

[20 & 21 GEO. 5.] *Manchester* [Ch. clxxviii.]
Corporation (General Powers) Act, 1930.



CHAPTER clxxviii.

An Act to make further provision with respect to the terms for the supply of water in bulk by the lord mayor aldermen and citizens of the city of Manchester to empower them to acquire by agreement the water undertaking of the Salford Corporation and to make further provision in reference to their water electricity and tramway undertakings the granting of superannuation allowances and the health local government and improvement of the city and for other purposes. A.D. 1930.
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[1st August 1930.]

WHEREAS by virtue of the Manchester Corporation Water Works Act 1847 and divers other Acts the lord mayor aldermen and citizens of the city of Manchester (in this Act called "the Corporation") are the owners of waterworks and are empowered and required to supply water to the inhabitants of the said city and of a considerable area in the neighbourhood thereof and to supply water in bulk to various local authorities :

And whereas the local authorities to whom the Corporation supply water in bulk include the mayor aldermen and citizens of the city of Salford the mayor aldermen and burgesses of the borough of Stockport and the mayor aldermen and burgesses of the borough of Hyde and it is expedient to alter the terms upon which water shall be supplied by the Corporation to the two first-mentioned

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A.D. 1930. — authorities and also to alter the price at which water is supplied to the last-mentioned authority under the Hyde Local Board (Waterworks) Act 1870 :

And whereas in pursuance of the Salford Improvement Act 1862 the enactments set forth in the schedule (A) thereto the enactments incorporated therewith and divers other enactments the Salford Corporation are supplying water within part of the city of Salford the remainder of that city being supplied by the Corporation and it is expedient to make provision for enabling the Corporation to acquire by agreement the water undertaking of the Salford Corporation :

And whereas it is expedient to make further provision with reference to the water electricity and tramway undertakings of the Corporation and the health local government and improvement of the city :

And whereas by the Manchester Corporation Act 1920 powers were conferred upon the Corporation for the establishment of a superannuation fund and for the granting of superannuation allowances to their officers and servants and it is expedient to make further provision in reference thereto :

And whereas it is expedient that the other provisions contained in this Act be enacted :

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

And whereas estimates have been prepared by the Corporation for the following purposes (that is to say) :—

For the erection of the extension of the town hall and other buildings and premises and works incidental thereto - - - - -	£ 699,000
For the furnishing and fitting up of the said town hall buildings and premises	33,000

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the Corporation should be empowered to borrow money for those purposes as provided by this Act :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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) :—

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PART I.

PRELIMINARY.

1. This Act may be cited as the *Manchester Corporation (General Powers) Act 1930.* Short title.

2. This Act is divided into Parts as follows (that is to say) :— Act divided into Parts.

Part I.—Preliminary.

Part II.—Water.

Part III.—Electricity.

Part IV.—Tramways trolley vehicles and omnibuses.

Part V.—Buildings and sanitary matters.

Part VI.—Superannuation.

Part VII.—Finance.

Part VIII.—Miscellaneous.

3.—(1) In this Act the several words and expressions to which meanings are assigned by the Public Health Acts shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

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

- (i) "The city" means the city of Manchester;
- (ii) "The Corporation" means the lord mayor aldermen and citizens of the city of Manchester;
- (iii) "The council" means the council of the city;
- (iv) "The town clerk" "the medical officer" and "the sanitary inspector" mean respectively the town clerk the medical officer of health and any sanitary inspector of the city and

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respectively include any person duly authorised to discharge temporarily the duties of those offices;

- (v) "The general rate fund" means the general rate fund of the city;
- (vi) "The Salford Corporation" means the mayor aldermen and citizens of the city of Salford;
- (vii) "The Stockport Corporation" means the mayor aldermen and burgesses of the borough of Stockport;
- (viii) "The Hyde Corporation" means the mayor aldermen and burgesses of the borough of Hyde;
- (ix) "The water limits" means the limits within which the Corporation are for the time being authorised to supply water;
- (x) "The revenues of the Corporation" includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates and contributions leviable by or on the order or precept of the Corporation;
- (xi) "Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction;
- (xii) "The Minister" means the Minister of Health;
- (xiii) "The Act of 1847" "the Act of 1914" and "the Act of 1920" mean respectively the Manchester Corporation Water Works Act 1847 the Manchester Corporation Act 1914 and the Manchester Corporation Act 1920.

Authentica-
tion of
notices &c.

4. Any summons demand notice order or document (other than a conveyance contract or security) to be served made given or delivered by or on the part of the Corporation under this Act shall if signed by the town clerk be of the same effect as if sealed by the Corporation and the provisions of section 51 (Further provision as to authentication proof and service of orders and notices) of the Manchester Corporation Waterworks and Improvement Act 1867 section 35 (Service of notices &c.) of the Manchester Improvement Act 1871 and section 28

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(Service of notices and other documents) of the Manchester Corporation Act 1927 shall apply to every such summons demand notice order or other document. A.D. 1930.
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5. Where under this Act any question or dispute (other than a question or dispute in reference to which other provision is made in this Act or to which the Acquisition of Land (Assessment of Compensation) Act 1919 applies) is to be referred to an arbitrator or to arbitration the reference shall except where otherwise provided be subject to the provisions of the Arbitration Act 1889 and except where otherwise provided the arbitrator shall failing agreement be appointed by the President of the Institution of Civil Engineers on the application of either party. Arbitration.

PART II.

WATER.

6.—(1) From and after the first day of October nineteen hundred and thirty notwithstanding anything in the Acts and agreements mentioned in the second column of the schedule to this Act under or in pursuance of which the Corporation supply or may be required to supply water in bulk to the Salford Corporation or the Stockport Corporation (in this section together referred to as "the local authorities") the price to be paid to the Corporation by each of the local authorities for water so supplied shall be the price set out in the fourth column of the said schedule opposite to the description of such local authority. As to supply of water to Salford and Stockport Corporations.

(2) Not later than three months before the expiration of five years from the first day of October nineteen hundred and thirty or of any subsequent period of five years the Corporation or either of the local authorities may by notice in writing to either of the local authorities or the Corporation (as the case may be) require a revision of the price to be paid to the Corporation for water supplied to the local authority upon or by whom such notice was served and in that case the price to be paid to the Corporation by such local authority shall failing agreement be determined by an arbitrator who shall also fix the date on which the revision (if any) shall take effect.

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(3) (a) In any arbitration in pursuance of subsection (2) of this section the price shall be determined as follows:—

- (i) In the case of the Salford Corporation the price shall be equivalent to the cost price of water;
- (ii) In the case of the Stockport Corporation the price shall be equivalent to the cost price of water less one penny per thousand gallons.

(b) The cost price of water for the purposes of this section shall be the estimated average cost to the Corporation during the then following period of five years of all the water obtained from the several sources of their water undertaking and supplied by them excluding the cost in respect of works within the water limits used solely for distributing water to consumers within those limits but including a fair proportion only in respect of works within those limits used partly for distribution and partly for the collection conveyance or storage of water or for other purposes:

Provided that there shall also be excluded from the cost hereinbefore mentioned the cost in respect of—

- (i) the mains from the Godley reservoir to the Audenshaw reservoirs; and
- (ii) the Denton and Prestwich reservoirs;

and there shall be included in the cost price in the case of each of the local authorities a fair proportion of the cost in respect of the said mains and in the cost price in the case of the Salford Corporation a fair proportion of the cost in respect of the said reservoirs such proportion in each case being based upon the quantity of water estimated to be supplied by such works to the local authorities respectively.

(c) For the purposes of paragraph (b) of this subsection the term "cost" shall include interest upon and sums to be paid or set aside for the repayment of money borrowed or to be borrowed working expenses cost of maintenance and management provision for renewal or replacement rates and taxes and contributions to the reserve fund but for this purpose such contributions shall not exceed one half of one per centum per annum upon the capital expended upon the Corporation's water undertaking.

