



CHAPTER lxxxix.

An Act to provide for the alteration of the unions wholly or partly in the city of Leeds and to amalgamate the parishes in that city to confer further powers upon the lord mayor aldermen and citizens of the city in relation to their water and tramways undertakings and the construction of street improvements and to make further provision for the health local government and improvement of the city and for other purposes. [7th August 1924.]

A.D. 1924.

WHEREAS the area of the city of Leeds (in this Act called "the city") comprises—

- (a) The township of Leeds which has a separate board of guardians;
- (b) The township of Armley and Bramley in the poor law union of Bramley;
- (c) The township of Holbeck in the poor law union of Holbeck; and
- (d) The township of Hunslet and the parish of Osmondthorpe in the poor law union of Hunslet:

And whereas the townships outside the city comprised in the same unions are—

- (a) In the Bramley Poor Law Union the township of Gildersome;
- (b) In the Holbeck Poor Law Union the township of Churwell; and

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(c) In the Hunslet Poor Law Union the townships of Oulton-with-Woodlesford Rothwell Templenewsam and Thorpe Stapleton :

And whereas it is expedient that the area of the city should be constituted one township under a separate board of guardians and to enact the provisions contained in this Act relative to the said unions and the parishes contained therein :

And whereas it is expedient to confer further powers upon the lord mayor aldermen and citizens of the city of Leeds (in this Act called " the Corporation ") relative to their water and tramways undertakings and the construction of street improvements to make further provision for the health local government and improvement of the city and to extend the time for the execution of certain works :

And whereas the Corporation have recently acquired from the Right Honourable Edward Frederick Lindley Wood M.P. for the benefit of the inhabitants of the city the mansion house called Templenewsam together with certain lands comprising in all upwards of nine hundred and thirty-five acres situate in the neighbourhood of the city in the township of Templenewsam in the west riding of Yorkshire and it is expedient to confer upon the Corporation the powers contained in this Act with reference to the said mansion house and lands :

And whereas by an award dated the thirty-first day of March eighteen hundred and forty-seven and made in pursuance of an Act passed the third year of King William the Fourth intituled " An Act for enclosing lands in the township of Wortley in the west riding of the county of York " certain lands therein referred to as public tenter grounds were awarded ordered and directed for ever thereafter to remain open and unbuilt upon and to be used and enjoyed by the inhabitants of the said township of Wortley for the time being for the purpose of tenting woollen cloth drying webs and spreading pieces thereon and the lands now subject to the said provisions of the said award are coloured red upon the map referred to in the section of this Act whereof the marginal note is " Appropriation of tenter grounds " :

And whereas for many years the said lands have not been required and have not been used for the purposes

mentioned in the said award and it is expedient that they should be vested in the Corporation and that provision should be made for the appropriation and use thereof: A.D. 1924.

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 purposes hereinafter mentioned and such estimates are as follows:—

	£
For the construction of the waterworks authorised by this Act	37,000
For the construction of the street improvements and new streets authorised by this Act	318,000
For the utilisation of the sewage lands described and referred to in the first schedule to the Leeds Corporation Act 1908 for the treatment and disposal of sewage for the construction of the sewerage works authorised by the Act of 1908 and for other sewage purposes (in addition to the sum which the Corporation were by the Act of 1908 authorised to borrow)	851,000

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

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the west riding of Yorkshire which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

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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 :—

PART I.

PRELIMINARY.

Short and
collective
titles.

1.—(1) This Act may be cited as the Leeds Corporation Act 1924.

(2) The Leeds Corporation Acts 1896 to 1919 and this Act may be jointly cited as the Leeds Corporation Acts 1896 to 1924.

Division of
Act into
Parts.

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

- Part I.—Preliminary.
- Part II.—Alteration of unions and parishes.
- Part III.—Water.
- Part IV.—Tramways.
- Part V.—Street improvements.
- Part VI.—Lands and recreation grounds.
- Part VII.—Streets and buildings.
- Part VIII.—Infectious disease and sanitary provisions.
- Part IX.—Maternity homes.
- Part X.—Police.
- Part XI.—Financial and miscellaneous provisions.

Incorporation of
Acts.

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

(1) The Lands Clauses Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919 with the following exception and modification (namely) :—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of

superfluous lands) is not incorporated with this Act; A.D. 1924.

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section:

(2) The provisions of the Waterworks Clauses Act 1847 with respect to the construction of the waterworks and with respect to mines.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpre-
tation.

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

(a) “The Corporation” means the lord mayor aldermen and citizens of the city of Leeds;

(b) “The city” means the city of Leeds;

(c) “The council” means the council of the city;

(d) “The town clerk” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the town clerk the surveyor the medical officer of health and the sanitary inspector of the city and respectively include any person appointed by the Corporation to discharge temporarily the duties of those officers;

(e) “The city fund” and “the city rate” mean respectively the city fund and the city rate of the city;

(f) “The existing Leeds Union” means the existing Leeds Poor Law Union;

(g) “The Bramley Union” “the Holbeck Union” “the Hunslet Union” “the Bramley Guardians” “the Holbeck Guardians” and “the Hunslet Guardians” mean respectively the existing poor law unions bearing those names and the respective boards of guardians of those unions;

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- (h) "The township of Leeds" means the township of Leeds as extended by this Act;
- (i) "Existing" in relation to any township or other area altered by this Act means existing immediately before the appointed day;
- (j) "The existing city townships" means the existing parishes comprised in the city;
- (k) "The existing townships outside the city" means the existing townships or parishes of Churwell Gildersome Oulton-with-Woodlesford Rothwell Templenewsam and Thorpe Stapleton;
- (l) "Officer" includes servant and "office" includes employment;
- (m) "The appointed day" in and in relation to Part II. (Alteration of unions and parishes) of this Act means the first day of April nineteen hundred and twenty-five;
- (n) "The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same;
- (o) "The Poor Law Acts" means the Poor Relief Acts 1601 and the Acts amending or extending the same;
- (p) "The Templenewsam Estate" means the mansion house and lands situate in the township of Templenewsam in the west riding of Yorkshire recently acquired by the Corporation from the Right Honourable Edward Frederick Lindley Wood M.P. and coloured red on the map marked "Map of Templenewsam Estate" signed in triplicate by the Right Honourable John Poynder Baron Islington the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one copy in the Private Bill Office of the House of Commons and one copy with the town clerk;
- (q) "Infectious disease" means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the city;

- (r) "Maternity home" means any premises in the city used or represented as being or intended to be used (whether regularly or on any occasion) for the reception of a woman or women for the purposes of childbirth where any payment or reward is made or given by or on behalf of any woman received therein in respect of such reception but does not include any house flat or other self-contained premises not regularly so used taken and held by or on behalf of any woman for the purpose of accommodating her during her confinement;
- (s) "Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction;
- (t) "Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;
- (u) "Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

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(v) "The Consolidation Act 1905" "the Act of 1907" "the Act of 1908" "the Act of 1913" "the Act of 1914" and "the Act of 1919" mean respectively the Leeds Corporation (Consolidation) Act 1905 the Leeds Corporation Act 1907 the Leeds Corporation Act 1908 the Leeds Corporation Act 1913 the Leeds Corporation Act 1914 and the Leeds Corporation Act 1919.

Certified maps to be evidence.

5. Copies of any map deposited with the town clerk in pursuance of this Act certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map.

PART II.

ALTERATION OF UNIONS AND PARISHES.

Alteration of unions and parishes.

6. On the appointed day—

- (1) The existing township of Armley and Bramley shall cease to form part of the Bramley Union the existing township of Holbeck shall cease to form part of the Holbeck Union and the existing township of Hunslet and the existing parish of Osmondthorpe shall cease to form part of the Hunslet Union :
- (2) The existing township of Leeds shall be extended so as to include in addition to that township the existing townships of Armley and Bramley Holbeck and Hunslet and the existing parish of Osmondthorpe and the township of Leeds as so extended shall continue to be called the "township of Leeds."

For the purposes of imperial taxes or duties other than land tax the provisions of this section shall not come into operation during any year in which under any enactment the annual value of any property adopted for the purposes of income tax under Schedules A and B or for the purposes of inhabited house duty for the preceding year is taken as the annual value of that property for the same purpose for that year.

7.—(1) The Minister of Health by an order or orders under the Poor Law Acts made after a local inquiry directed by the Minister may add to any existing union or unions the existing townships outside the city or any of them or may unite any of those townships with any other township or parish to form a union for the purpose of the administration of the laws relating to the relief of the poor and every such order shall take effect on the appointed day.

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Orders of
Minister of
Health as to
existing
townships
outside city.

(2) The Minister of Health by any such order may make any adaptation or amendment of any provision in this Part of this Act which may be necessary to give effect to the order and notwithstanding anything in section 32 of the Poor Law Amendment Act 1834 the consent or concurrence of any person or board of guardians to the addition of any of the existing townships outside the city to another union or the formation of any such township with any other townships or parishes into a union shall not be necessary.

(3) In any order made under subsection (1) of this section the Minister of Health shall make such provisions (if any) for the adjustment of financial relations property income debts liabilities and expenses and as to the application or otherwise of the Local Government (Adjustments) Act 1913 (with or without modifications) in respect of any of the existing townships outside the city and any questions arising with respect thereto by reason of the provisions of this Part of this Act or of any order of the Minister of Health made thereunder as he shall think fit.

(4) Notwithstanding anything in the Dissolved Boards of Management and Guardians Act 1870 or in section 2 of the Poor Law Authorities (Transfer of Property) Act 1904 the Minister of Health if he thinks fit may by order direct that any institution or buildings or other premises which at the passing of this Act may be vested in the Bramley Guardians the Holbeck Guardians or the Hunslet Guardians shall be transferred to and vest in the guardians of the township of Leeds or the guardians of any union in which the township in which the premises are situate may be included by order of the Minister subject nevertheless to a financial adjustment of the property and liabilities in respect of

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A.D. 1924. such institution or buildings or premises under the provisions of this Act.

