



CHAPTER xcvihi.

An Act to alter the boundary between the county borough of Croydon and the urban district of Mitcham to authorise the mayor aldermen and burgesses of the said borough to execute street works and to provide and work trolley vehicles to make further provision with regard to the tramways undertaking of the Corporation and the health local government and improvement of the borough and for other purposes.

A.D. 1924.

[7th August 1924.]

WHEREAS the county borough of Croydon in the county of Surrey (in this Act called "the borough") is a municipal borough under the government of the mayor aldermen and burgesses thereof (in this Act called "the Corporation") and the Corporation acting by the council of the borough are the sanitary authority for the borough with the powers and obligations of an urban sanitary authority:

And whereas it has been agreed between the Corporation and the Mitcham Urban District Council that the existing boundary between the borough and the Mitcham urban district is in some respects inconvenient and that it is expedient to alter and improve that boundary and to transfer certain small areas of land from the borough to the said urban district and from the said urban district to the borough respectively:

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And whereas it is expedient to empower the Corporation to execute the street works authorised by this Act :

And whereas the Corporation are the owners of and are working a system of tramways in the borough and it is expedient to confer further powers upon them in relation to their tramway undertaking and to empower them to provide and work mechanically propelled vehicles adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source (in this Act called " trolley vehicles ") :

And whereas it is expedient to make further provision with regard to public baths which are provided by the Corporation and to amend the provisions of the Baths and Washhouses Acts 1846 and 1889 in relation thereto :

And whereas it is expedient to empower the Corporation to erect concert halls and other buildings and to provide or arrange for the provision of entertainments therein and to confer further powers upon the Corporation with regard to their parks and recreation grounds :

And whereas it is expedient to make further and better provision with regard to the health local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as is provided in this Act :

And whereas it is expedient that the other provisions contained in this Act should 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 street works authorised by this Act	£
For the provision of trolley vehicles	29,700
For the provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Act	30,800
For the erection of buildings for the purposes of the trolley vehicles of the Corporation	10,500
	9,600

And whereas the works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years : A.D. 1924.

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 street 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 county of Surrey and are hereinafter respectively referred to as the deposited plans sections and book of reference :

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Croydon Corporation Act 1924. Short title.

2. This Act is divided into Parts as follows :—

- Part I.—Preliminary.
- Part II.—Alteration of boundary
- Part III.—Street works.
- Part IV.—Trolley vehicles and tramways.
- Part V.—Public baths and recreation grounds.
- Part VI.—Streets buildings sewers and drains.
- Part VII.—Infectious disease and sanitary provisions.
- Part VIII.—Maternity homes.
- Part IX.—Financial and miscellaneous.

Division of
Act into
Parts.

3. The Lands Clauses 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 Incorporation of
Acts.

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A.D. 1924. — this Act 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;
- (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.

Interpreta
tion.

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 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

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

- “ The appointed day ” means the first day of April nineteen hundred and twenty-five;
- “ The borough ” means (as the context may require) the county borough of Croydon as constituted at the date of the passing of this Act or on and after the appointed day;
- “ The Corporation ” means the mayor aldermen and burgesses of the borough;
- “ The council ” means the council of the borough;
- “ 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 any sanitary inspector of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;
- “ The Mitcham district ” means the urban district of Mitcham;
- “ The Mitcham Council ” means the Mitcham Urban District Council;
- “ The county ” means the administrative county of Surrey;
- “ The county council ” means the county council of the county;

“The boundary map” means the map three copies of which have been signed by Thomas Cape the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which map one copy so signed has been deposited in the Parliament Office House of Lords the second in the Private Bill Office of the House of Commons and the third with the Corporation;

“The added area” means the part of the Mitcham district and parish of Mitcham which is coloured red on the boundary map;

“The transferred area” means the part of the borough and parish of Croydon which is coloured blue on the boundary map;

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same;

“Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;

“Trolley vehicle routes” means the routes upon which the Corporation are by this Act authorised to work and use trolley vehicles;