(d) In any arbitration to determine the cost price of water for the purposes of this subsection for any period of five years after the thirtieth day of September nineteen hundred and forty the arbitrator shall state by his award the said cost price as ascertained by him but shall be entitled further to award an addition thereto or an abatement therefrom in the price to be paid by the local authority in respect of any difference which he may find between the estimated cost price as determined by arbitration in respect of the period of five years immediately preceding and the actual cost price thereafter ascertained in respect of that period. A.D. 1930.

(4) As soon as may be after the thirty-first day of March in the year nineteen hundred and thirty-two and in every succeeding year the Corporation shall furnish to each of the local authorities a statement showing the amount which in the opinion of the Corporation has been the actual cost price of water in the preceding year ascertained in accordance with the provisions of this section and containing such information and figures as may be necessary to indicate how the amount has been ascertained and each of the local authorities shall be entitled to inspect the books accounts and other relevant documents of the Corporation for the purposes of this section.

(5) Not later than the thirty-first day of March in the year nineteen hundred and thirty-five and in every subsequent fifth year the Corporation shall furnish to each of the local authorities an estimate of the cost price of water ascertained in accordance with this section for the period of five years beginning on the first day of October then following.

(6) (a) In order to ascertain the cost price of water the Corporation for the purpose of determining the quantity supplied to consumers within the water limits shall on and after the first day of October nineteen hundred and thirty-one provide and maintain such meters or gauges as may be necessary and the local authorities or either of them shall at any time after giving reasonable notice of their intention to the waterworks engineer of the Corporation be at liberty to inspect and test the said meters or gauges and to take copies of the records thereof which records the Corporation are hereby required to take and keep.

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(b) If at any time any meter provided by the Corporation for the purpose of this subsection shall be found to be measuring inaccurately or to be out of repair the Corporation may and shall on the requisition of either local authority forthwith repair or adjust such meter or remove the same and provide another suitable meter in its place and during the period that any such meter shall be found to have measured inaccurately or shall have been removed and not replaced by another meter the quantity of water supplied to consumers within the water limits shall be deemed to be the quantity supplied during the corresponding period of the previous year with such addition or deduction in respect of increase or decrease of the quantity of water supplied during such period as may be agreed between the Corporation and the local authorities or as failing agreement shall be determined by the arbitrator.

(7) For the purposes of this section the supply of water for motive power by hydraulic pressure and any works therefor shall not form part of the water undertaking of the Corporation.

(8) If either of the local authorities supply in bulk to any other local authority company or person water supplied by the Corporation under any of the Acts or agreements mentioned in the schedule to this Act the local authority by whom the supply is furnished may apply under the Water Undertakings (Modification of Charges) Act 1921 for a revision of the price at which they supply water in bulk to such other local authority company or person and the provisions of that Act shall with any necessary modifications apply accordingly.

As to supply
of water to
Hyde Cor-
poration.

7. From and after the first day of October nineteen hundred and thirty notwithstanding anything contained in the Hyde Local Board (Waterworks) Act 1870 or in the enactments or agreements therein referred to the price to be paid to the Corporation by the Hyde Corporation for water supplied by the Corporation in pursuance of the said Act enactments or agreements not exceeding the maximum of one million seven hundred and fifty thousand gallons per week mentioned in section 11 of the said Act shall be fourpence for every thousand gallons and the said Act shall have effect as if fourpence were mentioned in section 13 thereof instead of threepence.

8.—(1) In this section “the Salford undertaking” means the water undertaking of the Salford Corporation. A.D. 1930.

(2) The Salford Corporation may sell to the Corporation and the Corporation may purchase the Salford undertaking at such price and upon and subject to such terms and conditions as may be agreed between the Salford Corporation and the Corporation. Purchase of Salford undertaking.

(3) The sale of the Salford undertaking may be carried into effect by a deed in such form as may be agreed between the Salford Corporation and the Corporation and on the execution of the deed by the Salford Corporation the Salford undertaking shall by virtue of the deed and of this Act be transferred to and become vested in the Corporation and the day on which such transfer and vesting take effect is referred to in this section as “the day of transfer.”

(4) No action suit prosecution or other proceedings whatsoever commenced either by or against the Salford Corporation in relation to the Salford undertaking or any part thereof shall abate or be discontinued or prejudicially affected by reason of the transfer but the same shall continue and take effect either in favour of or against the Salford Corporation in the same manner in all respects as the same would have continued and taken effect if the transfer had not been made and all penalties incurred by reason of any offence against any of the provisions relating to the Salford undertaking previously to the day of transfer may be sued for and all offences committed against such provisions previously to the day of transfer may be prosecuted by the Salford Corporation in such or the like manner to all intents and purposes as such penalties might have been sued for or such offences prosecuted if the transfer had not taken place and all moneys payable to the Salford Corporation prior to the day of transfer may be sued for and recovered by them in the same manner in all respects as the same might have been sued for and recovered by them if this Act had not been passed.

(5) Subject to the provisions of any agreement that may be entered into between the Salford Corporation and the Corporation all agreements conveyances contracts deeds and other instruments entered into or made with or by the Salford Corporation relating to the Salford undertaking or any part thereof and in

A.D. 1930. force at the day of transfer shall be as binding and of as full force and effect in every respect against or in favour of the Corporation and may be enforced as fully and effectually as if instead of the Salford Corporation the Corporation had been a party thereto.

(6) All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the Salford Corporation shall on and after the day of transfer be admitted in evidence in respect of the same or the like matter for or against the Corporation.

(7) On the day of transfer the powers and obligations of the Salford Corporation with respect to the supply of water shall cease and determine and the existing water limits of the Corporation shall be extended so as to include that part of the city of Salford which was not within those limits immediately before that day and the Acts relating to the Corporation's water undertaking and to the supply of water by them shall apply to that part of the said city and the Corporation shall have therein all such powers and authorities with respect to the supply of water and in any way incident or relating thereto as they have within the parts of the existing water limits of the Corporation situate outside the city of Manchester.

(8) On and after the day of transfer the works comprised in the Salford undertaking shall for all purposes be deemed to be part of the waterworks undertaking of the Corporation as if they had been authorised by and included or referred to in the Acts relating to that undertaking.

(9) Any capital money received by the Salford Corporation on the sale of the Salford undertaking under the provisions of this Act shall (unless the Minister otherwise agrees) be applied in or towards the extinguishment of any loan raised by them for the purposes of the said undertaking and if and so far as such capital money shall not be so applied the same shall be applied to such purposes as may be approved by the Minister.

(10) (a) Every officer in office at the passing of this Act who in consequence of the sale or transfer to the Corporation of the Salford undertaking suffers any direct pecuniary loss by abolition of office by

determination of his appointment or by diminution or loss of fees salary or emoluments shall be entitled to compensation for that loss from the Corporation. A.D. 1930.

(b) Any officer of the Salford Corporation who is immediately before the day of transfer exclusively employed in connection with the Salford undertaking and whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the day of transfer because his services are not required or his duties are diminished in consequence of the said sale or transfer and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of such sale or transfer.

(c) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this subsection regard shall be had to the conditions and circumstances mentioned in the Eighth Schedule to the Local Government Act 1929 the compensation shall not exceed the limit therein mentioned and the provisions of the said schedule shall apply subject to the following and any necessary modifications:—

(i) Any reference in that schedule to the council or a council shall be construed as a reference to the Corporation;

(ii) Any reference in that schedule to the appointed day shall be construed as a reference to the day of transfer;

(iii) In that schedule a reference to "this Act" shall—

in paragraphs 1 (d) 10 and 14 be construed as a reference to the said sale or transfer;

in paragraph 7 and in paragraph 11 (where it first occurs) be construed as a reference to this subsection; and

in paragraph 9 be construed as a reference to the said schedule;

In paragraph 1 (e) for the words "any council acting under this Act" there shall be substituted "the Salford Corporation or the Corporation"; and

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In paragraph 11 for the words "commencement of this Act" there shall be substituted "the day of transfer."