Wards for election of guardians and number of guardians.

8.—(1) Subject to the provisions of the Local Government Act 1894 the township of Leeds shall for the purpose of the election of a board of guardians for that township be divided into seventeen wards which shall respectively be co-terminous with and bear the same names as the municipal wards of the city.

(2) Three guardians shall be elected for each of the wards of the township of Leeds.

Registration of electors in 1925.

9.—(1) In the preparation of the spring register for the year 1925 in pursuance of the Representation of the People Acts 1918 to 1922 so far as relates to any areas affected by this Act it shall be competent to the registration officers of the parliamentary county of York west riding and the parliamentary borough of Leeds to frame the register in separate parts for each area which will constitute a registration unit from and after the appointed day instead of in separate parts for each area constituting a registration unit before the appointed day.

(2) If the register of local government electors for any local government electoral area affected by this Part of this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a parish or ward or other voting area the town clerk in the case of an election for a voting area within the city and the registration officer of the parliamentary county of York west riding in the case of an election or parish meeting for any other voting area shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) It shall be the duty of the overseers to render such assistance as may be required by the town clerk or by the registration officer aforesaid for the purpose of such alteration or re-arrangement.

(4) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary to give effect to the provisions of this Part of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

10.—(1) The persons holding office on the thirty-first day of March nineteen hundred and twenty-five as guardians of the poor for any of the existing city townships shall go out of office on that day which shall be deemed to be the ordinary day of retirement from office of each guardian :

Provided that the person who on that day is the chairman of the guardians of the existing Leeds Union shall continue to hold office as the chairman of the guardians of the township of Leeds until a successor shall have been appointed after the fifteenth day of April nineteen hundred and twenty-five but this provision shall not prevent such person from being a candidate at the election of guardians to be held in pursuance of the provisions of this Part of this Act.

(2) An election of the guardians of the poor for the several wards of the township of Leeds shall be held in the months of February and March in the year nineteen hundred and twenty-five and the guardians so elected shall come into office on the appointed day.

(3) Subject as hereinafter provided and to any directions which may be given by the Secretary of State the said elections shall be conducted in conformity with the rules contained in the Guardians (Outside London) Election Order 1898 as amended by the Local Elections (Alteration of Rules) Order 1919 as if they were elections to fill ordinary vacancies in the office of the guardians :

Provided that Part *a* of the First Schedule to the said election order of 1898 shall have effect as if it required the notice of the election to be published not later than Friday the twentieth day of February nineteen hundred and twenty-five and as if it fixed Monday the sixteenth day of March in that year as the day of election.

(4) For the purposes of the election of guardians for the said wards the clerk to the guardians of the existing Leeds Union or in case of his inability to act such other person as the Secretary of State may appoint shall be the returning officer and the workhouse of the existing Leeds Union and the board room of the guardians of that union shall be deemed to be the workhouse of the township of Leeds and the board room of the guardians of that township:

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Retirement
of existing
guardians
and first
election of
new
members.

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(5) For the purposes of the provisions of the Local Government Act 1894 relating to the qualification of guardians the existing township of Leeds shall be deemed to have been extended on the first day of January 1924.

Retirement
of guardians.

11. The guardians of the township of Leeds elected in pursuance of the last preceding section shall subject to any orders which may be made under the Local Government Act 1888 or the Local Government Act 1894 continue in office until and shall retire on the fifteenth day of April nineteen hundred and twenty-eight and the guardians of the said township shall retire on the fifteenth day of April in every third year thereafter.

Precepts of
guardians.

12. Notwithstanding the alterations effected by this Act all contribution orders made by any guardians of the poor before the appointed day shall be as valid in law as if this Act had not been passed.

Transfer of
property
and
liabilities of
existing
townships.

13.—(1) Subject to the provisions of this Part of this Act all property debts and liabilities deeds books minutes papers and documents of any kind of or belonging to or appertaining to the existing city townships or any of them including all property held under any trust for any of the said townships or the inhabitants or parishioners thereof respectively shall subject to the provisions of this Act become the property debts and liabilities of the township of Leeds and in the case of property held in trust as aforesaid shall subject to the provisions of this Act be held in trust for that township or for the inhabitants or parishioners thereof for the same purposes as heretofore.

(2) Provided that nothing contained in this Act shall affect any charities subsisting for the benefit of the inhabitants of the existing city townships or any of them or of any former township or shall affect any property held for ecclesiastical purposes.

Existing
agreements
and pending
actions.

14.—(1) All contracts deeds bonds agreements and other instruments at or before the appointed day entered into by or with any of the guardians of the existing Leeds Union shall be of as full force and effect against or in favour of the guardians of the township of Leeds as fully and effectually as if instead of such

first-named guardians the last-named guardians had been parties thereto. A.D. 1924.

(2) If upon the appointed day any action or proceeding shall be pending or existing by or against the guardians of the existing Leeds Union the same shall not be in anywise prejudicially affected by reason of the passing of this Act but may be continued prosecuted and enforced by or against the guardians of the township of Leeds.

15. Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring— Settlement and removal of the poor.

(1) A settlement in any of the existing city townships by reason of residence birth or other qualification therein shall be deemed to have acquired or to be in the course of acquiring a settlement in the township of Leeds :

(2) A status of irremovability from any poor law union affected by this Part of this Act by reason of residence in any of the existing city townships shall be deemed to have acquired or to be in the course of acquiring a status of irremovability from the township of Leeds.

16. Until new valuation lists come into force the valuation lists of the existing city townships shall be deemed to be the valuation list of the township of Leeds. Valuation lists.

17. All rates and arrears of rates due immediately before the appointed day in respect of any premises in any of the existing city townships shall be recoverable from the persons liable by the overseers of the township of Leeds or by other officers of that township properly competent in that behalf. Arrears of rates.

18. All sums which immediately before the appointed day shall be in the hands of the overseers of any of the existing city townships shall be duly accounted for by them and paid over to the overseers of the township of Leeds and all sums which immediately before the appointed day shall be due to the overseers for any of the existing city townships shall be paid to the overseers of the township of Leeds and all debts and liabilities of the overseers for any of the existing city townships incurred in connection with their duties as overseers shall be a Balances and debts.

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A.D. 1924. charge upon the rates of the township of Leeds as fully and effectually as they would have been upon the rates of any of the existing city townships if this Act had not been passed.

Existing
union
officers.

19.—(1) The clerk to and all other officers of the guardians of the existing Leeds Union who hold office immediately before the appointed day shall continue to be the clerk to and officers of the guardians of the township of Leeds.

(2) The officers in the service immediately before the appointed day of the Bramley Guardians the Holbeck Guardians and the Hunslet Guardians shall be transferred to and become officers of such board or boards of guardians as the Minister of Health may by order direct :

Provided that this subsection shall not extend to any person holding office as the clerk or treasurer of any of the guardians aforesaid.

(3) Any of the officers referred to in the preceding subsections of this section (all of which officers are in this Act referred to as "transferred officers") who shall have attained or who on or before the first day of October nineteen hundred and twenty-five will attain the age of forty-six years and shall have completed or will on or before the day aforesaid complete not less than twenty-five years service with any authority or authorities to which the Poor Law Officers' Superannuation Act 1896 applies may at any time before the said first day of October nineteen hundred and twenty-five relinquish his office.

(4) Every transferred officer shall hold his office by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing the same or similar duties shall receive not less salary or remuneration and be entitled to not less pension (if any) than he would have been entitled to if this Act had not been passed.

(5) The guardians of the township of Leeds or the guardians of any poor law union to whom officers are transferred by an order under this section may distribute the business to be performed by the transferred officers in such manner as they may think just and every officer shall perform such duties in relation to that business as

may be directed by such guardians and those guardians may abolish the office of any officer transferred to them. A.D. 1924.

(6) If at any time within five years from the appointed day any transferred officer is required by a board of guardians to perform duties which are not analogous to or which are an unreasonable addition to those which he is required to perform immediately before the appointed day they shall pay him such additional remuneration as in their opinion may be reasonable but the officer may on the offer by the guardians of such additional remuneration relinquish his office.

20.—(1) Every vestry clerk collector of poor rates or other officer employed immediately before the appointed day for the purposes of the existing city townships in connection with the assessment levy or collection of rates or otherwise (other than officers of the Corporation) shall be transferred to and become an officer of the Corporation but may within three months after the appointed day relinquish his office. Existing parish officers.

(2) Subsections (4) (5) and (6) of the last preceding section of this Act shall apply to any officer transferred by this section with such modifications as may be necessary.

(3) The remuneration of any officer transferred by this section shall be paid out of the poor rate of the township of Leeds.

(4) If any officer is by this Act transferred to the Corporation and the annual contributions required by the Poor Law Officers' Superannuation Act 1896 have been made by him the provisions of that Act shall continue to apply to that officer subject to the following modifications :—

(a) References to the Corporation shall be substituted in the provisions of the Act for references to guardians and the said provisions shall in other respects apply and have effect as if the Corporation were within the meaning of those provisions an authority to which the Act applies;

(b) The contributions of any officer transferred to the Corporation shall after the date of transfer be carried to and form part of the city fund or shall be applied in aid of the city rate and any

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superannuation allowance or gratuity under the provisions of the Act shall be paid by the Corporation out of the city fund or rate;

- (c) If an officer transferred to the Corporation becomes entitled to compensation by reason of the relinquishment or abolition of his office he shall be deemed to lose his office within the meaning of section 8 of the Act and the amount which he shall be entitled to receive in pursuance of that section shall include every payment made to the Corporation by the guardians in respect of his contributions in pursuance of this Act.

(5) The contributions which have been made by any such officer under the Poor Law Officers' Superannuation Act 1896 shall in so far as such contributions have been received by the guardians from whom the officer is transferred be paid to the Corporation by the guardians.