“Road authority” means with reference to any road or part of a road over which any proposed trolley vehicle service will pass the person charged with or liable to contribute to the maintenance of such road or part of a road;

“Telegraphic line” has the same meaning as in the Telegraph Act 1878;

“Fire-resisting materials” means any of the following materials and things (namely) :—

(a) Pugging of concrete composed of broken brick tile stone chippings ballast pumice or coke breeze and lime cement or calcium gypsum not less than five inches thick between wood joists provided a fillet one inch square is secured to the sides of the joists and placed so as to be in a central position in the depth of the concrete or concrete blocks not less than five inches thick laid between wood joists on fire-resisting bearers secured to the sides of the joists;

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(b) Brick tile terra cotta or concrete composed as described in paragraph (a) hereof not less than five inches thick in combination with iron or steel;

(c) Any other material from time to time approved by the Corporation as fire-resisting;

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the borough;

“Child” means a person under the age of sixteen years;

“Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether on a Sunday or not;

“Maternity home” means any premises in the borough 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 or held by or for any woman for the purpose of accommodating her during her confinement;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction;

“The borough fund” and “the borough rate” mean respectively the borough fund and borough rate of the borough;

“The Act of 1884” “the Act of 1895” “the Act of 1900” “the Act of 1905” “the Act of 1920” and “the Act of 1923” mean respectively the Croydon Corporation Act 1884 the Croydon Corporation Act 1895 the Croydon Corporation Act 1900 the Croydon Corporation Act 1905 the Croydon Corporation Act 1920 and the Croydon Corporation Act 1923;

“Statutory security” and “statutory borrowing power” have the meanings assigned to them respectively by section 3 (Interpretation) of the Act of 1920. A.D. 1924.

PART II.

ALTERATION OF BOUNDARY.

5. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day. Commence-
ment of
Part II of
this Act.

6.—(1) The boundary between the borough and the Mitcham district shall be altered as follows:— Alteration
of bound-
ary.

(a) The added area shall cease to form part of the Mitcham district and of the parish of Mitcham and of the county and shall be transferred to and form part of the borough and parish of Croydon;

(b) The transferred area shall cease to form part of the borough and parish of Croydon and shall be transferred to and form part of the Mitcham district and of the parish of Mitcham and of the county.

(2) The borough as altered in accordance with subsection (1) of this section shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Croydon for the purposes of the Local Government Act 1888 and any other Act relating to county boroughs.

7.—(1) Copies of the boundary map deposited with the Corporation certified by the town clerk to be true shall be sent as soon as may be to the clerk of the county council to the clerk of the peace for the county to the clerk to the Mitcham Council to the Commissioners of Customs and Excise to the Board of Inland Revenue to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Health to the Minister of Agriculture and Fisheries and to the Electricity Commissioners. Boundary
map.

(2) Copies of or extracts from the boundary map deposited with the Corporation purporting to be certified

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A.D. 1924. — by the town clerk to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map so far as it relates to the boundary between the borough and the Mitcham district and the boundary map deposited with the town clerk and clerk to the Mitcham Council respectively shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough or Mitcham district (as the case may be) and any such person shall be entitled to a copy of or extract from the map certified by the town clerk or clerk to the Mitcham Council (as the case may be) to be true on payment of a reasonable fee to be determined by the Corporation or the Mitcham Council respectively. All fees so received by the town clerk shall be carried to the credit of the borough fund and all fees so received by the clerk to the Mitcham Council shall be carried to the credit of the district fund of the Mitcham district.

As to wards. **8.**—(1) Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the added area shall be added to the Norbury ward of the borough for the election of councillors and the councillors representing that ward before the appointed day shall be deemed on and after that day to represent that ward as altered by this section.

(2) The transferred area shall be added to the East ward of the Mitcham district for the election of councillors.

County electoral division. **9.** Subject to the provisions of section 54 of the Local Government Act 1888 the area of the St. Peter and St. Paul electoral division of the county shall be diminished by the exclusion of the added area therefrom and increased by the inclusion of the transferred area therein.