(11) (a) In the case of any officer who in consequence of any such sale or transfer as aforesaid is transferred from the Salford Corporation to the Corporation and who on the date on which he is so transferred held a post which was a designated post under the Local Government and other Officers' Superannuation Act 1922 the Corporation shall prepare and submit to the Minister for his approval a scheme substituting in respect of that officer the provisions with reference to superannuation of the Act of 1920 as amended by the Manchester Corporation Act 1927 and by this Act and adequately protecting the rights and interests of such officer and upon the scheme being approved by the Minister with or without modifications the said Act of 1922 shall cease to apply to such officer.

(b) The deficiency contribution to be carried by the Corporation to the credit of the superannuation fund under paragraph (e) of subsection (1) of section 67 of the Act of 1920 shall be increased by such amount (if any) as may be certified by an actuary within the meaning of that Act to represent the additional burden imposed on the fund by the application of the Act of 1920 to the officers referred to in this subsection.

(12) For the purposes of this section the expression "officer" means an officer of the Salford Corporation or of the Corporation as the case may be and in either case includes a servant.

Charges for
water-
closets.

9.—(1) As from the thirty-first day of March nineteen hundred and thirty-one section 3 (Additional charge for waterclosets) of the Manchester Corporation Waterworks Act 1858 shall be amended by the substitution of "six shillings" for "four shillings."

(2) As from the said thirty-first day of March section 5 (Not to extend to the borough of Salford) of the said Act so far as it relates to the charge for waterclosets shall cease to have effect and the sum which the Corporation may charge in respect of every watercloset beyond the first in any dwelling-house part of a dwelling-house shop or building used as a dwelling-house within so much of the city of Salford as is within

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the water limits shall be the same as within the city of Manchester. A.D. 1930.

10. As from the thirty-first day of March nineteen hundred and thirty-one section 94 (Owners of groups of houses paying rates in advance entitled to discount) of the Act of 1847 shall be amended by the substitution of "one tenth" for "one fifth" and in that section the expression "groups of dwelling-houses not being less than three in number" shall mean adjoining dwelling-houses being not less than three in number. Allowances for composition.

11.—(1) The Corporation shall supply water to the local and road authorities within the water limits for the purposes of watering or cleansing the roads or streets and of flushing or cleansing the sewers under their control respectively and for other public purposes in such quantities and upon and subject to such terms and conditions as may be agreed or as in default of agreement may be determined by arbitration. Supply of water for watering streets and flushing sewers.

(2) Section 109 (Rates of charge for water supplied for watering streets and flushing sewers) of the Act of 1847 is hereby repealed.

12. Where a person who takes a supply of water from the Corporation for any purpose desires to use the water so supplied for or in connection with a refrigerating or cooling apparatus or for or in connection with any apparatus depending for proper use upon a constant supply of running water the Corporation may if they think fit require that all water used for or in connection with the said apparatus shall— Refrigerating and other apparatus.

(a) be taken by meter on the conditions and at the rates for the time in force for the supply of water by meter and if the person only takes a supply for domestic purposes the minimum quarterly charge for the water so taken by meter shall not exceed ten shillings; or

(b) be paid for at such rates as may be agreed between the person and the Corporation.

13. Section 35 of the Waterworks Clauses Act 1847 in its application within the water limits shall have effect as if the words "one-eighth part" were substituted therein for the words "one-tenth part." Application of section 35 of Waterworks Clauses Act 1847.

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Recovery of
addition to
water rates.

14. Any sum payable under section 120 (Addition to water rates on non-payment) of the Manchester Corporation Act 1919 as an addition to a water rate rent or charge shall be recoverable in the same manner as and either separately or with the rate rent or charge to which it is added.

PART III.

ELECTRICITY.

Supply of
steam from
generating
stations.

15.—(1) The Corporation and the owner or occupier of any premises situate in the city and within one mile from any electrical generating station of the Corporation may enter into and carry into effect agreements for and in relation to the supply of steam by the Corporation to such owner or occupier :

Provided that no such agreement shall be entered into with respect to the supply of steam from a selected station within the meaning of the Electricity (Supply) Act 1926 without the consent in writing of the Central Electricity Board but such consent shall not be unreasonably withheld and any question as to whether it has been unreasonably withheld shall be determined by arbitration the arbitrator being appointed in default of agreement by the President of the Institution of Electrical Engineers.

(2) For the purpose of supplying steam in pursuance of this section the Corporation may lay down repair alter renew and remove mains pipes works and conveniences within the city and the provisions of the Electricity (Supply) Acts 1882 to 1928 and of the Electric Lighting (Clauses) Act 1899 relating to the execution of works in and the breaking up of streets shall with the necessary alterations extend and apply to and for the purposes of this section.

Maintenance
of fittings.

16. The Corporation by agreement with the owner or occupier of any premises supplied by the Corporation with electricity may repair and maintain any electric lines fittings apparatus or appliances used for or in connection with the consumption or utilisation of electricity and the Corporation with respect thereto may demand and take such remuneration and make such terms and conditions as may be agreed upon.

17.—(1) The Corporation may make byelaws for the purpose of preventing fire or injury to persons in any building or premises supplied or proposed to be supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in which such byelaws are not complied with.

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Byelaws
as to wires
apparatus
and fittings.

(2) The provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

(3) No byelaw made under this section shall apply to or in respect of any building or premises (not used as a hotel or dwelling-house) belonging to and forming part of the railway or any station or depot adjoining the railway or railway sidings of any railway company or railway committee.

(4) Section 47 of the Manchester Corporation Act 1924 is hereby repealed.

18. The Corporation may subject to the proviso to section 64 of the Housing Act 1925 be authorised from time to time to purchase land in the city compulsorily for the purpose of the erection thereon of a station for transforming converting or distributing electricity by means of an order made by the Corporation and submitted to the Minister of Transport and confirmed by him in accordance with the provisions (so far as they are applicable) of the Third Schedule to the Housing Act 1925 and that schedule with any necessary modifications shall have effect for the purposes of this section with the substitution of the Minister of Transport for the Minister of Health.

Acquisition
of land
for sub-
stations.

PART IV.

TRAMWAYS TROLLEY VEHICLES AND OMNIBUSES.

19. For the purposes of this Part of this Act the expression "road authority" means the authority charged with or liable to contribute to the maintenance of a road or part of a road.

Definition
of road
authority.

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Shelters or
waiting-
rooms.

20. The Corporation may erect and maintain sheds shelters or waiting-rooms for the accommodation of passengers on any routes of the tramways or light railways belonging or leased to the Corporation or on any of their trolley vehicle or omnibus routes and may use for that purpose parts of the public streets or roads due regard being had to the convenience of the general traffic along any such street or road :

Provided that the Corporation shall not under the powers of this section use a part of a street or road outside the city except with the consent of the local and road authority :

Provided also that no shed shelter or waiting-room shall be erected so as to cause interference with the access to or exit from any station belonging to any railway company or railway committee or any depot belonging to them and adjacent to their railway nor shall any such shed shelter or waiting-room be erected or maintained on any bridge carrying any street or road over the railways of any railway company or railway committee.

For pro-
tection of
Altrincham
Gas Com-
pany.