(6) The provisions of the section of this Act whereof the marginal note is "Compensation to existing officers" shall apply as respects the officers transferred under this section subject to such modifications as are necessary for the purpose of making that section applicable to the case and in particular to the following namely:—

- (a) Any reference in that section to the guardians of the Leeds Union shall be construed as a reference to the Corporation; and
(b) Any expenses shall be paid out of the city fund or rate.

Compensation to existing officers.

21.—(1) Every officer in office immediately before the appointed day who by virtue of this Act or of any order of the Minister of Health mentioned in this Part of this Act or of anything done in pursuance or in consequence of this Act or any such order of the Minister suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees salary or emoluments (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss.

(2) For the purposes of this section any transferred officer who under the provisions of this Part of this Act relinquishes his office or any officer whose services are dispensed with or whose salary is reduced by the guardians

of the township of Leeds within five years from the appointed day because his services are not required or his duties are diminished in consequence of this Act and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Act. A.D. 1924.

(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this section regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Local Government Act 1888 (in this section called "the Act of 1888") and the compensation shall not exceed the limit therein mentioned.

(4) Any application by an officer for compensation under this section shall be made to the guardians of the township of Leeds or in case of doubt to such board of guardians as the Minister of Health may determine and any compensation payable to any officer shall be paid out of such fund as the Minister of Health may direct but subject to any necessary adjustment under section 62 of the Local Government Act 1888 as applied by this Act.

(5) The provisions of section 120 of the Act of 1888 shall apply to the award of compensation under this section subject to the following and any necessary modifications:—

- (a) The Minister of Health shall be substituted for the Treasury;
- (b) Any reference in subsection (7) of that section to the Act of 1888 shall be construed as a reference to this Act;
- (c) References in that section to "the passing of this Act" shall be construed as references to the appointed day or the date of relinquishment or abolition of office as the case may be; and
- (d) The expression in subsection (1) of that section "the Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888.

(6) The compensation payable under this section to an officer who immediately before the appointed day

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A.D. 1924. held two or more offices under any local authority or authorities as defined in section 34 of the Local Loans Act 1875 and who devoted the whole of his time to the duties of such offices shall not where any one or all of such offices is or are relinquished or abolished be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

For the purposes of this subsection the following offices shall be deemed to be offices under a local authority as defined in section 34 of the Local Loans Act 1875 namely clerk to an assessment committee constituted under the Union Assessment Acts 1862 to 1880 superintendent registrar registrar of births and deaths registrar of marriages vaccination officer and school attendance officer.

(7) In determining the compensation payable to any officer transferred by virtue of the last preceding section of this Act his salary or emoluments shall be deemed to include all fees or other remuneration received by him for any services performed by him under or for the purposes of the Representation of the People Act 1918 or the Acts amending the same.

(8) In computing the time of service in any capacity of any officer for the purpose of determining the compensation to which he is entitled under this section the authority by whom the compensation will be payable shall take into account all the service of any such officer in any capacity in any office under any local authority as defined as aforesaid whether such officer has been appointed annually or otherwise and where any such officer was temporarily absent from his employment whilst serving in or with His Majesty's forces or the forces of the allied or associated powers during the recent war such service shall also be reckoned as service under the authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the armistice voluntarily extended his term of service in the forces no period of absence during such extension shall be so reckoned.

(9) An authority by whom compensation is payable may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially

qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer in the permanent service of any authority or in consideration of any other special circumstances add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this section.

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(10) No officer shall be entitled to receive compensation under this section for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

(11) For the purpose of determining the compensation payable to George Diment Alfred Gaunt and Frederick William Mee or (in the event of any of such persons being appointed to and accepting any office under the guardians of the township of Leeds) for the purpose of the application to such persons of the Poor Law Officers' Superannuation Act 1896 the service of such persons up to the appointed day shall be deemed to have been forty years.

22. All poor law orders in force immediately before the appointed day in and applicable to the existing township of Leeds shall extend and apply to the township of Leeds.

As to existing poor law orders.

23.—(1) The Union Assessment Acts 1862 to 1880 shall be in force within the township of Leeds in the same manner as those Acts apply to the existing township of Leeds :

Application of Union Assessment Acts 1862 to 1880.

Provided that—

- (a) Section 3 of the Union Assessment Committee Act 1862 shall be construed and have effect as if the words "if directed by the said guardians to do so" were omitted therefrom;
- (b) The first meeting of the assessment committee for the township of Leeds after their appointment shall be held not earlier than twenty-eight days after the names of the members of the assessment committee appointed by the guardians shall have been transmitted to the council.

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(2) If the Minister of Health shall unite the township of Leeds with any other townships or parishes to form a union section 3 of the Union Assessment Committee Act 1862 shall apply to that union as if such union had the same bounds as the city and the provisoes to subsection (1) of this section shall continue to have effect.

Number
and
appoint-
ment of
overseers.

24.—(1) The provisions of the Leeds Overseers Act 1860 as amended by the City of Leeds Township Amalgamation (Leeds Union) Order 1903 which was confirmed by the County Borough of Leeds Confirmation Order 1904 shall notwithstanding anything contained in the said Act to the contrary and subject as hereinafter provided extend and apply to the township of Leeds and be construed as if by the expression "township of Leeds" therein contained the township of Leeds as extended by this Act had been meant.

(2) The existing number of eight overseers of the poor for the existing township of Leeds shall be increased to twelve in respect of the township of Leeds (of whom four shall be a quorum) and such overseers shall possess such a qualification for the office of overseer as would have been requisite if the said Act of 1860 had not been passed.

(3) In the month of March nineteen hundred and twenty-five the Council shall appoint twelve overseers for the township of Leeds of whom six shall continue in office for the period of one year only and the remaining six shall continue in office for the period of two years or until their successors are appointed the individuals so to be continued in office for the period of two years to be determined by the council at the time of their appointment in the month of March nineteen hundred and twenty-five and thereafter the council shall annually in the month of March appoint six overseers to serve for a period of two years.

(4) The overseers appointed by the council under the foregoing provisions of this section shall come into office on the first day of April following their appointment.

(5) Article XXII. of the City of Leeds Township Amalgamation (Leeds Union) Order 1903 except paragraphs (b) (d) and (e) thereof is hereby repealed.

(6) Section 10 of the Leeds Overseers Act 1860 which relates to casual vacancies shall have effect as if

the council were therein mentioned instead of two justices of the peace for the time being of the city. A.D. 1924.

25. The powers duties and liabilities transferred to or conferred upon the Corporation by orders of the Local Government Board under section 33 of the Local Government Act 1894 dated the second day of April nineteen hundred and four and the seventeenth day of August nineteen hundred and four in relation to the appointment and the revocation of the appointment of assistant overseers to the powers duties and liabilities of the vestry and to other matters referred to in those orders (other than the appointment of overseers) shall be deemed to have been transferred to or conferred on the Corporation in respect of the township of Leeds. Orders under section 33 of Local Government Act 1894.

26. Nothing in this Part of this Act shall affect land tax or the ecclesiastical divisions of any township or shall except where otherwise expressly provided to the contrary prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment or shall affect the powers of the Minister of Health to make an order under section 33 of the Local Government Act 1894 with respect to any charity of any of the existing or former city townships. Land tax ecclesiastical divisions and charities.

27. Nothing in this Part of this Act shall be construed as restricting the powers of the Minister of Health or of the council of any county or county borough under the Local Government Act 1888 or the Local Government Act 1894. Saving for existing powers.

28. Nothing contained in this Part of this Act shall prejudice or interfere with the powers of the Minister of Health to alter the boundaries of the poor law unions therein referred to. Saving as to alteration of union boundaries.

PART III.

WATER.

29. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited Power to make waterworks.

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A.D. 1924. — sections the work hereinafter described together with all necessary works and conveniences connected therewith or incidental thereto.

The said work will be situate in the township of Alwoodley in the rural district of Wharfedale in the west riding of Yorkshire and is—

An enlargement of the existing Blackmoor Tunnel of the Corporation commencing at the valve shaft of the Eccup Reservoir of the Corporation and terminating at the outfall basin of the Corporation at “Seven Arches” on the Adel Beck.

Power to deviate.

30. In the construction of the work authorised by this Part of this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may also deviate from the levels thereof shown on the deposited sections to any extent not exceeding four feet upwards and to any extent downwards.

Extension of periods for completion of water-works.

31.—(1) The following periods (namely):—

- (a) The period limited by section 9 of the Leeds Corporation Water Act 1901 as extended by section 14 of the Act of 1907 and by section 4 of the Act of 1913 for the completion of the works authorised by the said Act of 1901;
- (b) The period limited by section 11 of the Act of 1907 as extended by section 4 of the Act of 1913 for the completion of works authorised by Part II. (Water) of the Act of 1907; and
- (c) The period limited by section 8 of the Act of 1913 for the completion of the works authorised by Part II. (Water) of that Act as extended by orders made under the Special Acts (Extension of Time) Act 1915;

are hereby further extended until the thirty-first day of December nineteen hundred and thirty and—

- (i) As regards works which have been commenced before that day until the thirty-first day of December nineteen hundred and thirty-five; and

- (ii) As regards works which have not been commenced before that day until such date as may from time to time be allowed by the Minister of Health. A.D. 1924.

(2) The provisions of section 21 (Extension of right of user of tramroad and railways) of the Act of 1907 shall be read and have effect as if the "prolonged period" therein referred to were the period allowed by or under this section for the completion of the works therein referred to.

32. Except so far as may be otherwise agreed in writing between the Corporation and James Henry Milner or other the owner for the time being of the estate known as the Alwoodley Park Estate in the township of Alwoodley in the west riding of Yorkshire the following provisions shall apply and have effect (that is to say):—

As to use of roads on Alwoodley Park Estate.