Guardians. **10.** Subject to the provisions of section 60 of the Local Government Act 1894 the added area shall be added to the Norbury ward of the parish of Croydon for the election of guardians and the person who at the appointed day is holding the office of guardian of the poor for that ward shall be deemed to have been duly elected for and shall represent that ward as altered by this section.

As to jury service. **11.** For the purpose of jury service any parish affected by this Part of this Act shall be deemed to

continue unaltered until a new jurors' book relating to the parish as altered comes into force. A.D. 1924.

12.—(1) In the preparation of the Spring Register 1925 so far as it relates to any areas affected by this Part of this Act it shall be competent to the registration officers of the parliamentary county of Surrey and the parliamentary borough of Croydon 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. As to registers of electors.

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

(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 of the parliamentary county of Surrey for the purpose of such alteration or rearrangement.

13. Any action or proceeding or any cause of action or proceeding which at the appointed day is pending or existing by or against the Mitcham Council in relation exclusively to the added area or by or against the Corporation in relation exclusively to the transferred area 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 Corporation or the Mitcham Council as the case may be. Actions &c. not to abate.

14. Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by the Mitcham Council or their predecessors in relation exclusively to any part of the added area or by the Corporation in relation exclusively to the transferred area shall be of as full force and effect against or in favour of the Corporation or the Mitcham Council (as Saving for contracts &c.

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Saving for contribution orders and precepts.

15. Notwithstanding the alterations of areas of the parishes effected by this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

Arrears of rates.

16. All rates due or owing at the appointed day in respect of hereditaments within the added area or within the transferred area shall be collected or recovered by the authority or officer by whom such rates would have been collected or recovered if this Act had not been passed.

As to valuation lists and county rate basis.

17.—(1) Such adjustments may be made by the assessment committee of the Croydon Union in the valuation lists of the existing parish of Croydon and of the existing parish of Mitcham as may be necessary to give effect to the provisions of this Part of this Act.

(2) Any adjustment in the basis of the county rate of the county which may be necessary in consequence of the provisions of this Part of this Act may be made by the appropriate committee of the county council.

(3) This section shall operate from the passing of this Act but no adjustment made in pursuance of this section shall affect any rate made before the appointed day or any contribution order or precept made or issued before that day.

As to supply of electricity.

18.—(1) The area of supply under the Croydon Corporation Electric Lighting Order 1891 shall include the added area and that area shall be excluded from the area of supply under the Croydon Rural Electric Lighting Order 1905.

(2) The area of supply under the Croydon Rural Electric Lighting Order 1905 shall include the transferred area and that area shall be excluded from the area of supply under the Croydon Corporation Electric Lighting Order 1891.

As to supply of water.

19.—(1) The area of water supply of the Corporation shall include the added area and that area shall be excluded from the area of water supply of the Metropolitan Water Board.

(2) The area of water supply of the Metropolitan Water Board shall include the transferred area and that area shall be excluded from the area of water supply of the Corporation.

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20.—(1) The added area shall be included in the area of supply of the Croydon Gas Company and that area shall be excluded from the area of supply of the Wandsworth Wimbledon and Epsom District Gas Company.

As to supply of gas.

(2) The transferred area shall be included in the area of supply of the Wandsworth Wimbledon and Epsom District Gas Company and shall be excluded from the area of supply of the Croydon Gas Company.

21.—(1) Subject to the foregoing provisions of this Part of this Act the added area shall for all purposes be deemed to form part of the borough and of the parish of Croydon and the transferred area shall for all purposes be deemed to form part of the Mitcham district and of the parish of Mitcham and of the county.

General effect of alteration of boundary.

(2) Where in the opinion of the Minister of Health the circumstances so require the said Minister may make such order as appears to him to be necessary for the purpose of giving effect to the provisions of this Part of this Act or for the removal of any difficulty in carrying those provisions into effect. Provided that the Secretary of State in relation to any matter within his jurisdiction shall be substituted in this subsection for the Minister of Health.