21. If any structure erected by the Corporation under the powers of the section of this Act whereof the marginal note is "Shelters or waiting-rooms" is situate over any mains pipes or apparatus of the Altrincham Gas Company laid or placed before the erection of such structure and the said company at any time after such erection give to the Corporation notice in writing of their desire to obtain access to such apparatus the Corporation shall either remove temporarily such structure or so much thereof as shall require to be so removed in order to afford such access or (if the Corporation determine not to remove such structure or part thereof) bear any additional expense due to the existence of such structure which may be reasonably incurred by the said company in obtaining such access.

Power
to run
omnibuses.

22.—(1) Subject to the provisions of this Act the Corporation may in addition to their existing powers run omnibuses with the consent of the Minister of Transport and the local authority of the district and the road authority (where it is not also the local authority) along any route without the city :

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Provided that the consent of a local authority or of a road authority shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport. A.D. 1930.
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(2) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any persons affected by such proposals may object thereto.

(3) The provisions of subsections (3) to (8) of section 29 (Power to provide and run omnibuses) of the Act of 1914 and section 75 of the Manchester Corporation Act 1924 shall extend and apply to and for the purposes of this section as if those provisions were with all necessary modifications re-enacted in this section :

Provided that subsection (4) of the said section 29 shall in the event of the passing during the present session of Parliament of any general Act relating to road traffic and containing provisions conferring upon the Minister of Transport power to make regulations as to the conduct of passengers in omnibuses cease to have effect on the coming into force of such regulations.

(4) The Corporation shall not under the powers conferred by this section without the consent of the Manchester Ship Canal Company run omnibuses along any street belonging to that Company and not repairable by the inhabitants at large.

(5) The Corporation shall not under the powers of this section run omnibuses to a distance exceeding seven miles from the boundary of the city as constituted at the passing of this Act that distance being measured in a straight line from the nearest point on such boundary but nothing in this subsection shall limit or restrict any powers that may be conferred upon or exerciseable by the Corporation under the powers of any general Act for the time being in force.

23.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and fares and charges.

A.D. 1930. parcels carried on their omnibuses fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.

Any application for a revision of such maximum fares or charges may be made by the Corporation or by the local authority of any district in which such omnibuses are run.

(2) Every passenger may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit carry on their omnibuses small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares and charges for the time being authorised under the provisions of this Act shall be paid to such persons and in such manner as the Corporation may by notice annexed to the list of fares and charges appoint.

(5) Nothing in this section shall be deemed in any way to restrict the powers (if any) conferred on any person or body of persons having the power to issue licences under the provisions of any general Act passed in the present session of Parliament relating to road traffic to impose conditions on the granting of such licences as to the fares to be charged in respect of the omnibuses of the Corporation.

(6) Subsection (2) of section 29 of the Act of 1914 is hereby repealed.

As to cesser
of powers.

24.—(1) The powers of running omnibuses under the foregoing provisions of this Act may at the expiration of ten years from the date on which such running commences and at the expiration of any subsequent period of ten years be determined by the Minister of Transport on the application of the local authority of the district in which such road or part of a road is situate upon such terms as the said Minister may determine.

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(2) Before issuing an order to determine the said powers the Minister of Transport shall hold a local inquiry at which opportunity shall be afforded to any person interested to object to the continuance or cesser of such powers. A.D. 1930.
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25. If the Corporation do not within three years from the giving of the consent of the Minister of Transport to the running by the Corporation of omnibuses on any route without the city provide a service of omnibuses on such route or having provided shall discontinue any such service the Minister of Transport may on the application of any local authority within whose district the route or any part of the route is situate and after considering any representation which may be made on behalf of the Corporation by order declare that unless a service of omnibuses be provided within such period as the Minister of Transport may by such order prescribe the powers of the Corporation under this Act in respect of the running of omnibuses on such route or part of such route shall determine and if within the prescribed period such service be not provided as from the expiration of such period the powers of the Corporation under this Act in relation to the provision and running of omnibuses on such route or part of a route shall cease : Provision in event of certain powers not being exercised within prescribed period.

Provided that this section shall not apply or have effect in the event of the failure of the Corporation to provide a service of omnibuses on any route being due to strikes unforeseen accidents or circumstances beyond the control of the Corporation.

26.—(1) The Corporation and any local authority empowered to run omnibuses in any city borough or urban or rural district adjacent to the city or adjacent to any city borough or urban or rural district in which any route over which the Corporation are for the time being empowered to run omnibuses is situate may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered to provide subject to the provisions of the respective Acts under which such omnibus services are authorised. Working and other agreements.

(2) The Corporation and any company body or person may enter into and carry into effect agreements

A.D. 1930. for the working user management and maintenance of any omnibus services within the city or on any route over which the Corporation are for the time being empowered to run omnibuses subject (in the case of omnibuses authorised by statute) to the provisions of the respective Acts under which such omnibus services are authorised.

(3) The Corporation and any such local authority company body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say) :—

- (a) the working user management and maintenance of any omnibuses lands depots buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services ;
- (b) the supply by any of the contracting parties under and during the continuance of any such agreement under this section of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants ;
- (c) the interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties ; and
- (d) the payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

(4) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depots buildings sheds or property beyond the city otherwise than with the consent of the local authority of the district and of the road authority (where it is not also the local authority) within which such omnibus service lands depots buildings sheds or property are situate :

Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the said Minister may if he thinks fit by order dispense with such consent.

[20 & 21 GEO. 5.] *Manchester* [Ch. clxxviii.]
Corporation (General Powers) Act, 1930.

(5) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to the working user management or maintenance by the Corporation of any omnibus service to a greater distance than twelve miles from the boundary of the city as constituted at the passing of this Act that distance being measured in a straight line from the nearest point on such boundary but nothing in this subsection shall limit or restrict any powers that may be conferred upon or exercisable by the Corporation under the powers of any general Act for the time being in force.

A.D. 1930.

27.—(1) Notwithstanding anything contained in any other Act or Order the Corporation may abandon or discontinue either temporarily or permanently the running of cars on any tramway in the roads in the city hereinafter mentioned when they have provided a service of either omnibuses or trolley vehicles on the route of such tramway or along such other route in lieu thereof as shall be approved by the Minister of Transport :

Abandon-
ment of
tramways.

The said roads are Queen's Road Lamb Lane Hulme Hall Lane Forge Lane Pottery Lane Belle Vue Street Kirkmanshulme Lane North Road Stanley Grove Dickenson Road Great Western Street Raby Street and Moss Lane East.

(2) The Corporation may take up and remove and use or dispose of the rails of any such tramway or part of a tramway and the posts poles wires and other works and apparatus provided in connection therewith.

(3) Nothing in this section shall relieve the Corporation of any liability imposed upon them by section 41 (Tramways to be removed in certain cases) of the Tramways Act 1870 in relation to any tramway in the event of the Corporation discontinuing the working of such tramway otherwise than in accordance with the provisions of this Act.

(4) Section 14 (Cheap fares for labouring classes) of the Manchester Corporation Act 1901 shall apply to and in respect of the running of omnibuses on the route of a tramway the working of which is discontinued under the provisions of this section.

28. Except with the consent in writing of Trafford Park Estates Limited the Corporation shall not under the powers of this Act run omnibuses on any road in

For protec-
tion of
Trafford Park
Estates
Limited.

A.D. 1930. — Trafford Park which is not for the time being repairable by the inhabitants at large.

For protection of London Midland and Scottish Railway Company.

29. For the protection of the London Midland and Scottish Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed between the Corporation and the company have effect (that is to say):—

- (1) On the taking up or removal by the Corporation under the section of this Act whereof the marginal note is "Abandonment of tramways" of any equipment attached to any bridge belonging to or maintainable by the company the Corporation shall to the reasonable satisfaction of the company restore and make good all damage to any such bridge:
- (2) The Corporation shall give to the company not less than seven days' previous notice in writing of their intention to remove the attachments referred to in this section and shall state in such notice the place and time at which they propose to commence the works:
- (3) Any difference which may arise between the Corporation and the company under the provisions of this section shall be referred to arbitration.