- (1) In this section "the owner" means the said James Henry Milner or other such owner as aforesaid and "the signed plan" means the plan signed on behalf of the owner by the said James Henry Milner and on behalf of the Corporation by Sir Robert Fox:
- (2) Except as provided by this section the Corporation shall not under the powers of this Act make use of the surface of the lands belonging to the owner and forming part of the said estate (other than highways) for the purpose of obtaining access to the Blackmoor Tunnel or the works connected therewith:
- (3) For the purpose of obtaining access to and from Johnson's Shaft for the construction and maintenance of the works authorised by this Part of this Act or otherwise for the purpose of obtaining access to the Blackmoor Tunnel and the works connected therewith the Corporation may make use of such parts of the roads set out on the said estate known as "The Crescent" "The View" and "The Valley" as are shown on the signed plan and thereon coloured brown and of the strip of land to be conveyed to the Corporation in pursuance of this section:

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- (4) At the request of the Corporation the owner shall convey to the Corporation (1) a right of way over the said parts of the roads hereinbefore mentioned and (2) a strip of land being part of the land coloured red and numbered 101 on the signed plan such strip to be selected by the Corporation to be of a width of not less than twelve feet and of such greater width as may be agreed between the Corporation and the owner to commence on the south-westerly side of the valley and to extend to the enclosure surrounding Johnson's Shaft. The price to be paid for the said strip and for the said right of way shall be such as may be agreed between the Corporation and the owner or as failing agreement shall be determined in accordance with the provisions of the Acts relating to the acquisition by the Corporation of the lands delineated on the deposited plans and described in the deposited book of reference and those provisions with any necessary modifications shall apply accordingly :
- (5) For the purpose of using the said roads the Corporation may under the supervision and to the reasonable satisfaction of the owner or his engineer for the time being effect such improvements in the surface thereof as they may deem desirable and may place rails thereon and use such rails by engines and wagons and on the completion of any works undertaken by the Corporation in connection with which any of the said roads is used the Corporation shall remove any rails placed by them thereon and shall keep the said roads in reasonable repair while using the same and shall leave the same in at least as good a condition and state of repair as when they first commenced to use the same :
- (6) The Corporation shall within three months of the acquisition of the said strip of land by them fence the same on both sides with a wood or iron fence to the reasonable satisfaction of the owner or his architect for the time being and shall at all times thereafter keep such fences in a good state of repair.

PART IV.

A.D. 1924.

TRAMWAYS.

33. The period limited by section 7 of the Act of 1914 for the completion of Tramway No. 2 authorised by that Act as extended by orders made under the Special Acts (Extension of Time) Act 1915 and the period limited by section 20 of the Act of 1919 for the completion of the tramways and tramroads authorised by that Act are hereby respectively extended until the thirty-first day of December nineteen hundred and twenty-seven.

Extension of time for construction of tramways.

34.—(1) The Corporation may erect and maintain sheds shelters or waiting rooms and gangways for the accommodation of passengers on any route of their tramways trolley vehicles or omnibuses and may use for that purpose portions of the public streets or roads :

Shelters or waiting rooms.

Provided that—

- (i) the powers of this section relative to the use of any street or road shall not be exercised without the consent of the road authority and (in the case of any street or road outside the city) of the local authority of the district;
- (ii) no such shed shelter waiting room or gangway shall be erected and no portion of any public street or road shall be used so as to interfere with or render less convenient the access to or exit from any station or depôt of any railway company.

(2) Section 90 of the Consolidation Act 1905 is hereby repealed.

35. If any obstruction to the traffic on any of the tramways of the Corporation is caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fails to do so the Corporation may so remove the vehicle or load and may remove any other obstruction of the like character to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction.

Removal of obstructions.

A.D. 1924.

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Accounts to
be furnished
to Minister
of Trans-
port.

36. The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of their tramway undertaking.

PART V.

STREET IMPROVEMENTS.

Power to
make street
improve-
ments.

37. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the new streets and street improvements hereinafter mentioned together with all necessary approaches junctions abutments embankments cuttings bridges girders retaining walls arches steps sewers drains culverts works and conveniences connected therewith or incidental thereto.

The new streets and street improvements hereinbefore referred to and authorised by this section will be situate in the city and are—

Street Work No. 1 A new street (including a widening of Sheepscar Street) commencing at the south side of Buslingthorpe Lane and opposite to the new arterial road now being constructed between Buslingthorpe Lane and Moortown and terminating at the junction of Sackville Street and Sheepscar Street;

Street Work No. 2 A new street (including in connection therewith a straightening of Sheepscar Beck) commencing on the south-east side of North Street and opposite to its junction with Sheepscar Street and terminating by a junction with Cross Stamford Street at the junction of that street with Skinner Lane;

Street Work No. 3 A new street (including a widening of the public footpath from North Street to Benson Street) commencing on the east side of North Street opposite to its junction with Meadow Road and terminating by a junction with Street Work No. 2;

Street Work No. 4 A widening of Roseville Road on the north-westerly side;

Street Work No. 5 A widening of Regent Street on the easterly side; A.D. 1924.

Street Work No. 6 A new street commencing on the southerly side of Skinner Lane at a point 127 feet west of its junction with Regent Street and terminating by a junction with Saint Street at a point 124 feet west of its junction with Regent Street;

Street Work No. 7 A widening of Wade Lane on the easterly side and of Merrion Street on the southerly side;

Street Work No. 8 A widening of Hunslet Hall Road on the northerly side;

Street Work No. 9 A widening of York Road on the northerly side;

Street Work No. 10 A widening of Fenton Street on the north-west side;

Street Work No. 11 A widening of Spence Lane on the south-westerly side and of Domestic Street on the westerly side;

Street Work No. 12 A widening of Spence Lane on the north-easterly and north-westerly side;

Street Work No. 13 A widening of Weetwood Lane on the easterly side;

Street Work No. 14 A widening at the junction of North Lane with Otley Road;

Street Work No. 15 A widening of Burley Street on the northerly side;

Street Work No. 16 A widening of Burley Road and Burley Street on their westerly sides;

Street Work No. 17 A widening of Harrogate Road on the south-westerly side;

Street Work No. 18 A widening of Top Moor Side Holbeck on the westerly side;

Street Work No. 19 A widening of Briggate on the easterly side and of Call Lane and The Calls on the northerly side;

Street Work No. 20 A new street commencing at the junction of Wharf Street with The Calls and terminating by a junction with Kirkgate at its junction with High Court Lane;

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Street Work No. 21 A widening of Woodhouse Lane on the westerly side and University Road on the northerly side;

Street Work No. 22 A widening of Lovell Road on the northerly side.

Limits of deviation.

38. In the construction of the works authorised by this Part of this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding three feet either upwards or downwards.

Stopping up of highways.

39.—(1) In connection with Street Works Nos. 1 2 5 6 11 12 15 and 16 authorised by this Act the Corporation may stop up the highways shown on the deposited plans as intended to be stopped up and thereupon all rights of way over or along the same shall be extinguished and the Corporation may appropriate and use the site of the highways stopped up as far as the same are bounded on both sides by lands of the Corporation.

(2) The Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement.

PART VI.

LANDS AND RECREATION GROUNDS.

Acquisition of lands.

40. Subject to the provisions of this Act the Corporation may enter upon take and use for and in connection with the purposes of this Act and (in the case of the making widening or improving of any street or road) for providing space for the erection of buildings adjoining or near to such street or road all or any part of the lands delineated on the deposited plans and described in the deposited book of reference.

Acquisition of easements.

41.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by Part III. (Water) of this Act where the same are intended to be constructed underground acquire such easements or

rights only in such lands as they may require for such purposes (including the making enlarging renewing maintaining repairing inspecting cleansing managing using working and obtaining access to such works) and may give notice to treat in respect of such easements or rights describing the nature thereof and the rights which the Corporation require for or incidental to the said purposes and the restrictions subject to which the owners and occupiers may use the lands and the provisions of the Lands Clauses Acts and of the Acquisition of Land (Assessment of Compensation) Act 1919 shall apply to and in respect of the acquisition of such easements or rights as fully as if the same were lands within the meaning of those Acts.

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(2) As regards any lands in respect of which the Corporation have acquired easements or rights only under the provisions of this section the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements or rights and any other restrictions imposed upon the owners and occupiers have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

(3) Provided that (except in the case of any portion of the works to be constructed at a depth of twenty-five feet or more than twenty-five feet below the surface of the ground) nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement or right or to impose any such restriction in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they shall give notice to treat for an easement or right or to impose any such restriction only.

(4) Every notice to treat for the acquisition of an easement or right or the imposition of restrictions shall either contain or be endorsed with a copy of this section.

42. The powers of the Corporation for the compulsory purchase of lands for the purposes of Part III. (Water) of this Act shall cease after the expiration of three years and for the purposes of Part V. (Street improvements) of this Act after the expiration of five years from the thirty-first day of December nineteen hundred and twenty-four.

Period for compulsory purchase of lands.

A.D. 1924.

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Further
powers for
acquisition
of lands.

43.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the city and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the city fund and city rate :

Provided that nothing in this subsection shall authorise the Corporation—

- (a) to create or permit any nuisance on any lands so appropriated;
- (b) to appropriate such lands to any purposes other than purposes for which and subject to the conditions under which they are for the time being authorised to acquire and use lands.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

- (a) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and

upon such terms as may be approved by the Minister of Health; or A.D. 1924.

(b) in such other manner as may be approved by the Minister of Health.

44.—(1) So much of section 39 of the Act of 1907 as requires the Corporation to sell the lands known as the Gateforth Estate in the township of Gateforth Burn and Hambleton and parish of Brayton in the west riding of Yorkshire is hereby repealed. Repeal of provisions as to Gateforth Estate.

(2) For the purposes of section 16 (Retention and disposal of lands) of the Act of 1919 as extended and applied to the purposes of this Act by the section thereof whereof the marginal note is "Application of existing enactments" the lands referred to in subsection (1) of this section shall be deemed to be land acquired by the Corporation under this Act.