22. Nothing in this Part of this Act—

Saving provisions.

(1) shall be construed as restricting the powers of the Minister of Health under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister of Health the county council or the Corporation under the Local Government Act 1888 or the Local Government Act 1894 :

(2) shall affect the boundary of any area for ecclesiastical purposes or the limits of the parliamentary borough of Croydon or the parliamentary county of Surrey or the boundary of any polling district for parliamentary elections as they respectively exist at the passing of this Act.

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PART III.

STREET WORKS.

Power to
construct
street works.

23.—(1) 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 street works hereinafter mentioned together with all necessary or proper works and conveniences connected therewith or incident thereto and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the construction of such street works or for the purpose of providing space for the erection of buildings adjoining or near thereto or for other the purposes of this Part of this Act.

(2) The street works hereinbefore referred to and authorised by this Act will be situate in the borough and are:—

Street Work No. 1 A widening and improvement of High Street on the easterly side thereof;

Street Work No. 2 A widening and improvement of High Street on the westerly side thereof;

Street Work No. 3 A further widening and improvement of High Street on the easterly side thereof;

Street Work No. 4 A widening and improvement of High Street on the easterly side and Upper Coombe Street on the northerly side thereof respectively;

Street Work No. 5 A widening and improvement of Upper Coombe Street on the southerly side thereof;

Street Work No. 6 A widening and improvement of Lower Coombe Street on the southerly side thereof and of South End on the westerly side thereof respectively;

Street Work No. 7 A widening and improvement of South End on the easterly side thereof;

Street Work No. 8 A further widening and improvement of South End on the easterly side thereof;

Street Work No. 9 A widening and improvement of South End on the westerly side thereof and of Southbridge Avenue and Southbridge Road on the north-easterly side thereof respectively;

Street Work No. 10 A widening and improvement of Southbridge Road on the south-westerly side thereof; A.D. 1924.

Street Work No. 11 A widening and improvement of Southbridge Avenue on the south-westerly side thereof;

Street Work No. 12 An improvement and strengthening of Katharine Street;

Street Work No. 13 A lowering of the surface of Lower Addiscombe Road.

24. As from the date upon which Street Work No. 9 (the construction of which is authorised by this Part of this Act) shall be completed the Corporation may stop up the road known as Southbridge Row and thereupon all public rights of way over that road shall be extinguished but such road shall not be stopped up for foot passengers unless the Corporation are owners in possession of all the houses and lands on both sides thereof except so far as the owners lessees and occupiers of those houses and lands may otherwise agree :

Power to stop up Southbridge Row.

Provided that notwithstanding the stopping up of Southbridge Row the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said road or any part thereof any telegraphic line of the Postmaster-General which is on or under the same and the Corporation shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line and of any telegraphic line connected therewith which in consequence will be rendered useless and the substitution of a telegraphic line in such other place as the Postmaster-General may require.

25. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

26. So much of the Croydon Order 1913 (which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1913) as relates to lands which are delineated on the deposited plans and described in the deposited book of reference and in respect of which the Corporation have not at the passing of this

Partial repeal of Croydon Order 1913.

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A.D. 1924. — Act exercised the powers conferred upon them by that Order is hereby repealed but without prejudice to anything done or suffered to be done thereunder.

Application of provisions of previous Acts to this Part of Act.

27. The following provisions of the Act of 1900 the Act of 1905 and the Act of 1923 shall with all necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act namely:—

The Act of 1900—

Section 49 (Limits of lateral and vertical deviation);

Section 68 (Persons under disability may grant easements &c.).

The Act of 1905—

Section 31 (Owners may be required to sell parts only of certain lands and buildings).