PART V.

BUILDINGS AND SANITARY MATTERS.

Means of escape from buildings in case of fire.

30.—(1) Every building to which this section applies and which is erected after the passing of this Act shall be provided on each of the storeys the upper surface of the floor whereof is more than twenty feet above the level of the ground immediately in front of the face of such building with such means of escape in case of fire for the persons dwelling sleeping or employed in or resorting to such upper storey as may reasonably be required by the Corporation in the circumstances of the case and the owner shall not permit such building to be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

[20 & 21 GEO. 5.] *Manchester* [Ch. clxxviii.]
Corporation (General Powers) Act, 1930.

(2) If in the opinion of the Corporation a building to which this section applies (other than a building erected after the passing of this Act) is not provided on each of the storeys the upper surface of the floor whereof is more than twenty feet above the level of the ground immediately in front of the face of such building with proper and sufficient means of escape in case of fire for the persons dwelling sleeping or employed in or resorting to such upper storey the Corporation may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required. A.D. 1930.

(3) Where the means of escape in case of fire provided in connection with any building to which this section applies shall become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner of the building shall upon the requirement of the Corporation make such alterations in the means of escape as may reasonably be necessary and shall if so required by the Corporation provide further or other means of escape.

(4) (a) Any person aggrieved by any requirement of the Corporation under subsection (2) or subsection (3) of this section may appeal to a court of summary jurisdiction within fourteen days after the receipt of the requirement provided he give written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal and the court shall have power to make such order as the court may think fit and to award costs.

(b) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections.

(5) The owner of the building shall notwithstanding any agreement with the occupier have power to take such steps as are necessary for complying with any requirement of the Corporation under this section.

(6) If the owner alleges that the occupier of the building ought to bear or contribute to the expenses of complying with any requirement of the Corporation

A.D. 1930. — under this section he may apply to the county court and thereupon the court after giving the occupier an opportunity of being heard may make such order as appears to the court just and equitable in all the circumstances of the case.

(7) The means of escape in case of fire provided in connection with any such building as aforesaid shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the building in good and efficient condition and free from obstruction.

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

(9) This section applies to every building—

(a) which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is more than twenty feet above the level of the ground immediately in front of the face of the building; and

(b) which is used or intended to be used—

(i) as flats; or

(ii) as a tavern hotel hospital boarding-house common lodging-house offices school or warehouse; or

(iii) for any other purpose except a private dwelling-house if sleeping accommodation is or is intended to be provided in the building for persons employed in or about the same;

but shall not apply to any premises to which section 14 or section 15 of the Factory and Workshop Act 1901 applies nor to any warehouse belonging or leased to a railway company and used by them exclusively for the purposes of their undertaking.

Notice of
intention
to repair
drains.

31.—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Corporation or communicating with any cesspool or other receptacle for drainage without giving to the Corporation twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that

case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so. A.D. 1930.

(2) Free access to such drain or work of repair shall be afforded to the medical officer or sanitary inspector or any officer of the Corporation authorised by them in writing for the purpose of inspection.

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

(4) Nothing in this section shall extend to any drain constructed by or belonging to or which may hereafter be constructed by or belong to a railway company and situate under across or along their railway.

32.—(1) No premises shall be used for—

- (a) the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale; or
- (b) the manufacture for sale or sale of ice-cream or other similar commodity;

Registration of premises used for manufacture &c. of potted meats and ice-cream.

unless such premises are registered by the Corporation in a register indicating the purpose for which the premises may be used and any person who offends against the provisions of this subsection or uses any premises for a purpose for which they are not registered shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The Corporation may refuse to register any such premises or (after giving one month's notice in writing to the person in whose name any such premises are registered) revoke the registration of such premises upon the ground that the premises are not suitable to be used for the purposes aforesaid :

Provided that before refusing or revoking such registration the Corporation shall serve upon the applicant for registration or the person in whose name such premises are registered a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register or to revoke the registration of the premises.

(b) If the Corporation should refuse to register or should revoke the registration of any such premises they

A.D. 1930. shall deliver to the person applying for such registration or in whose name the premises are registered a statement in writing of the ground or grounds upon which such refusal is based. Notice of the right to appeal next hereinafter mentioned shall be endorsed on every such notice.

(c) Any person aggrieved by any such refusal or revocation may appeal to a court of summary jurisdiction provided that such appeal be made within fourteen days from the date of a refusal to register or of the notice of revocation.

(d) Any person so appealing shall give or cause to be given written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal and the costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(e) On any such appeal the court may by order confirm the refusal or direct the Corporation to register the premises or to retain them upon the register and the Corporation shall comply with any such direction.

(3) The provisions of this section shall have no application to any premises occupied as a factory or workshop respecting which notice is required by subsection (1) of section 127 of the Factory and Workshop Act 1901 to be given and shall not in any way affect the operation of that Act.

(4) This section shall not apply to any premises used as a club hotel or restaurant or railway refreshment rooms.

(5) The provisions of this section shall come into force on the first day of January nineteen hundred and thirty-one and the Corporation shall cause public notice to be given of the provisions of this section by advertisement published once in each of three successive weeks in at least two newspapers published or circulating in the city in the months of August and September or one of them immediately preceding the date when such provisions shall become operative.

33. Section 44 (Byelaws imposing duty of cleansing &c. on occupier) of the Public Health Act 1875 shall extend to empower the Corporation to make byelaws for regulating the tipping of dust spoil and refuse and for

Byelaws
as to
tipping
refuse.

prohibiting the use of any refuse tip so as to be a nuisance to the occupiers of any premises in the neighbourhood thereof : A.D. 1930.

Provided that no byelaw under this section shall extend to regulate or control the tipping of spoil and refuse by a railway company or railway committee for the purpose of constructing widening or maintaining any railway works.

34.—(1) If the medical officer certifies in writing that any person— Removal of infirm and diseased persons in certain cases.

(a) is aged or infirm or physically incapacitated and resides in premises which are insanitary owing to any neglect on the part of the occupier thereof or under insanitary conditions; or

(b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in the interest of the health of such person and for preventing injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination of such person by a registered medical practitioner to be nominated by them (if they think fit) may make an order for the removal of such person to a suitable hospital infirmary poor law or other institution or other suitable place provided within the city or within a convenient distance of the city and for the detention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period or periods each not exceeding three months as may be determined by any further order or orders made under and in accordance with the provisions of this section.

(2) The medical officer shall give to any person proposed to be removed under the provisions of this section or to some person being in charge of such person three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

A.D. 1930.

(3) The cost of the removal of any person to a hospital infirmary or other institution or place as aforesaid and of his detention and maintenance therein in pursuance of an order made under this section shall be borne by the Corporation and during any period for which a person is so detained the Corporation may and if so required by the court shall make towards the maintenance of any dependants of that person such contributions as the Corporation think fit or as may be directed by the court as the case may be.

(4) An order under this section may be addressed to such officer of the Corporation or to such constable as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made.

Such person or other the person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The powers of this section shall not be put into operation by the medical officer unless he is authorised by a resolution of the council so to do either generally or in any particular case in which those powers are proposed to be exercised.

PART VI.

SUPERANNUATION.

35.—(1) Any officer or servant who under section 74 (Existing officers not contributing to the superannuation fund) of the Act of 1920 gave notice of his intention not to avail himself of the superannuation provisions of that Act may at any time before the first day of January

Further provision as to existing officers.

nineteen hundred and thirty-one by notice in writing to the Corporation withdraw such first mentioned notice and in that case the provisions of Part VII of the Act of 1920 shall apply to him on and after the said first day of January subject to the provisions of this section and every such officer or servant is in this Act called a "new contributor."