45. The provisions of section 29 (Power to deal with lands appropriated to sewage purposes) of the Public Health Act 1875 (except those as to leasing and the restriction relative to the disposal of sewage) shall extend and apply to and the powers of the Corporation under that section (except as aforesaid) shall be exerciseable by them with reference to any lands belonging to them and appropriated to the purposes of their water undertaking and any lands acquired by the Corporation and not for the time being required by them for the purposes for which they were acquired. Power to deal with certain lands.

46.—(1) The Corporation may from time to time appropriate and use any part of the Templenewsam Estate for any purpose for which they have for the time being authority to acquire or hold lands Provided that the area of the lands appropriated for the purpose of recreation grounds shall never be less than two hundred acres. Powers as to Templenewsam Estate.

(2) The provisions contained in any general or local Act for the time being in force in the city relating to parks recreation grounds and pleasure grounds shall extend and apply to any part of the lands comprised in the Templenewsam Estate which for the time being is appropriated for the purposes of a recreation ground and notwithstanding anything contained in the Public Health Act 1875 or in any other Act proceedings for the recovery of any penalty under any of those provisions or under

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A.D. 1924. any byelaws made thereunder may be taken by the Corporation or by any officer of the Corporation duly authorised in that behalf.

(3) The Corporation may maintain the mansion house called Templenewsam and may do all such acts as they may deem necessary in order that the present character thereof as a mansion house of national and historic interest may be preserved.

(4) The Corporation may make reasonable charges for admission to the said mansion house.

(5) In addition to the powers of the Corporation under section 44 of the Public Health Acts Amendment Act 1890 the Corporation may on such days as they think fit (not exceeding ten days in any one year) close to the public so much of the Templenewsam Estate as may be appropriated for the purpose of a recreation ground or any part thereof and may grant the use of the same either gratuitously or for payment to the members of any society or charity or any public or private institution or persons being attendants at or supported by any public or private institution or such other persons as the Corporation think fit or for any agricultural horticultural or other show or for any other public purpose or may use the same for any such show or purpose and the admission to such recreation ground or such part thereof on the days when the same shall be so closed to the public may be either with or without payment as directed by the Corporation or with the consent of the Corporation by the society or persons to whom the use of the recreation ground or such part thereof may be granted.

(6) The Corporation may make erect and maintain buildings roads footpaths ways fences and other works and conveniences on the Templenewsam Estate for the use and development thereof and the Corporation may also under agreement with the owner of adjoining or neighbouring lands make and maintain roads and ways for approaching the estate.

(7) The Corporation may exercise with reference to the Templenewsam Estate the powers contained in the sections of this Act whereof the marginal notes are respectively "Power to deal with certain lands" "Establishment of golf courses" and "Power to let recreation grounds to clubs &c." and the said estate shall be deemed

to be lands acquired under this Act for the purposes of section 16 (Retention and disposal of lands) and section 17 (Proceeds of sale of surplus lands) of the Act of 1919 the provisions of which are extended to the purposes of this Act by the section whereof the marginal note is "Application of existing enactments." A.D. 1924.

47. The Corporation may—

- (1) Upon any lands already used by the Corporation for the purpose of a golf course form alter maintain regulate manage and use golf courses with all proper and convenient houses pavilions works buildings and conveniences;
- (2) Make charges for the use of any of their golf courses or of any part thereof and of any buildings conveniences or apparatus provided in connection therewith;
- (3) Permit the use by any club or other body or persons of any of their golf courses lands buildings conveniences or apparatus aforesaid subject to such charges and conditions as the Corporation may think fit;
- (4) Let on lease or otherwise to any club company body or persons any of their golf courses or any part thereof lands buildings or conveniences for such consideration and upon such terms and conditions as the Corporation may think fit;
- (5) Make and enforce byelaws for regulating the use of their golf courses whether within or without the city and the conduct of persons using the same, or resorting thereto; and
- (6) Employ officers and servants in connection with and for the purposes of the powers aforesaid:

Establishment of golf courses.

Provided that the public shall be entitled to use any such golf course on payment of such reasonable charges as the Corporation may prescribe but this proviso shall not apply—

- (a) To the golf course situate at Roundhay and now leased to the Leeds Golf Club (1908) Limited so long as a course provided by the Corporation in Roundhay Park is open to public use on

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payment of reasonable charges prescribed by the Corporation;

- (b) To the golf course situate at Beeston and now leased to the South Leeds Golf Club Limited so long as a course provided by the Corporation on the Templenewsam Estate is open to public use on payment of reasonable charges prescribed by the Corporation.

Power to let recreation grounds to clubs &c.

48. The Corporation may from time to time let to any club company body or persons any portion of any park or place of public resort or recreation set apart by them under the provisions of section 141 (Powers of Corporation as to parks) of the Consolidation Act 1905 and may upon such portions so set apart erect construct maintain and let all proper and convenient houses pavilions dressing-rooms and other buildings works and conveniences :

Provided that—

- (1) Nothing in this section shall empower the Corporation so to let at one and the same time more than fifty per centum of the total area of the parks or places of public resort or recreation for the time being belonging to them or under their control;
- (2) The powers given by this section shall not be exercised in such a way as to contravene any covenant or condition subject to which any park or place of public resort or recreation or any portion thereof so set apart as aforesaid is held by the Corporation.

Appropriation of tenter grounds.

49.—(1) In this section “the tenter grounds” means the lands coloured red on the map marked “Map of tenter grounds” signed in triplicate by the Right Honourable John Poynder Baron Islington the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one of which maps has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk.

(2) As from the passing of this Act the tenter grounds shall by virtue of this Act be vested in the Corporation and shall be pleasure grounds for the

purposes of the general and local Acts for the time being in force in the city : A.D. 1924.

Provided that—

- (a) The Corporation may sell the said lands or any parts thereof and shall apply the proceeds of the sale either in the acquisition of land in the ancient township of Wortley to be appropriated for a pleasure ground or pleasure grounds or in or towards the repayment of any loan which shall have been raised by the Corporation for the purpose of providing such a pleasure ground;
- (b) The Corporation may appropriate parts of the said lands to the widening and improvement of highways.

PART VII.

STREETS AND BUILDINGS.

50.—(1) When a road footpath or way is about to become a new street within the meaning of the Public Health Acts but the land on only one side of such street has been or is in course of being built on the Corporation may in any case in which they would be empowered to require the owner of the land built on or in course of being built on to widen such road footpath or way to a width prescribed by the byelaws in force in the city require such owner to widen such road footpath or way so as to give a width not less than one-half of such prescribed width from the old centre line of such road footpath or way to the boundary thereof adjoining such land.

Widening
of road
when only
one side is
built upon.

(2) If and when the land on the opposite side of such road footpath or way shall be in course of being built on the owner of such land shall complete the widening of such road footpath or way so as to comply in all respects with the byelaws of the Corporation :

Provided that he shall not under this subsection be required to pull down any building erected before the passing of this Act.

51. The proviso to section 173 (Intersecting streets) of the Consolidation Act 1905 is hereby repealed.

Intersecting
streets.

A.D. 1924.

—
Restriction
on placing
rails beams
&c. over
streets.

52.—(1) It shall not be lawful for any person to fix or place any overhead rail beam pipe cable wire or other similar apparatus over across or along any street without the consent of the Corporation which consent the Corporation may give Such consent shall be in writing under the hand of the town clerk and may contain such reasonable terms and conditions as the Corporation think fit.

(2) Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) Nothing in this section shall extend to—

- (a) Any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of that Act apply;
- (b) Any apparatus belonging to the Postmaster-General;
- (c) Any apparatus lawfully fixed and placed for telegraphic telephonic wireless telegraphic and telephonic or railway signalling purposes or for railway working by electricity.

Street
orderly bins.

53. The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or shingle in upon or under the streets of such dimensions and in such positions as the Corporation may from time to time determine.

As to houses
without
water
supply.

54.—(1) The owner of any dwelling-house or tenement in the city which is not provided with a proper and sufficient water supply who shall occupy or allow to be occupied such dwelling-house or tenement shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings unless the dwelling-house or tenement was erected before the passing of this Act and such supply is not available.

(2) Section 62 (Local authority may require houses to be supplied with water in certain cases) of the Public Health Act 1875 shall be read and have effect as if the words “or the medical officer of health” were inserted therein after the words “the surveyor.”

55.—(1) In any case where a building shall have been reported to the Corporation as dangerous to the inmates thereof or persons working therein or in the case of any building which may appear to the Corporation on the report of the surveyor to be dangerous to such inmates or persons the Corporation may order a complete external and internal inspection and examination of any such building to be made by a competent person and for that purpose such person may on giving not less than twenty-four hours' notice to the occupier of the building and on producing written authority from the town clerk enter at any hour of the day between nine o'clock in the morning and six o'clock in the afternoon with such other persons as he may deem necessary upon such building and examine and inspect the same.

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—
Powers as
to dan-
gerous
buildings.

(2) If upon such examination and inspection it shall appear necessary that any works shall be executed or alterations made for the purpose of putting such premises into a safe and proper condition for the purposes for which the same are used the Corporation in respect of such building and the works to be carried out therein shall have and may exercise all or any of the powers vested in the Corporation with respect to dangerous structures in the borough.

56.—(1) Every person who wilfully or negligently turns or permits to enter into any sewer of the Corporation or any drain communicating therewith any petroleum spirit or carbide of calcium from any workshop motor garage or other like premises shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

Prohibiting
entry of
petroleum
spirit &c.
into sewers.

(2) In this section the expression "petroleum spirit" means such crude petroleum oil made from petroleum coal shale peat or other bituminous substances and other products of petroleum and mixtures containing petroleum as when tested in manner set forth in Schedule I. to the Petroleum Act 1879 gives off an inflammable vapour at a temperature of less than seventy-three degrees of Fahrenheit's thermometer.

57.—(1) Nothing in this Part of this Act except the sections whereof the marginal notes are "Restriction on placing rails beams &c. over streets" and "Prohibiting entry of petroleum spirit &c. into sewers" shall

For
protection
of railway
companies.