The Act of 1923—

Section 6 (Subsidiary works);

Section 7 (Power to alter steps pipes areas &c.);

Section 8 (Temporary stoppage of streets);

Section 9 (As to notice to Commissioner of Police);

Section 10 (Correction of errors in deposited plan and book of reference);

Section 12 (Compensation in case of recently acquired interest);

Section 13 (Extinction of private rights of way):

Provided that—

(1) In the application of section 31 of the Act of 1905 that section shall be read and have effect as if the schedule to this Act were therein referred to instead of the second schedule to the Act of 1905;

(2) In the application of section 12 of the Act of 1923 that section shall be read and have effect as if the sixteenth day of November nineteen hundred and twenty-three were therein referred to instead of the sixteenth day of November nineteen hundred and twenty-two.

PART IV.

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TROLLEY VEHICLES AND TRAMWAYS.

28.—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following trolley vehicle routes in the borough (that is to say):—

Power to use trolley vehicles.

Route No. 1 From the junction of George Street and High Street along George Street Addiscombe Road Cherry Orchard Road Lower Addiscombe Road and Spring Lane to its junction with Woodside Green and Portland Road;

Route No. 1A From the junction of George Street and High Street along High Street Katharine Street and Park Lane to its junction with George Street;

Route No. 1B From the junction of Morland Road with Cherry Orchard Road along Morland Road and Woodside Green to its junction with Portland Road and Spring Lane:

Provided that before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval.

(2) (a) Until an order be made by the Minister of Transport under the section of this Act of which the marginal note is "As to abandonment of tramways" in relation to any of the tramways of the Corporation the Corporation shall not be required to provide a service of tramway cars (as the case may be) upon the route of any of such tramways along which a service of trolley vehicles is provided by the Corporation under the provisions of this Act so long as such service of trolley vehicles continues to be so provided.

(b) Nothing in this subsection shall relieve the Corporation of any liability imposed upon them by section 41 of the Tramways Act 1870.

(c) As from the date upon which and so long as a service of trolley vehicles is provided by the Corporation in lieu of a tramway service upon the route of any of the tramways of the Corporation the revenue of the tramway

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A.D. 1924. — undertaking of the Corporation shall (to such extent as the Corporation may from time to time by resolution determine) cease to be charged with any expenses incurred by the Corporation upon or in connection with the maintenance and repair of roads under any statutory enactment relating to that undertaking but nothing in this subsection shall relieve the Corporation of any liability attaching to them in respect of such maintenance and repair.

As to electrical works.

29.—(1) The Corporation may in under or over the surface of the streets or roads within the borough along or adjoining those along which they are authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station in the borough place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions contained in Part II of the Tramways Act 1870 and in this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles :

Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Minister of Transport.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1922 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

(4) In this section the expression generating station has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

30.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connection with the trolley vehicles and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions :—

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Use of
posts &c. by
Postmaster-
General.

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the trolley vehicle routes :
- (b) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the trolley vehicles or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Minister of Transport arising through the

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- exercise by the Postmaster-General of the powers conferred by this section:
- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires. Any difference as to the conditions of attachment shall be determined as hereinafter provided:
 - (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:
 - (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:
 - (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:
 - (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:
 - (i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through

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the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the trolley vehicle routes or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:-

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same. Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their trolley vehicles or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section:—

The expression "the Corporation" includes their lessees;

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The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

Corporation to have exclusive right of using apparatus for working trolley vehicles.

31. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Vehicles not to be deemed light locomotives or motor cars.

32. The trolley vehicles authorised by this Act shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither that Act nor the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the said trolley vehicles.

Licence duties on trolley vehicles.

33. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles authorised by this Act as hackney carriages.

Approval of vehicles by Minister of Transport.

34. The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister of Transport after consultation with the Commissioner of Police of the Metropolis may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Minister of Transport.

Inspection by Minister of Transport.

35. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by the Minister of Transport.

36.—(1) The following provisions of the Tramways Act 1870 (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 and shall apply to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways:—

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—
 Application
 of certain
 provisions
 of Tram-
 ways Act
 1870 to
 trolley
 vehicles.