A.D. 1930.
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(2) In the application to a new contributor of the said provisions of Part VII of the Act of 1920 "the appointed day" shall mean the first day of January nineteen hundred and thirty-one except in section 69 (Quinquennial investigation) and in subsections (1) and (9) of section 75 (Existing officers and servants) of that Act and where first and thirdly mentioned in subsection (6) and where secondly mentioned in subsection (10) of the last-mentioned section and in this section "the appointed day" means the first day of January nineteen hundred and thirty-one.

(3) A new contributor shall pay into the superannuation fund in addition to the contributions to be made under section 59 (Officers and servants to contribute) of the Act of 1920 a sum equal to the total amount which he would have contributed to the fund under the said section 59 between the thirty-first day of March nineteen hundred and twenty-one and the first day of January nineteen hundred and thirty-one with compound interest for the same period at the rate of four per centum per annum calculated by half-yearly rests such interest to be ascertained in respect of each succeeding half year in the said period on the amount which (if the new contributor had then been a contributor to the fund) would have stood to his credit in the fund at the end of the next preceding half-year in respect of his contributions to the fund together with the interest thereon.

(4) On giving the notice under subsection (1) of this section a new contributor who has theretofore contributed to the thrift fund mentioned in Part VII of the Act of 1920 shall cease to contribute to such thrift fund and for the purposes of subsection (3) of section 75 of the Act of 1920 such a new contributor shall be deemed not to have given notice under subsection (1) of section 74 of that Act.

A.D. 1930.

The contributions made by a new contributor to the thrift fund between the first day of April nineteen hundred and twenty-one and the first day of January nineteen hundred and thirty-one with the accumulated interest thereon shall be deemed to be in payment or part payment of the sum required by the last preceding subsection to be paid into the superannuation fund by a new contributor.

(5) A new contributor shall make the payment required by subsection (3) hereof either in one sum on the appointed day or by such number of instalments as may be determined in manner provided for payments made under and in accordance with section 75 (6) of the Act of 1920.

(6) The amount of back contributions to be made by a new contributor who gives the undertaking referred to in subsection (5) of section 75 of the Act of 1920 shall be the amount referred to in subsection (6) of that section together with compound interest thereon at the rate of four per centum per annum calculated by half-yearly rests.

(7) The amount of back contributions to be made by a new contributor under the last preceding subsection together with the interest thereon shall be paid by him into the superannuation fund in accordance with the provisions of subsection (6) of the said section 75 and that subsection and subsection (7) of the same section shall apply as if that amount were back contributions within the meaning thereof.

(8) An officer or servant to whom subsection (5) of section 75 of the Act of 1920 would have applied if he had given the undertaking referred to in that subsection before the date therein mentioned but who did not so give such undertaking may give such undertaking at any time before the first day of January nineteen hundred and thirty-one and thereupon the provisions of the said subsection (5) shall apply to him and the amount of the back contributions to be made by him shall be the amount referred to in subsection (6) of the said section 75 together with compound interest thereon from the thirty-first day of March nineteen hundred and twenty-one to the date of payment at the rate of four per centum per annum calculated by half-yearly rests which amount together with the interest thereon shall

be paid into the superannuation fund in accordance with the provisions of the said subsection (6) and that subsection and subsection (7) of the said section 75 shall apply as if the said amount were back contributions within the meaning thereof. A.D. 1930.

(9) The deficiency contribution payable by the Corporation to the superannuation fund under section 68 of the Act of 1920 shall be increased by such amount as may be certified by an actuary being a Fellow of the Institute of Actuaries or of the Faculty of Actuaries in Scotland to represent the additional burden imposed on the fund by the foregoing provisions.

36. When an officer or servant is employed at a reduced salary in consequence of a reduction of the duties which he has to perform and not in consequence of misconduct or incompetence he may if he so desires with the consent of the Corporation contribute to the superannuation fund on the basis of the salary which he was receiving prior to such reduction and shall then be entitled to have his superannuation allowance calculated on that basis. Contributions on reduction of salary.

37. An officer or servant whose salary is reduced on account of his absence from employment through sickness or who on that account receives no salary may with the consent of the Corporation on his return to employment or on his resignation or otherwise ceasing to hold his office or employment (whichever shall first occur) pay into the superannuation fund a sum equal to the difference between the amount (if any) which he has contributed thereto during the period of such absence and the amount which he would have contributed thereto if he had continued to receive his full salary and in that case for the purpose of calculating any superannuation allowance to which he may become entitled he shall be deemed to have received his full salary during such period of absence. Contributions in case of sickness.

38. Any officer—

(a) who was formerly employed by the board of guardians for the Manchester Union and who by virtue of the Local Government Act 1929 was transferred to the service of the Corporation; and Superannuation of certain poor law officers.

A.D. 1930.

- (b) who during the whole or part of the time of her employment by an authority to whom the Poor Law Officers' Superannuation Act 1896 applied (in this section called "the excluded period") was not required by that Act to make any contributions or submit to any deductions from her salary or wages in consequence of having signified under the Poor Law Officers' Superannuation Act Amendment Act 1897 her intention not to avail herself of the provisions of the said Act of 1896;

may (if she thinks fit) within three months of the date of the passing of this Act give notice in writing to the Corporation of her intention to pay into the superannuation fund a sum equal to the contributions which she would have made during the excluded period if it had then been obligatory upon her to make contributions under the said Act of 1896 and in that case for the purpose of calculating any superannuation allowance to which she may become entitled under the Act of 1920 as applied by a scheme under section 124 of the Local Government Act 1929 she shall be deemed to have made the contributions required by the said Act of 1896 during the excluded period.

Extension of
superannua-
tion pro-
visions to
justices'
officers and
servants.

39.—(1) The Corporation may by resolution passed with the consent of the justices of the city (in this section called "the justices") determine that as from a date to be named in the resolution the clerk to the justices and every person who serves the justices or serves the clerk to the justices in respect of his duties as such clerk shall be deemed to be a person in the service of the Corporation within the meaning and for the purposes of Part VII of the Act of 1920 and the provisions of that Part shall apply accordingly subject to the following modifications:—

- (a) The "appointed day" in the said provisions except in section 69 (Quinquennial investigation) shall mean the date named in the said resolution;
- (b) The expression "salary" shall not include any allowance paid to an officer to cover the cost of office accommodation or salaries or wages to persons employed by him in respect of his duties as such officer or other expenses;

(c) The following provisions shall not apply :— A.D. 1930.

Section 75 (Existing officers and servants)
other than subsection (2);

Section 76 (Seasonal workers);

(d) Any discretion or the right or duty to form an opinion vested in the Corporation or in the council under the following sections shall subject as hereinafter provided be exercised or performed by the justices (namely) :—

Section 58 (Retirements on account of age);

Section 60 (Title to superannuation allowance);

Section 62 (Cesser or reduction of allowance on pensioner's recovery);

Section 63 (Return of contributions during contributor's lifetime);

(e) A pension retiring allowance payment or gratuity shall not be paid or made and a superannuation allowance shall not be added to or increased under section 66 (Power to pension certain officers and servants) except with the concurrence of the justices;

(f) If and when the salary of any officer or servant coming within this section or the scale of salaries relating to any such officers or servants is fixed or subsequently altered notice thereof in writing shall forthwith be given to the Corporation by the clerk to the justices;

(g) The justices upon the exercise by them of any discretion vested in them by paragraph (d) hereof shall forthwith give notice thereof in writing to the Corporation;

(h) The Corporation may within fourteen days of the receipt of any notice in pursuance of paragraph (g) hereof appeal to the Secretary of State against any decision of the justices which in the opinion of the Corporation is unreasonable having regard to the provisions of this section and the matter shall thereupon be determined by the Secretary of State;

A.D. 1930.