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apply to any building (not being a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by any such company for the purposes (other than a dwelling-house) of the undertaking of such company with the authority of Parliament.

(2) The Corporation shall not under the powers of the section of this Act whereof the marginal note is "Street orderly bins" provide or maintain any orderly bin or other receptacle so as to interfere with or render less convenient the access to or exit from any station or depot of any railway company.

PART VIII.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Extended meaning of "infectious disease" for certain purposes.

58. For the purposes of the sections of this Act the marginal notes whereof are "Restriction on attendance of children at Sunday schools and places of assembly" "Power to close Sunday schools to prevent spread of disease" and "For preventing spread of infectious disease"—

the expression "infectious disease" includes measles German measles whooping cough chicken pox and ringworm;

the expression "Sunday school" means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether or not on a Sunday; and

the expression "child" means a person under the age of sixteen years.

Restriction on attendance of children at Sunday schools and places of assembly.

59.—(1) No person over the age of sixteen years who has the custody charge or care of a child who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of infectious disease or of a child who is suffering from an infectious disease or who with the view of preventing the spread of infectious disease has been prohibited from attending school by

the medical officer or school medical officer shall permit such child to attend any Sunday school or place of public entertainment or assembly in the city without having procured from the medical officer or school medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or place of public entertainment or assembly without undue risk of communicating disease to others. A.D. 1924.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings.

60.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the view of preventing the spread of infectious disease require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirements shall at once be complied with. Power to close Sunday schools to prevent spread of disease.

(2) Any person responsible for the conduct or management of any Sunday school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding five pounds.

61.—(1) Any person being the parent or having the charge or care of a child attending at a school in the city who is aware of or has reason to suspect the occurrence of any infectious disease in any person residing with such parent or other person and who fails forthwith to notify such occurrence to the head teacher principal or superintendent of the school shall be liable to a penalty not exceeding twenty shillings. For preventing spread of infectious disease.

In any proceeding under this section a certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

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(2) If any person not less than sixteen years of age while suffering from any infectious disease or being in charge of any person so suffering wilfully exposes himself or the person in his charge in such a manner as to conduce to the spread of the disease in any place of public entertainment or assembly shop inn or public conveyance he shall be liable to a penalty not exceeding five pounds.

(3) In this section the expression "school" includes a Sunday school.

Further provisions as to un-sound food.

62.—(1) Where any animal or article of food has been condemned by a justice under section 117 of the Public Health Act 1875 as extended by section 28 of the Public Health Acts Amendment Act 1890 the person to whom the same belongs or did belong at the time of deposit of such article for the purpose of sale or of preparation for sale as well as the persons in those sections mentioned shall also be punishable as mentioned in section 117 of the Public Health Act 1875 unless he proves that at the time of such deposit he did not know and had no reason to believe that the said article was in such a condition as to be liable to be so condemned.

(2) Before any animal or article liable to be condemned under section 117 of the Public Health Act 1875 as extended by section 28 of the Public Health Acts Amendment Act 1890 and this section is dealt with by a justice the medical officer or the sanitary inspector shall inform the person in whose custody or possession the same was at the time when it was inspected by the medical officer or sanitary inspector of the intention of the medical officer or sanitary inspector to have the same dealt with by a justice and any person who may be liable in respect of such animal or article to a prosecution under the aforesaid provisions shall be entitled to attend the proceedings before the justice and to be heard with his witnesses upon the application for the condemnation of any such animal or article.

Restriction on taking inedible fats into premises where food is prepared.

63. Any person taking or introducing or causing to be taken or introduced any fats which are unfit for the food of man into any premises in which any food for man into the composition of which fat enters is manufactured or prepared for sale or into any premises directly or indirectly connected by a passage or pipe or in any other way with any such premises (except so far

as such passage pipe or other connection as the case may be is required or used for sanitary or other similar purposes and not in connection with the manufacture or preparation hereinbefore mentioned) shall for each offence be liable to a penalty not exceeding five pounds unless he can prove that such fats were not taken or introduced into such premises for the purpose of being used and have not been used as an ingredient in the manufacture or preparation of any food for man. A.D. 1924.

64.—(1) It shall not be lawful for any person to repair any drain in the city communicating with any sewer of the Corporation without giving to the Corporation twenty-four hours' previous notice in writing of his intention so to do 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. Notice of intention to repair drains.

(2) Free access to such drain or work of repair shall be afforded to the surveyor and sanitary inspector or any officer of the Corporation authorised in writing by either of them 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) This section shall not apply to any drain (other than a drain connecting with a dwelling-house) constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers and used for the purposes of their undertaking with the authority of Parliament.

65.—(1) The Corporation may make byelaws for promoting sanitary and cleanly conditions in the manufacture preparation storage transport or exposure for sale of any article intended to be sold for the food of man. Byelaws as to food.

(2) Before confirming any byelaws made under this section as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts 1901 to 1920 apply the Minister of Health shall consult the Secretary of State.

(3) At least one month before applying to the Minister of Health for confirmation of any byelaws made under this section applicable to the storage or transport,

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by a railway company of any article intended for the food of man the Corporation shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws.

(4) The medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of a byelaw made under this section and any person refusing such entry or inspection or obstructing any such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Public notice to be given of provisions of this Part of Act.

66—(1) Public notice of the effect of the provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in at least two newspapers published or circulating in the city.

(2) The production of a copy of two such newspapers containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

PART IX.

MATERNITY HOMES.

Registration of maternity homes.

67.—(1) On and after the first day of January nineteen hundred and twenty-five (which date is in this Part of this Act referred to as "the prescribed date") it shall not be lawful for any person to carry on a maternity home unless the name of such person and the premises used or represented as being or intended to be used for the purpose of such home are registered with the Corporation.

(2) Any person requiring registration in respect of any such home shall make application in writing to the Corporation and shall in such application state—

- (a) his full name;
- (b) his age nationality and technical qualifications (if any);
- (c) his private address or in the case of an application by or on behalf of a company society association or body the registered or principal office (if any)

of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;

- (d) the name under which and the address at which such home is carried on or proposed to be carried on; and
- (e) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be registered or the number of patients to be accommodated at any one time and the equipment in such premises;

and when making such application shall pay to the Corporation such fee as they may fix not exceeding five shillings.

(3) Every person carrying on any such home at the date of the passing of this Act and requiring registration in respect thereof shall make application for such registration within one month after the date or (if more than one) the latest date of publication of the advertisements with regard to this Part of this Act referred to in the section of this Act whereof the marginal note is "Notice of provisions to be given."

(4) Subject as in this section provided the Corporation shall as soon as reasonably practicable after the receipt of an application under the provisions of this section (and not later in the case of an application under subsection (3) of this section than the prescribed date) register the name of the applicant and the premises specified in his application.

(5) The Corporation by order to be served on the person carrying on or proposing to carry on any such home may refuse to register the name of such person or the premises used or represented as being or intended to be used for the purposes of such home or may cancel the registration of such person or premises on the ground that—

- (a) Such person is under the age of twenty-one years; or
- (b) Such person is unsuitable to carry on such home; or

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- (c) The premises or their equipment are or is unsuitable for the purposes of a maternity home; or
- (d) The premises are used or intended to be used for the accommodation at any one time of an excessive number of patients; or
- (e) The premises or any other premises used for any purpose in connection with such first mentioned premises or with any business or occupation carried on therein are being used for any immoral purpose.

(6) Before making any such order the Corporation shall give to the person proposed to be served therewith not less than seven days' previous notice in writing stating their intention to make the order and the grounds on which the order is proposed to be made and on written application made to them by such person within seven days after the giving of such notice they shall afford to such person an opportunity of being heard against the order.

(7) Any such order cancelling any registration shall take effect at the time specified in the order not being less than fourteen days after the service thereof but in the event of an appeal against any such order the order shall not come into operation unless and until it has been confirmed on appeal or the appeal has been abandoned.

(8) Any person aggrieved by any such order may appeal to a court of summary jurisdiction provided that such appeal is made within fourteen days after the order has been served upon him.

The court after considering any representations made on behalf of the Corporation may if it thinks fit confirm such order or direct the Corporation to withdraw such order and as soon as reasonably practicable the Corporation shall give effect to such direction.

Byelaws as
to homes.

68.—(1) The Corporation may make byelaws prescribing the records to be kept with respect to the patients received the children born and the business carried on at a maternity home and requiring the notification to the Corporation of any death occurring thereat the cause of death and whether an inquest was held.

(2) Every person carrying on a maternity home shall keep exhibited in a suitable place (to be approved by the

Corporation) in such home a copy of the byelaws in force under this Part of this Act. A.D. 1924.

69. Any officer duly authorised by the Corporation in that behalf may subject to such regulations (if any) as may be made by the Corporation at all reasonable times enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of a maternity home and the entries in any records required to be kept in connection therewith. Powers as to entry and inspection.

70. Subject to the provisions of this Part of this Act— Penalties for offences in respect of maternity homes.

- (1) Every person who carries on a maternity home in contravention of the provisions of this Part of this Act shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a penalty impose any period of imprisonment not exceeding three months.

(2) Every person who—

(a) Refuses to permit any officer of the Corporation to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or the records to be kept pursuant to any byelaw made under the said provisions or obstructs any such officer in the execution of his duty under such provisions or under the provisions of any such byelaw as aforesaid; or

(b) Carries on a maternity home in contravention of the provisions of any such byelaw; or

(c) Issues publishes or displays or causes to be issued published or displayed any advertisement relating to a maternity home which is not registered in accordance with the provisions of this Part of this Act after the expiration of a period of seven days after the Corporation have given him written notice that the registration of such home has been refused or cancelled under the provisions of this Part of this Act;

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shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

- (3) The court may in addition to imposing a penalty under this section order the cancellation of the registration :

Provided that a person who has appealed to a court of summary jurisdiction in accordance with the provisions of this Part of this Act against an order made by the Corporation thereunder cancelling registration shall not until such order has been confirmed on appeal or has been abandoned be liable to any proceedings under this section for the offence of carrying on a maternity home in contravention of the provisions of this Part of this Act or of any byelaw made thereunder.

