CHAPTER xviii.

An Act to regulate the user of the Shirehall and Guildhall at Shrewsbury in the County of Salop and for other purposes. [9th June 1915.]

A.D. 1915.

WHEREAS by an Act passed in the 23rd year of the reign of King George the Third intituled "An Act for building "a new Shirehall and Guildhall for the county of Salop and "the town of Shrewsbury in the said county and for the "other purposes therein mentioned" (hereinafter called "the Act of 1783") the Commissioners therein mentioned (hereinafter called "the commissioners") were required to build a shirehall and guildhall and to complete fit up and furnish therein separate and distinct apartments for the carrying on and transacting of the public business of the said county and the said town and for the purpose of depositing and safe keeping the rolls and other public records of the said county and town and with proper and convenient offices for the clerk of the peace of the said county and for the common clerk of the said town respectively:

23 Geo. 3. c. xx.

And whereas by an Act passed in the 26th year of the reign of King George the Third intituled "An Act for building "a new Gaol and House of Correction for the county of Salop "and the several boroughs towns corporate liberties franchises "and places within the same and for explaining and amending "an Act made in the 23rd year of His present Majesty intituled "'An Act for building a new Shirehall and Guildhall for the "'county of Salop and the town of Shrewsbury in the said "'county and for the other purposes therein mentioned'" (hereinafter called "the Act of 1786") further powers were conferred upon the commissioners in respect of the said shirehall and guildhall:

26 Geo. 3. c. xxiv.

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And whereas the commissioners in pursuance of the provisions of the Acts of 1783 and 1786 acquired lands and erected a shirehall and guildhall (hereinafter called "the first hall") within the town of Shrewsbury aforesaid:

And whereas the first hall was demolished in the year one thousand eight hundred and thirty-four and the justices of the peace for the county of Salop caused a new hall (hereinafter called "the second hall") to be erected upon the site of the first hall and certain other lands which were purchased by them:

And whereas in the year one thousand eight hundred and eighty the second hall was destroyed by fire and the justices of the peace for the county of Salop built the present shirehall and guildhall (hereinafter called "the shirehall and guildhall") upon the site of the second hall and on certain additional lands adjoining thereto which were purchased by them:

And whereas the public business of the said county and town has of late years increased and the accommodation in the shirehall and guildhall is insufficient for the convenient carrying on and conducting of the business both of the said county and of the said town:

And whereas the County Council of the administrative county of Salop (hereinafter called "the County Council") claim that under and by virtue of the Local Government Act 1888 the shirehall and guildhall with the fee simple of the site thereof and the lands belonging thereto and the furniture fittings and appurtenances thereof became and are now vested in them but differences have arisen between the County Council and the mayor aldermen and burgesses of the borough of Shrewsbury (hereinafter called "the corporation") with regard to their respective rights of user of the shirehall and guildhall and otherwise in regard thereto and also with regard to their respective rights and liabilities under the Acts of 1783 and 1786 and it has been agreed between the County Council and the corporation that such differences should be settled and disposed of as by this Act provided:

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

And whereas in relation to the promotion of the Bill for this Act the Borough Funds Acts 1872 and 1903 so far as the

same are applicable have been observed and the promotion of the Bill has received the approval of the Local Government Board:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the Salop County Council (Shirehall and Guildhall) Act 1915.

Interpretation.

2. In this Act the several words and expressions hereinafter mentioned have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):—

"The county" means the administrative county of Salop;

"The County Council" means the County Council of the county;

"The corporation" means the mayor aldermen and burgesses of the borough of Shrewsbury;

"The borough" means the borough of Shrewsbury;

"The standing joint committee" means the standing joint committee of the justices of the county of Salop in quarter sessions assembled and the County Council;

"The Act of 1783" means the Act of Parliament passed in the 23rd year of the reign of King George the Third intituled "An Act for building a new Shirehall " and Guildhall for the county of Salop and the town " of Shrewsbury in the said county and for the other " purposes therein mentioned";

"The Act of 1786" means the Act of Parliament passed in the 26th year of the reign of King George the Third intituled "An Act for building a new Gaol and " House of Correction for the county of Salop and the " several boroughs towns corporate liberties franchises " and places within the same and for explaining " and amending an Act made in the 23rd year of His " present Majesty intituled 'An Act for building a new

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" ' Shirehall and Guildhall for the county of Salop and
" ' the town of Shrewsbury in the said county and for
" ' the other purposes therein mentioned ' ";

"The shirehall and guildhall" means the existing shirehall and guildhall at Shrewsbury together with the site thereof and the furniture and appurtenances thereof;

"Parliamentary election petition" and "municipal election petition" have the same meanings as in the Parliamentary Elections Act 1868 and in Part IV. of the Municipal Corporations Act 1882 respectively;

"The appointed day" means the thirty-first day of March one thousand nine hundred and seventeen or such earlier date as may be fixed by a memorandum in writing sealed with the common seal of the County Council and the corporate seal of the corporation.