(i) Any such decision of the justices against which the Corporation shall appeal shall not operate until the matter shall have been determined by the Secretary of State.

(2) If in the opinion of the Corporation any decision of the justices to increase the salary of any officer or servant coming within this section or the scale of salaries of such officers or servants is unreasonable and would have a prejudicial effect upon the superannuation fund established under Part VII of the Act of 1920 the Corporation may appeal to the Secretary of State against the decision of the justices and his decision upon such appeal shall be final and be carried into effect.

(3) For the purposes of this section any person appointed by the justices under or for the purposes of the Sale of Gas Act 1859 shall be deemed to be a person serving the justices.

(4) For the purposes of section 65 of the Act of 1920 the service of an officer or servant shall include—

- (a) whole-time service under the justices of the city;
- (b) whole-time service under other justices; and
- (c) whole-time service under any justices' clerk on work of the justices;

such service under other justices and under any justices' clerk being prior to and continuous with his service under the justices of the city.

(5) This section shall not apply to any person who is serving the justices at the date named in the resolution passed in pursuance of subsection (1) of this section except with his consent.

(6) All matters to be determined by the justices under this section may be decided by a resolution passed by a majority of the justices present and voting at any special session convened for the purpose and a copy of any such resolution certified by the clerk to the justices shall be transmitted by him to the Corporation.

PART VII.

A.D. 1930.

FINANCE.

40.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest on the security of the revenues of the Corporation for and in connection with the purposes mentioned in the first column of the following table any sums of money not exceeding in the whole the respective sums mentioned in the second column thereof and shall repay all moneys so borrowed within the respective periods mentioned in the third column thereof and those periods shall be the prescribed periods for the purposes of section 45 (As to repayment of borrowed moneys) of the Manchester Corporation Act 1891 (namely) :—

Power to borrow.

Purpose.	Amount.	Period for repayment.
(a) The erection of the extension of the town hall and other buildings and premises and works incidental thereto authorised by the Act of 1920.	£ 699,000	Sixty years from the date or dates of borrowing.
(b) The furnishing and fitting up of the said town hall buildings and premises.	33,000	Thirty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also borrow or raise at interest on the security of the revenues of the Corporation such further money as may be necessary—

- (a) for the purposes of Part III (Electricity) of this Act with the consent of the Electricity Commissioners;
- (b) for the purposes of Part IV (Tramways trolley vehicles and omnibuses) of this Act with the consent of the Minister of Transport;
- (c) for any other purpose of this Act with the consent of the Minister;

A.D. 1930. — and shall repay any money borrowed under this subsection within such period as may be prescribed by the commissioners or Minister with whose consent it is borrowed.

Further powers as to borrowing.

41.—(1) The repayment of all principal sums secured by mortgages granted under section 82 (Power to use one form of mortgage for all purposes) of the Act of 1914 whether granted before or after the passing of this Act and the payment of interest thereon shall be and the same are by virtue of this Act charged upon the revenues of the Corporation.

(2) The form of mortgage and the form of transfer of mortgage contained in the Fourth Schedule to the Act of 1914 shall as regards mortgages granted or transferred after the passing of this Act be altered so as to relate to the revenues of the Corporation instead of the city rate.

Application of section 79 of Public Health Act 1925.

42. The provisions of section 79 of the Public Health Act 1925 shall apply in relation to any sums set apart as a sinking fund or a redemption fund for the purpose of paying off moneys borrowed by the Corporation in the exercise of any statutory borrowing power is if all such moneys had been borrowed by the Corporation in exercise of their powers under the Public Health Act 1875.

Renewal and repairs funds.

43.—(1) The Corporation may if they think fit establish a fund or funds for the purpose of defraying the expenditure to be incurred from time to time in repairing maintaining and renewing any works plant appliances or things the cost of repairing maintaining and renewing of which is payable out of the general rate fund and may from time to time apply any fund so established or any part thereof in defraying such expenditure but this section shall not apply to any works plant appliances or things for the purpose of the tramways and omnibus undertakings of the Corporation.

(2) The Corporation may from time to time pay out of the general rate fund such sums as they think fit into a fund or funds to be established under this section.

A.D. 1930.

PART VIII.

MISCELLANEOUS.

44. The period limited by section 36 of the Manchester Corporation Act 1911 for the completion of the main drainage works authorised by that Act as extended by subsequent Acts and the period limited by section 48 of the Manchester Corporation Act 1920 for the completion of the sewage works authorised by that Act are hereby extended until the thirty-first day of December nineteen hundred and forty.

Extension of time for construction of main drainage works.

45.—(1) The Corporation may lay out and develop—

Power to develop lands.

(a) any lands belonging to the Corporation and situate in the existing townships of Baguley Northenden and Northen Etchells; and

(b) with the consent of the Minister any other lands belonging to the Corporation and not required for the purposes for which they were acquired;

and may erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways on any of such lands and may sell lease exchange or otherwise dispose of any such lands houses shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey or lease the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

A.D. 1930.

(4) The Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any of the lands to which this section applies at a price or rent or for a consideration of a value less than the current market value of such lands but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained.

(5) Nothing in this section shall be taken to dispense with the necessity for obtaining the approval of the Minister or the Board of Education (as the case may be) to any alienation sale lease appropriation or other disposition of any lands acquired under any general Act for which such approval would be required but for the provisions of this section.

(6) The powers of this section shall not be exercised by the Corporation in the administrative county of the county palatine of Chester in contravention of the provisions of any general Act or any byelaws made thereunder and for the time being in force or of the provisions of any scheme approved by the Minister under the Town Planning Act 1925.

Power to Corporation to advance money for erection of buildings.

46.—(1) The Corporation may advance money to the purchaser or lessee of any of the lands referred to in the last preceding section which are sold or of which a lease is granted by the Corporation for the purpose of enabling or assisting him to erect buildings on such land :

Provided that any advance shall not exceed two-thirds of the amount which in the opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

(2) Every such advance shall be repaid with interest at such rate not being less than five per centum per annum within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee.

(3) The repayment may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such periods not

exceeding half a year as may be agreed between the said purchaser or lessee and the Corporation. A.D. 1930.

(4) Any such purchaser or lessee to whom an advance has been made may at any of the usual quarter days after one month's written notice and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the mortgage or charge hereinafter referred to) or a multiple of one hundred pounds (or of such less sum as aforesaid) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced or the period for repayment shortened where a part of the advance shall be paid off shall be determined by a table to be annexed to the mortgage or charge securing the repayment of the advance.

(5) Before making any advance under this section the Corporation shall be satisfied that the repayment to them of the advance is secured by a mortgage or charge of the building in respect of the erection of which the advance is made and of the land upon which such building is to be erected or of the lessee's interest therein to the Corporation subject to the right of redemption by the said purchaser or lessee and requiring the said purchaser or lessee to keep the building in good repair and to make provision satisfactory to the Corporation for keeping the building insured against fire or for paying to the Corporation the amount of the premiums in respect of such insurance.

(6) Any person authorised in writing by the Corporation shall have power at all reasonable times to enter the building in respect of the erection of which any advance is made by the Corporation for the purpose of ascertaining whether the conditions of this section and of the mortgage or charge are complied with.

(7) The said purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building in respect of which such advance is made and the land upon which the same is erected but any such transfer shall be made subject to the foregoing provisions of this section.

A.D. 1930.

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Land at
Alexandra
Park.

47.—(1) When the land hereinafter referred to has been conveyed to the Corporation the Corporation may subject to the terms and conditions expressed in the conveyance thereof use such land at their discretion for the purposes of a public park open space recreation ground playing fields exhibition or show ground.