Part II. (Relating to the construction of tramways) except sections 25 28 and 29;

Section 41 (Tramways to be removed in certain cases);

Section 46 (Byelaws by local authority Promoters may make certain regulations) except the part thereof relating to the making of regulations by the local authority;

Section 47 (Penalties may be imposed in byelaws);

Section 49 (Penalty for obstruction of promoters in laying out tramway);

Section 51 (Penalty on passengers practising frauds on the promoters);

Section 53 (Penalty for bringing dangerous goods on the tramway);

Section 55 (Promoters or lessees to be responsible for all damages);

Section 56 (Recovery of tolls penalties &c.);

Section 57 (Right of user only);

Section 60 (Reserving powers of street authorities to widen &c. roads); and

Section 61 (Power for local or police authorities to regulate traffic in roads).

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

37.—(1) Subject to the provisions of this Act the following provisions of the Act of 1900 and of the Act of 1905 shall extend and apply to the trolley vehicles author-

Application
 of certain
 tramway

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—
provisions
to trolley
vehicles.

ised by this Act as if those provisions were with all necessary modifications re-enacted in this Act (that is to say) :—

THE ACT OF 1900.

- Section 20 (Lands for waiting rooms &c);
- Section 24 (Provisions as to motive power);
- Section 25 (Construction of electric works in streets);
- Section 26 (Power to affix brackets &c.);
- Section 28 (Restrictions on use of electric power);
- Section 29 (For protection of the Postmaster-General);
- Section 31 (Byelaws);
- Section 33 (Orders &c. of Board of Trade);
- Section 36 (As to fares on Sundays and holidays);
- Section 39 (Heavy traffic prohibited);
- Section 40 (Corporation not bound to carry goods);
- Section 43 (Case of surplus or deficiency on tramways account).

THE ACT OF 1905.

- Section 17 (For protection of Postmaster-General).

(2) In the application of the said provisions of the Act of 1900 and the Act of 1905 the same shall be read and have effect as if the working equipment for trolley vehicles were tramways within the meaning of the said Acts and as if trolley vehicles were carriages used on the tramways of the Corporation and as if the trolley vehicle undertaking authorised by this Act formed part of the tramway undertaking authorised by the said Acts.

Notice to
Commis-
sioner of
Police.

38. Before breaking up or otherwise interfering with any street or road situate in the metropolitan police district in connection with the execution of any works under the powers of this Part of this Act the Corporation shall (except in cases of emergency) give seven days' notice in writing to the Commissioner of Police of the Metropolis and make such arrangements with the said Commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street or road during the execution of such works.

39.—(1) (a) If at any time hereafter the Corporation desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 within the borough (other than the streets and roads in this Act hereinbefore referred to) they may make application to the Minister of Transport and the Minister of Transport is hereby empowered to make a Provisional Order authorising the use by the Corporation of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road or roads within the borough to which such application relates and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

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—
Minister of
Transport
may autho-
rise new
routes.

(b) Any order made by the Minister of Transport under this section in relation to a road along which any of the tramways of the Corporation are for the time being situate may make provision for and in relation to the temporary or permanent abandonment or discontinuance of such tramways.

(2) No such application shall be entertained by the Minister of Transport unless the Corporation shall—

(a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;

(b) have also published such notice once in the months of October or November in the London Gazette;

(c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister of Transport any objections to the grant of such application.

(3) The Minister of Transport may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

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(4) The Minister of Transport shall consider any such application and may if he thinks fit direct an inquiry to be held in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Minister of Transport expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Act shall not have any operation.

(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(7) The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

(8) The making of a Provisional Order under this section shall be prima facie evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(9) Any expenses incurred by the Minister of Transport in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister of Transport in connection with any inquiry under this section shall be paid by the Corporation.

As to
abandon-
ment of
tramways.

40.—(1) At any time after the passing of this Act the Minister of Transport may by order authorise

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or require the Corporation to abandon or discontinue temporarily or permanently any of their tramways (for the time being) along the route of which the Corporation have provided and equipped trolley vehicles under the provisions of this Act or any Provisional Order made thereunder.