Directors of companies to be personally liable for penalties.

71. Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending the same commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director or manager shall be liable on conviction to the like penalty as if he were the person committing the offence unless he proves to the satisfaction of the court—

- (1) That the act which constituted the offence took place without his knowledge consent or connivance; and
(2) That he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

Saving for homes carried on by medical practitioners.

72. Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of a maternity home carried on by a duly registered medical practitioner with respect to which there has been lodged with the Corporation a certificate in a form to be approved by them and signed by two duly registered medical practitioners practising or residing in the city not being in partnership with such first-mentioned medical practitioner or with each other and not having any financial or other interest in such home to the effect that the premises used or represented as being or intended to

be used for such home and the equipment provided at such premises are in all respects suitable for the purpose and that the medical practitioner carrying on or proposing to carry on such home is a suitable person to carry on the same :

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Provided that any such certificate shall not be valid—

- (1) with respect to any person or premises other than the person or premises specified therein ;
or
- (2) for a period extending beyond the thirty-first day of January next following the date of the certificate.

73.—(1) Notwithstanding anything contained in this Part of this Act the foregoing provisions thereof shall not apply in the case of—

Saving for certain premises.

- (a) any hospital infirmary institution or other establishment maintained or controlled by any Government department or local authority or any other authority or body constituted by Parliament or incorporated by Royal Charter ; or
- (b) any hospital for the time being recognized by any committee or body administering either of the publicly subscribed funds known respectively as the Hospital Sunday Fund and the Hospital Saturday Fund as a hospital to which grants from either of such funds may be made ; or
- (c) any institution or home for the training of persons desirous of becoming midwives which is for the time being approved by the Central Midwives Board constituted under the Midwives Acts 1902 and 1918 ; or
- (d) any maternity home in which only relatives of the person carrying on such home are received for the purposes of childbirth.

(2) For the purposes of this section the expression “relatives” means sisters daughters granddaughters nieces aunts or mothers by consanguinity or affinity and in the case of persons of illegitimate birth persons who would be so related if legitimate.

74.—(1) Public notice of the effect of the provisions of this Part of this Act shall be given by advertisement

Notice of provisions to be given.

A.D. 1924. in at least two newspapers published or circulating in
— the city.

(2) The production of a copy of two such newspapers containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

PART X.

POLICE.

Regulations
for
controlling
traffic.

75.—(1) The Corporation may from time to time make regulations with respect to the streets named therein within the central area :—

- (a) prohibiting the use thereof by the class or classes of traffic referred to in the regulations or restricting such use to definite periods of the day;
- (b) requiring the drivers of vehicles to keep their vehicles to a particular portion of the street;
- (c) requiring vehicular traffic to pass in one direction only.

(2) No regulation under subsection (1) of this section shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises in the central area whilst so engaged.

(3) (a) No regulation made under this section shall come into operation except with the approval of the Minister of Transport and the said Minister may approve the same with or without modifications or may disallow the same.

(b) Before applying to the said Minister for his approval of any of the said regulations under this subsection the Corporation shall give notice of the intended application by advertisement in the London Gazette and in at least one newspaper published or circulating in the city and any such notice shall state where copies of the regulations may be obtained and that objections to the regulations may be sent to the said Minister within twenty-one days from the date of the first publication of such notice.

(c) Before approving any regulations under this section the Minister of Transport shall consider any objections of which notice has been duly given and if any objection is made and not withdrawn shall cause an inquiry to be held. A.D. 1924.

(4) Such regulations shall take effect as approved by the Minister of Transport and shall come into force at a date to be fixed by him.

(5) The Corporation shall cause notice to be given of all regulations made and approved under this section by advertisement in a newspaper circulating in the city and otherwise in such manner as may be prescribed by the Minister.

(6) Any person who shall contravene any regulations under this section shall be liable to a penalty not exceeding forty shillings.

(7) A copy of any regulations made and approved under this section purporting to be signed by the town clerk and certified by him to be a true copy shall be evidence until the contrary is proved in all legal proceedings of the making and approval of such regulations without further or other proof.

(8) For the purposes of this section "the central area" means the portion of the city comprised in a radius of one mile from the junction of Commercial Street with Briggate.

76. Where a police constable in uniform in pursuance of any instructions general or special is regulating the traffic at any junction or crossing in any street any person driving or propelling any vehicle who wilfully neglects or refuses to stop the vehicle or to make it proceed or to make it keep to a particular line of traffic when so directed (by word of mouth or sign) by any such police constable in execution of his duty shall be liable in respect of each offence to a penalty not exceeding forty shillings or in the case of a second or subsequent conviction to a penalty not exceeding five pounds. Control of traffic by police.

77.—(1) The provisions of section 218 (Stands for hackney carriages) of the Consolidation Act 1905 shall extend to omnibuses and shall apply as if omnibuses and hackney carriages. Stands for omnibuses and hackney carriages.

A.D. 1924. buses were therein mentioned in addition to hackney carriages.

(2) Any resolution under the said section fixing and determining a stand may state whether such stand may be used for hackney carriages or for omnibuses or for both classes of vehicle but any stand for hackney carriages shall not be used for omnibuses unless expressly authorised by the resolution whereby it is fixed and determined.

(3) It shall be an offence against the said section to use for omnibuses any stand fixed for hackney carriages or to use for hackney carriages any stand fixed for omnibuses.

(4) A resolution under the said section as amended by this section may fix and determine a temporary stand for hackney carriages or for omnibuses for a period not exceeding three months and any such resolution shall take effect after the expiration of one week from the publication thereof and in regard thereto the said section shall have effect as if one week were mentioned therein instead of one month.

(5) (a) Whenever a resolution relating to stands (other than temporary stands) for omnibuses is passed under the said section as amended by this section the Corporation shall give notice thereof by advertisement twice in one or more newspapers published or circulating in the city and once in the London Gazette and any such notice shall state that any person deeming himself aggrieved by the resolution may make representation to the Minister of Transport objecting thereto and stating the grounds of his objection and at the same time shall send a copy of such representation to the town clerk. If a representation is made in accordance with this sub-section the resolution shall not come into force unless and until it is approved by the Minister.

(b) Before approving any such resolution to which objections shall have been duly made the Minister shall consider the objections and (after giving the objectors and the Corporation an opportunity of being heard) may approve the resolution with or without modifications or may disallow the same.

A.D. 1924.

(c) Any such resolution so approved by the Minister shall take effect after the expiration of one month from the publication thereof in accordance with the provisions of the said section.

(6) Nothing in this section shall empower the Corporation to fix any stand for omnibuses or any temporary stand for hackney carriages or for omnibuses in any railway station or in any yard belonging to a railway company except with the consent of the railway company owning such station or yard.

78.—(1) No person shall carry on the business or calling of a porter or carrier in any market of the Corporation unless he is for the time being licensed under section 128 (Corporation may license porters and carriers) of the Consolidation Act 1905.

Market porters and carriers to be licensed.

(2) Any person who contravenes this section shall be liable to a penalty not exceeding twenty shillings.

(3) Any person deeming himself aggrieved by the withholding suspension or revocation of any licence by the Corporation under the said section 128 as amended by this section may appeal to a court of summary jurisdiction held after the expiration of two clear days after such withholding suspension or revocation. Provided that the person so aggrieved shall give twenty-four hours' written notice of such appeal and of the ground thereof to the town clerk and the court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just 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.

PART XI.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

79.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all money so borrowed within the

Power to borrow.

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A.D. 1924. respective periods mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period.
The purchase of land and easements under the powers of this Act.	£ The sum requisite.	60 years from the date or dates of borrowing.
The construction of the waterworks authorised by this Act.	37,000	60 years from the date or dates of borrowing.
The construction of the street improvements and new streets authorised by this Act.	318,000.	50 years from the date or dates of borrowing.
The utilisation of the sewage lands described and referred to in the first schedule to the Act of 1908 for the treatment and disposal of sewage and the construction of the sewerage works authorised by the Act of 1908 and other sewage purposes.	851,000 in addition to the amount authorised to be borrowed by the Act of 1908.	As to so much as is expended in the provision of machinery twenty years and as to the remainder fifty years from the date or dates of borrowing.
The payment of the costs charges and expenses of this Act.	The sum requisite.	5 years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for the purposes of Part IV. (Tramways) of this Act and may with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act other than the purposes of that Part.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister with whose consent it is borrowed.

(3) The moneys authorised to be borrowed under the provisions of this Act shall be and the same are hereby declared to be principal moneys within the meaning of the Leeds Corporation (General Powers) Act 1901 and of the Consolidation Act 1905 and the provisions of those Acts with respect to principal moneys the borrowing or

raising of money and the payment off of borrowed money shall subject to the provisions of this Act apply accordingly. A.D. 1924.

(4) The yearly sums required to be provided in respect of the principal moneys borrowed under the provisions of this section shall—

As regards moneys borrowed for the purposes mentioned in subsection (1) of this section (other than the purchase of land and easements for and the construction of the waterworks authorised by this Act) be defrayed as expenses payable out of the city fund;

As regards moneys borrowed for the purchase of land and easements for and the construction of the said waterworks be defrayed as expenses of the water undertaking of the Corporation on revenue account;

As regards moneys borrowed with the consent of the Minister of Transport be defrayed as expenses of the tramways undertaking of the Corporation on revenue account in accordance with section 97 of the Consolidation Act 1905;

As regards moneys borrowed with the consent of the Minister of Health be defrayed as expenses of such undertaking or out of such fund as may be prescribed by the said Minister.

80.—(1) Notwithstanding anything contained in any Act or Order on or after the thirty-first day of March nineteen hundred and twenty-five the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid as and when they are received—

Consolidated loans fund.