(2) Any part of the said land used as an open space or recreation ground may be enclosed and used for the purposes of and in connection with an exhibition and show but a minimum area of twenty acres shall not be so enclosed and used for a longer period than two weeks in any one year :

Provided that no part of the land known as Hough End Clough shall be used to provide the minimum area of twenty acres referred to in this subsection.

(3) Subject to the terms and conditions expressed in the said conveyance the Corporation may lay out the said land construct thereon roads sewers drains and other works and conveniences and erect such buildings as they may deem necessary for or in connection with the purposes for which the land is used.

(4) The land hereinbefore referred to contains one hundred and twenty-two and a half acres or thereabouts and is situated at Withington in the city and is bounded on the south-easterly side by Princess Road on the south-westerly side by the London Midland and Scottish Railway and on the northerly side by a new road known as Mauldeth Road West.

Insurance
by hackney
carriage
proprietors.

48.—(1) The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant (not being a railway company) fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and the provisions of that subsection shall apply accordingly.

(2) If a policy of insurance required by this section at any time lapses or otherwise becomes invalid any licence granted in respect of any vehicle to which the policy relates shall thereupon become void. A.D. 1930.

(3) This section so far as it relates to motor vehicles carrying passengers for hire or reward at separate fares or motor vehicles carrying passengers for hire or reward adapted to carry eight or more persons shall cease to have effect on the passing during the present session of Parliament of any general Act relating to road traffic and containing provisions as to insurance against third party risks.

49.—(1) The Corporation may appoint the stations and places in the city from which omnibuses may start or at which they may stop for the purpose of taking up or setting down passengers and may fix the time during which such omnibuses shall be allowed to remain at any such place : Corporation may appoint stopping and starting places.

Provided that no such starting or stopping place shall be appointed in such a position as to interfere with or render less convenient the access to or exit from any station or depot of a railway company or railway committee.

(2) When the Corporation have appointed stations and places in accordance with this section any person who shall use other places in the streets of the city for the starting of their omnibuses or as places for stopping their omnibuses for the purpose of taking up or setting down passengers or shall exceed the time during which omnibuses are allowed to remain at a station or place appointed by the Corporation shall be liable to a penalty not exceeding five pounds.

(3) Before appointing any station or place in pursuance of this section the Corporation shall publish notice of their proposal in a local newspaper circulating in the city and such notice shall state the situation of the station or place and the time during which the omnibuses are to be allowed to remain thereat and shall also state that any person affected who desires to object to the proposal may do so by giving notice in writing of such objection and of the grounds thereof to the Minister of Transport and by sending a copy of such notice to the town clerk within fourteen days after the publication of the newspaper.

A.D. 1930.

If under this subsection notice is given of an objection to a proposal of the Corporation then if the objection is not withdrawn the Corporation shall not appoint the station or place referred to in the notice or fix the time during which omnibuses shall be allowed to remain thereat except in accordance with directions of the said Minister.

(4) This section shall cease to have effect on the passing during the present session of Parliament of any general Act relating to road traffic and containing provisions empowering local authorities to make orders for fixing stands and stopping places for omnibuses.

Disused
petroleum
vessels.

50.—(1) Where a tank or other fixed container which has been used for the storage of petroleum spirit and is no longer used for that purpose is kept on any premises the occupier of the premises shall take all such steps as may be reasonably necessary to prevent danger from such vessel.

(2) Any officer of the Corporation duly authorised by them may on producing a copy of his authority purporting to be signed by the town clerk require the occupier of any premises on which is situate any tank or other fixed container which has been used for the storage of petroleum spirit and is no longer used for that purpose to show him such vessel and permit him to ascertain whether steps have been taken to comply with the provisions of this section.

(3) Any person failing to comply after due warning with the provisions of subsection (1) of this section and any person who obstructs any such officer as aforesaid in carrying out his duty under subsection (2) thereof shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) In this section the expression "petroleum spirit" has the meaning assigned to it by the Petroleum (Consolidation) Act 1928.

Police
telephone
call boxes.

51.—(1) The Corporation may erect or fix and maintain police telephone call boxes in such positions in any street road or public place within the city as they think fit but nothing in this section shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 :

[20 & 21 GEO. 5.] *Manchester* [Ch. clxxviii.]
Corporation (General Powers) Act, 1930.

Provided that the Corporation shall not under the powers of this section erect or fix any such police telephone call-box— A.D. 1930.
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- (a) in or upon any bridge carrying a street over a railway of a railway company or railway committee or the approaches thereto; or
- (b) in any street belonging to and repairable by a railway company or railway committee and forming the approach to any station or depot of a railway company or railway committee; or
- (c) so as to obstruct the access to or exit from any station or depot of a railway company or railway committee constructed and maintained under statutory authority;

except in each case with the consent in writing of such railway company or railway committee but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be referred to the arbitration of a single arbitrator to be appointed failing agreement by the Minister of Transport.

(2) Any person who shall knowingly and improperly use or cause to be used by means of any false or malicious statement message or otherwise any telephone in any such box shall be liable to a penalty not exceeding five pounds.

52.—(1) Subsection (3) of section 2 of the Public Health Interments Act 1879 shall be extended to enable the Corporation to accept a capital sum for the purpose of maintaining a particular grave or grave space or monument either in a cemetery provided under the Public Health Acts 1875 to 1925 or in a burial ground provided under the Burial Acts 1852 to 1906. Extension
of section 2
(3) of Public
Health
Interments
Act 1879.

(2) Any such sum shall be invested in statutory securities and the interest thereof applied in maintaining the grave or grave space or monument in such manner as the Corporation think fit.

(3) Any such capital sum and the interest thereof shall be shown separately in the accounts of the Corporation relating to their cemetery but the said interest shall be paid into the fund to which receipts derived from the cemetery are paid.

[Ch. clxxviii.] *Manchester* [20 & 21 GEO. 5.]
Corporation (General Powers) Act, 1930.

A.D. 1930.

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Appeals to
quarter
sessions.

53. Any person deeming himself aggrieved by any requirement or the withholding of any certificate of the Corporation under the provisions of Part V (Buildings and sanitary matters) of this Act or by any order made by a court of summary jurisdiction under the provisions of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction the Corporation may in like manner appeal.

Applications
of existing
enactments.

54. The following enactments shall extend and apply to the purposes of this Act as if with all necessary modifications they were re-enacted in this Act (namely) :—

Manchester Corporation (General Powers) Act 1921—

Section 63 (Inquiries by Minister of Health);

Section 64 (Recovery of penalties &c.);

Section 65 (Informations by whom to be laid);

Section 66 (Powers of Act cumulative).

Manchester Corporation Act 1924—

Section 98 (Inquiries by Minister of Transport).

Manchester Corporation Act 1929—

Section 18 (Audit of accounts);

Section 19 (Expenses of execution of Act).

Costs of Act.

55. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund or out of money to be borrowed under this Act for that purpose.

The SCHEDULE referred to in the foregoing Act.

[20 & 21 GEO. 5.]

Manchester

[Ch. clxxviii.]

Corporation (General Powers) Act, 1930.

PRICES FOR SUPPLY OF WATER IN BULK.

(1) Description of local authority.	(2) Act or date of agreement.	(3) Existing price or prices.	(4) Price to be paid.
The Salford Corporation.	Agreements dated 16th January 1905, 27th July 1906 and 13th September 1911 (confirmed by the Salford Corporation Act 1920).	4½d. per 1,000 gallons.	During the period of two years from 1st October 1930. During the next period of two years. Thereafter - - - -
The Stockport Corporation.	Agreement dated 17th March 1859 (confirmed by the Stockport Corporation Water Act 1899). Agreement dated 9th October 1877 (confirmed by the Stockport Corporation Water Act 1899).	2¼d. per 1,000 gallons. 6d. per 1,000 gallons.	4d. per 1,000 gallons. 4½d. per 1,000 gallons. 5d. per 1,000 gallons.

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