the counties of Oxford and Berks as relates to the county.
52 & 53 Vict. c. cxvi.	Local Government Board's Provisional Orders Confirmation (No. 15) Act 1889.	The Borough of Banbury Order 1889.
53 & 54 Vict. c. clxxviii.	Local Government Board's Provisional Orders Confirmation (No. 9) Act 1890.	The Borough of Abingdon Order 1890.
54 & 55 Vict. c. lxvii.	Local Government Board's Provisional Orders Confirmation (No. 4) Act 1891.	So much of the Act as relates to the city.
55 & 56 Vict. c. cxcvii.	Local Government Board's Provisional Orders Confirmation (No. 6) Act 1892.	The Borough of Henley-upon-Thames Order 1892.
57 & 58 Vict. c. xxi.	Local Government Board's Provisional Orders Confirmation (No. 3) Act 1894.	The Henley-upon-Thames Order 1894.

SCH. 3 —*cont.*

Chapter (1)	Short title (2)	Extent of repeal (3)
59 Vict. Sess. 2. c. viii.	Local Government Board's Provisional Orders Confirmation (No. 14) Act 1895 Session 2.	The County of Oxford (Mollington) Order 1895.
59 & 60 Vict. c. cv.	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1896.	The Oxford Order 1896.
1 Edw. 7. c. xl.	Local Government Board's Provisional Orders Confirmation (No. 1) Act 1901.	The Oxford Order 1901.
3 Edw. 7. c. lx.	Local Government Board's Provisional Orders Confirmation (No. 3) Act 1903.	The County of Oxford Order 1903.
10 Edw. 7 & 1 Geo. 5. c. xci.	Education Board Provisional Orders Confirmation (Berks &c.) Act 1910.	The Order relating to Berkshire County Council.
4 & 5 Geo. 5. c. xlvi.	Local Government Board's Provisional Orders Confirmation (No. 4) Act 1914.	The County of Oxford Order 1914.
16 & 17 Geo. 5. c. xxi.	Ministry of Health Provisional Orders Confirmation (No. 3) Act 1926.	The Oxford Order 1926.
23 & 24 Geo. 5. c. iii.	Ministry of Health Provisional Order Confirmation (Buckingham and Oxford) Act 1933.	The Buckinghamshire and Oxfordshire Order 1932 so far as applying to the county, except section 13.
2 & 3 Geo. 6. c. xlvii.	Ministry of Health Provisional Order Confirmation (Oxford) Act 1939.	The whole Act.
1966 c. xix.	Ministry of Housing and Local Government Provisional Order Confirmation (City of Oxford) Act 1966.	The whole Act.

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CHAPTER xxxiv

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Citation and commencement.
2. Interpretation.
3. Appointed day.

PART II

LAND AND OPEN SPACE

4. Agreements with developers.
5. Protection of grass verges and open space.

PART III

HIGHWAYS AND STREETS

Section

6. Provision of parking places on classified roads.
7. Street cleansing.
8. Securing rights for diversion of statutory undertakers' plant.
9. Licensing of structures in highways.
10. Culverting of roadside ditches.
11. Control of hawking in roads, etc.
12. Awnings over footways.
13. Street names.
14. Street numbers.
15. Removal of snow from highways.

PART IV

PUBLIC HEALTH AND AMENITIES

16. Parking of goods vehicles in residential areas.
17. Power to order alteration of chimneys.
18. Notification of premises for sale, etc., of food.
19. Control of stray dogs.
20. Byelaws as to leisure centres.

PART V

FINANCE AND MISCELLANEOUS

21. Division of county superannuation fund.
22. Extension of powers to grant gratuities.
23. Provision of information.

PART VI

PROVISIONS APPLICABLE TO PARTS OF OXFORDSHIRE

Oxford

Section

24. Extension of section 21 of Town Police Clauses Act 1847.
25. Carfax Tower.
26. Carfax Gardens.
27. Common rights of freemen of City of Oxford.

Cherwell

28. Banbury Corporation Stock.

Vale of White Horse, Wantage

29. Wantage markets and fairs.

PART VII

ABINGDON PROVISIONS

Interpretation

30. Interpretation of Part VII.

Abingdon Fisheries

31. Maintenance of fisheries by Town Council.
32. Byelaws for riverside.
33. Regulation of fisheries.
34. Water keepers.
35. Agreements with associations of fishermen.

Other provisions

36. Restriction on mooring houseboats.
37. Abingdon Common.
38. Abingdon fairs.

PART VIII

GENERAL

Section
39. Penalty for obstruction.
40. Local inquiries.
41. Arbitration.
42. Appeals to magistrates' court.
43. Suspension of proceedings pending appeal.
44. Restriction on right to prosecute.
45. Liability of directors, etc.
46. Defence of due diligence.
47. Application of general provisions of Public Health Act 1936.
48. Saving for Health and Safety at Work etc. Act 1974.
49. Transitional provisions, savings and repeals.

SCHEDULES—

Schedule 1—Sections of Public Health Act 1936 applied.

Schedule 2—Transitional provisions and savings.

Schedule 3—Statutory provisions repealed.

Part I—Local enactments.

Part II—Other provisions.