(a) All moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys borrowed without security in connection with the exercise of statutory borrowing powers;

(b) All moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and

(c) The appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers;

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and there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

(a) In the exercise of any duly authorised borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation ;
or

(b) In the redemption of stock or any other securities issued by the Corporation the purchase of stock for extinction or the repayment of any moneys borrowed by the Corporation ;

and the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realized by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not be used or applied otherwise than as provided in this subsection.

(3) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(4) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

Scheme for
fixing
equated
periods.

81. Section 56 (Scheme for fixing equated periods) of the Leeds Corporation (General Powers) Act 1901 shall be read and have effect as if the following subsection were incorporated therein namely :—

“(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister of Health may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of

the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister of Health separate consolidations may be made by all or any of the loans included under such general headings."

A.D. 1924.

82.—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct. Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as "the appointed auditor."

Professional auditors.

(2) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(3) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein as well as the borough auditors and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(4) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

83.—(1) The Corporation may if they think fit form a fund to be called "the accident fund" to provide for meeting claims upon them under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1906 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of any accident whether to their officers servants and workmen or to third parties occurring in the execution of any of their powers and such fund shall be formed by annually appropriating thereto such sums out of any of their revenues as they from time to time deem expedient

Power to create accident fund.

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and such fund shall be invested in statutory securities and accumulated at compound interest but when the fund shall amount to the sum of thirty thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the fund is at any time reduced the Corporation shall recommence and continue the yearly payments until the fund be restored to the sum of thirty thousand pounds. Provided that the Corporation may from time to time or at any time resort to that fund for any purpose mentioned in this section notwithstanding that the sum shall not then have reached or shall have been reduced below the said sum of thirty thousand pounds.

(2) For the purposes of this section the expressions "officers" and "servants" include any teacher employed in any public elementary school in the city whether provided by the Corporation as the local education authority or not so provided or employed in any school college or hostel provided by the Corporation.

(3) Section 361 (Power to create accident fund) of the Consolidation Act 1905 is hereby repealed and the fund formed thereunder shall be deemed to have been formed under this section.

Extension
of time for
completion
of sewerage
works.

84. The period limited by section 17 of the Act of 1908 for the completion of the works authorised by Part II. (Sewerage) of that Act is hereby extended until the thirty-first day of December nineteen hundred and thirty-one.

Extension
of Super-
annuation
Act to
justices'
employees.

85. Subject to the provisions of this section the expressions "officer" and "servant" where used in the Local Government and Other Officers' Superannuation Act 1922 in its application within the city shall include any person serving the justices of the city who is paid out of the city fund and who occupies a post designated as an established post for the purposes of the Act by resolution of the Corporation. Provided that—

- (1) The said expressions shall not include any person serving the said justices at the passing of this Act except with his consent;
- (2) The powers of this section shall not come into operation except with the consent of the said justices or of the majority of them and of the Secretary of State and subject to such consent

being given shall operate from the first day of April nineteen hundred and twenty-three; A.D. 1924.

- (3) The Secretary of State may by order make such modifications in the said Act as appear to him to be necessary or expedient for the purposes of this section.

86. Section 34 and schedule A of the Baths and Washhouses Act 1846 shall in their application to the city take effect as if the words "shall make sufficient provision" in that section were replaced by the words "may make provision" and as if the heading to the schedule "Byelaws to be made in all cases" were omitted. Byelaws under Baths and Washhouses Act 1846.

87. The Corporation may from the first day of October to the first day of May close and cover over any swimming bath belonging to them and utilise or from time to time let the same for meetings or entertainments of any description or for any other purposes free from any restriction contained in the Baths and Washhouses Acts 1846 to 1899 or any Act amending the same. Use of swimming baths in winter.

88. The Corporation may acquire hold and exercise such patent and other rights and licences (not being exclusive) as they deem necessary or expedient for any of the purposes of their several undertakings powers and duties. Power to hold patent rights.

89. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of Part VII. (Streets and buildings) and Part VIII. (Infectious disease and sanitary provisions) of this Act as if those purposes had been mentioned in the said section 102. Power to enter premises.

90. If the occupier of any house or part of a house or premises shall prevent the owner thereof from carrying into effect any requirement of the Corporation under the provisions of Part VII. (Streets and buildings) or Part VIII. (Infectious disease and sanitary provisions) of this Act or any byelaw made under any of those provisions then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the Penalty on occupier refusing execution of Act.

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A.D. 1924. owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding forty shillings and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Saving for
indictments
&c.

91. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act :

Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Confirma-
tion of bye-
laws.

92. The provisions of the following sections of the Public Health Act 1875 (namely) :—

Section 182 Authentication and alteration of bye-laws ;

Section 183 Power to impose penalties on breach of byelaws ;

Section 184 Confirmation of byelaws ; and

Section 185 Byelaws to be printed &c. ;

so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act.

As to
appeal.

93. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under Part VII. (Streets and buildings) Part VIII. (Infectious disease and sanitary provisions) or Part IX. (Maternity homes) of this Act or by any conviction or order made by a court of summary jurisdiction under any provision 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. A.D. 1924.
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94.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under this Act and the inspectors of the Ministry of Health shall for the purposes of any such inquiry have all such powers as they may have for the purposes of inquiries directed by that Minister under the Public Health Act 1875. Inquiries by Minister of Health.

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

95. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under the Leeds Corporation Acts 1896 to 1924 the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words “under the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the President or of one of the secretaries of the Board.” Inquiries by Minister of Transport.

96. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee (as the case may be) may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed : Powers of Act cumulative.

Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

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A.D. 1924.

For protec-
tion of
Yorkshire
Electric
Power
Company.

97. The provisions of section 15 of the Electric Lighting Act 1882 and of section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to and with respect to the exercise by the Corporation of the powers conferred by this Act as if the Yorkshire Electric Power Company were the undertakers referred to in those sections and shall be deemed to extend to pipes lines or works constructed upon or above the level of the ground and the Corporation shall not interfere with the lines or works of the Yorkshire Electric Power Company except in accordance with such provisions.

For pro-
tection of
London
and North
Eastern
Railway
Company.

98. The following provisions for the protection of the London and North Eastern Railway Company (in this section called "the company") shall unless otherwise agreed between the Corporation and the company apply and have effect (that is to say):—

- (1) Notwithstanding anything contained in this Act the Corporation shall not enter upon take or use the land belonging to the company indicated in red colour on the plan dated the second day of April nineteen hundred and twenty-four and signed by John Triffitt on behalf of the company and by William Thomas Lancashire on behalf of the Corporation:
- (2) If the Corporation acquire the lands coloured purple on the said plan the company shall have the option exercisable within six months thereafter to purchase such lands from the Corporation at a price to be agreed or failing agreement to be determined by arbitration under the Lands Clauses Acts:
- (3) The Corporation shall fence off to the satisfaction of the company land acquired by the Corporation from the land coloured red on the said plan:
- (4) Any additional expense which owing to the works authorised by Part V. of this Act (other than that entailed by the rounding off of the corner on the west side of Call Lane) the company may incur or be put to in constructing or maintaining any future widening or alteration of their railway (in this section called "the widening") shall be borne by the Corporation:

- (5) In carrying out the widening so far as it may abut on the new streets authorised by this Act the company may construct and maintain their parapets so as to project over such streets and may construct the footings of their works under such streets provided that the main walls of the works of the company shall in such cases form the boundary of such streets and the said parapets and footings shall not extend more than twelve inches beyond such walls : A.D. 1924.
- (6) When the company construct the widening the Corporation shall temporarily narrow such portions of the new streets as may be necessary to enable the company to carry out such widening.

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

The Consolidation Act 1905—

- Section 373 Compensation how to be determined ;
Section 375 Recovery of penalties ;
Section 377 Judges not disqualified ;
Section 379 Crown rights.

The Leeds Corporation Act 1913—

- Section 17 Subsidiary works ;
Section 18 Power to alter steps areas pipes &c.

The Act of 1919—

- Section 7 Correction of errors in deposited plans and book of reference ;
Section 8 Owners may be required to sell parts only of certain premises ;
Section 9 Compensation in case of recently acquired interest ;
Section 12 Extinction of private rights of way ;
Section 14 Persons under disability may grant easements &c. ;
Section 16 Retention and disposal of lands ;
Section 17 Proceeds of sale of surplus lands ;
Section 76 Expenses of execution of Act ;
Section 77 Audit of accounts.

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Provided that—

- (1) In the application of section 8 of the Act of 1919 that section shall have effect with the substitution of the schedule to this Act for the third schedule to that Act.
- (2) Section 9 of the Act of 1919 shall be read and have effect as if the twentieth day of November nineteen hundred and twenty-three were therein mentioned instead of the twentieth day of November nineteen hundred and eighteen.

Costs of
Act.

100. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the city fund or out of moneys to be borrowed under this Act for that purpose.

SCHEDULE referred to in the foregoing Act.

A.D. 1924.

LIST OF PROPERTIES OF WHICH PARTS ONLY MAY BE
TAKEN:

Area.	Work.	Nos. on Deposited Plans.
City of Leeds -	Street Work No. 1	106.
	Street Works Nos. 2 and 3.	2 13 14 16 19 20 24 25 26 35 36 38 39 40 41 42 43 44 47 48 49 50 51 52 53 54 55 56 149 150 151 152 153 154 155 156 157 158 159 160 161 163 164.
	Street Work No. 5	3 36 38.
	Street Work No. 6	3 206.
	Street Work No. 7	1 2 3 4 5 6.
	Street Work No. 8	2 3.
	Street Work No. 9	3 4 5 6 7 8.
	Street Work No. 11	35 58 98 99 102.
	Street Work No. 13	33.
	Street Work No. 17	2 3.
	Street Work No. 18	2 6.
	Street Work No. 19	33.
	Street Work No. 21	2 5.
	Street Work No. 22	2 3 5.
Parish of Alwoodley	Waterworks - -	19 20 21 22 34.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

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