Shirehall and guildhall to be and remain vested in County Council freed from rights of corporation.

3. On and after the appointed day the shirehall and guildhall shall by virtue of this Act be and remain vested in the County Council and be used by them as a county hall freed and absolutely discharged from all estates rights and interests therein of the corporation or the mayor aldermen and assistants of the town of Shrewsbury or any other person whatsoever other than the County Council and the standing joint committee and on and after the appointed day all such estates rights and interests shall absolutely cease and determine but the corporation shall be at liberty to use such parts thereof as are specified in the schedule to this Act in the manner and for the purposes in this Act provided.

Corporation entitled to use parts of shirehall and guildhall for certain purposes.

4.—(1) The corporation shall be entitled to use such parts of the shirehall and guildhall as are specified in the schedule to this Act for any of the following purposes (that is to say):—

(*a*) The holding of any court of quarter sessions held for the borough the Court of Record for Pleas for the borough any court for the revision of the list of voters and burgess list for the borough any court for the trial of a parliamentary or municipal election petition relating to the borough and any general annual licensing meeting of the licensing justices for the borough;

(*b*) The holding of any election of any person to serve in Parliament for the borough or of any councillor for the borough or of any county councillor for any electoral division comprised within the borough;

(*c*) The holding of any quarterly monthly or other meeting of the council of the borough or any meeting of the council in committee but not of any committee of the council;

(*d*) The holding of any public inquiry other than the annual audit of the corporation accounts by any commissioner or person appointed by His Majesty or a Secretary of State or a public department to hold such inquiry with reference to any of the municipal affairs of the borough;

(*e*) The holding of any public meeting of the inhabitants of the borough convened by the mayor of the borough; and

(*f*) For any ceremony at which the mayor aldermen and councillors of the borough attend in State:

Provided that the corporation shall only be entitled to use the said parts of the shirehall and guildhall on the days on which any such court meeting election inquiry or ceremony as aforesaid shall be held or take place and only if and so far as such use thereof shall not obstruct or interfere in any manner with the holding of any court meeting election or inquiry or the transaction of any business relating to the county in the shirehall and guildhall.

(2) As and from the appointed day the County Council shall pay all rates and taxes and other outgoings whatsoever (if any) which shall become payable in respect of the shirehall and guildhall and shall maintain the shirehall and guildhall and provide all such furniture cleaning lighting heating water supply and caretaking as shall be necessary for the purpose of the user thereof by the corporation in manner hereinbefore mentioned and all expenditure by the County Council under this subsection shall be a general county purpose within the meaning of the Local Government Act 1888.

(3) The corporation shall be responsible to the County Council for any damage or injury to the shirehall and guildhall caused in the user thereof by the corporation under this Act otherwise than by reasonable use and wear.

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Saving of powers of County Council to pull down remove alter or sell shire-hall and guildhall.

5. Notwithstanding anything in this Act contained the County Council may exercise in respect of the shirehall and guildhall all such powers and authorities as are by law exerciseable by a county council relative to the pulling down rebuilding removal altering or selling of a shire hall or county hall Provided that the County Council shall in any shire hall or county hall to be erected by them in lieu of the shirehall and guildhall provide for the use of the corporation for the purposes and subject to the conditions mentioned in the section of this Act the marginal note whereof is "Corporation entitled to use parts of shirehall and guildhall for certain purposes" accommodation as convenient as that afforded by the parts of the shirehall and guildhall specified in the schedule to this Act.

Payment by County Council to corporation.

6.—(1) On the appointed day the County Council shall pay to the corporation the sum of twelve thousand five hundred pounds towards the cost of the erection or provision by the corporation of a town hall or municipal offices for the use of the corporation.

(2) The corporation shall produce to the Commissioners of Inland Revenue a King's printers copy of this Act stamped with duty at the rate of two shillings and sixpence for every one hundred pounds of the twelve thousand five hundred pounds payable to the corporation under this section and in default of such production within six months after the passing of this Act the duty with interest thereon at the rate of five per cent. per annum shall become a debt from the corporation to His Majesty.

Power to vary rights under Act.

7. The County Council and the corporation may from time to time enter into and carry into effect agreements for the purpose of adjusting varying or relinquishing any of the rights of the County Council or of the corporation under this Act or of conferring upon the County Council or the corporation any further or other rights in respect of the shirehall and guildhall either absolutely or subject to any condition and any such agreement may provide for any payment by either party to the other in respect of the right so adjusted varied relinquished or conferred and that either by way of a capital sum or of an annual payment.

Power to County Council to borrow.

8.—(1) The County Council may borrow—

(*a*) For paying the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act such sum as may be requisite for that purpose;

(*b*) For the purpose of making the payment required to be made by them in pursuance of the section of this Act the marginal note whereof is "Payment by County Council to corporation" the sum of twelve thousand five hundred pounds; and

(*c*) With the consent of the Local Government Board such further moneys as may from time to time be necessary for any of the purposes of this Act.

(2) The County Council shall pay off any moneys borrowed by them under this section within the periods following (that is to say):—

As to moneys borrowed for the purpose (*a*) above mentioned within five years from the date of the passing of this Act;

As to moneys borrowed for the purpose (*b*) above mentioned within thirty years from the date of the borrowing thereof; and

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

(3) Any moneys borrowed under this Act shall be borrowed under and subject to the provisions (so far as applicable) of section 69 of the Local Government Act 1888 as by this Act specially varied but the consent of the Local Government Board shall not be required to the borrowing of moneys for the purposes of subsection (1) (*a*) and (*b*) of this section or to the period of repayment of any such moneys.

(4) All sums of money which the County Council may from time to time require for the repayment of and the payment of the annual interest payable on the moneys so borrowed (other than moneys borrowed for the payment of so much of the costs of this Act as the County Council shall determine to be incurred for special county purposes) shall be deemed to be general expenses within the meaning of the Local Government Act 1888.

Restriction on raising money during war.

9. Notwithstanding anything in this Act the County Council shall not under the powers of this Act borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

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Annual return to Local Government Board.

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

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

such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Inquiries by Local Government Board.

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

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

Reference to arbitration.

12. If any difference or dispute shall arise between the County Council and the corporation as to the rights duties or liabilities of either of them under this Act or any agreement made in pursuance of this Act with reference to the shirehall and guildhall or any shire hall or county hall erected by the County Council in lieu thereof such difference or dispute shall be referred to an arbitrator to be appointed by the parties or in case of difference as to such appointment to be appointed by the Local Government Board.

Repeal of Acts.

13. As from the appointed day the Act of 1783 and the Act of 1786 shall be and they are hereby repealed.

Costs of Act.

14. All costs charges and expenses preliminary to and of and incidental to the preparing and obtaining this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the County Council out of the county fund or out of moneys to be borrowed by the County Council under this Act as general or (subject to the provisions of the County Councils (Bills in Parliament) Act 1903) special county purposes within the meaning of the Local Government Act 1888.

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The SCHEDULE.

PARTS OF THE SHIREHALL AND GUILDHALL WHICH THE CORPORATION MAY USE IN ACCORDANCE WITH THIS ACT.

SUB-BASEMENT.

Six male prisoners' cells with lavatory.

BASEMENT.

Two jury retiring rooms.
One witnesses' waiting room with lavatory.
Seven female prisoners' cells with lavatory.

MEZZANINE FLOOR.

Crown Court.
Judge's retiring room with lavatory.
Nisi Prius court.
Judge's retiring room with lavatory.
Grand jury room with lavatory.
Two retiring rooms for barristers with lavatory.
Waiting room for grand jury witnesses.

The foregoing parts of the shirehall and guildhall are delineated and coloured red on the plans four copies of which have been signed by the Earl of Donoughmore the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred and of which one copy is deposited in the Office of the Clerk of the Parliaments another copy in the Private Bill Office of the House of Commons one copy with the clerk of the peace for the county of Salop and the remaining copy with the town clerk of the borough of Shrewsbury.

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