(2) Before making any such order the Minister of Transport may hold such inquiry as he may consider desirable.

(3) Any order made under the provisions of this section may as from such date as may be specified therein provide for the cesser of all or any of the powers liabilities duties or obligations conferred or imposed upon the Corporation by any Act or Order relating to any tramway to be abandoned or discontinued in pursuance of such Order and may provide for the removal of the rails of such tramway from the surface of the road and for the portion of the road upon which such rails were laid to be left in good repair and condition.

41.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on the trolley vehicles of the Corporation fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport. Fares and charges &c.

Any application for a revision of such maximum fares or charges may be made by the Corporation or by twenty inhabitant ratepayers of the borough.

Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

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

(3) Every passenger travelling upon the trolley vehicles of the Corporation may take with him personal luggage not exceeding twenty-eight pounds in weight without charge but all such luggage shall be carried by hand and shall not occupy any part of a seat

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A.D. 1924. — required by a passenger nor be of a form or description to annoy or inconvenience other passengers.

Provision
as to
adaptation
of roads &c.

42.—(1) (a) Before the Corporation commence to run trolley vehicles under the powers of this Act over any road or part of a road in respect of which the Corporation are not the road authority it shall be determined by agreement between the Corporation and the road authority or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Act of a trolley vehicle service over any such road or part of a road) to adapt alter or reconstruct such road or part of a road and if so what sum of money (if any) per mile of road so to be adapted altered or reconstructed shall be payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration or reconstruction.

(b) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (a) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to run trolley vehicles over the road or part of a road in question.

(c) If the Corporation give notice in writing to the road authority that they intend to run trolley vehicles over the road or part of a road in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (a) of this subsection the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(d) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road which is not executed within three years from the date on which the Corporation shall commence to run trolley vehicles over the road or part of a road to be adapted altered or reconstructed.

(e) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c) of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or reconstructed.

(2) If any such adaptation alteration or reconstruction as aforesaid shall involve an alteration of any telegraphic line belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act Provided that any expenditure incurred by the road authority in connection with any such alteration shall be deemed part of the cost of adaptation alteration or reconstruction of the road.

(3) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any road over which any trolley vehicle is run under the powers of this Act.

(4) Nothing in this section shall impose or enlarge any obligation upon the Southern Railway Company to strengthen adapt alter or reconstruct any bridge maintainable by them.

43. Subject to the provisions of this Act the trolley vehicle undertaking authorised by this Part of this Act shall be deemed to form part of the tramway undertaking of the Corporation Provided that in the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with trolley vehicles shall (so far as may be reasonably practicable) be distinguished from the receipts and expenditure

Trolley vehicles to form part of tramway undertaking.

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A.D. 1924. upon or in connection with the remainder of such undertaking.

Accounts to be furnished to Minister of Transport.

44. 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.

Through cars and vehicles.

45. The Corporation may run through cars along any of the routes of the tramways of the Corporation or any specified portion thereof and through trolley vehicles along any route on which the Corporation are for the time being authorised to run trolley vehicles and such cars and trolley vehicles shall be distinguished from other cars and trolley vehicles in such manner as may be directed by the Corporation and they may demand and take for every passenger by such cars and trolley vehicles a fare or charge not exceeding the maximum fare or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car or trolley vehicle. Provided that during the running of such through cars or trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of cars or trolley vehicles as the case may be.

Power to reserve cars for special purposes.

46.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve cars on any of the tramways of the Corporation and trolley vehicles on any route on which the Corporation are for the time being authorised to run trolley vehicles for any special purpose which the Corporation may consider necessary or desirable provided that such special cars and trolley vehicles shall be distinguished from other cars and trolley vehicles in such manner as the Corporation may direct and that during the running of such special cars or trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of cars or trolley vehicles as the case may be.

(2) The Corporation may make byelaws and regulations for prohibiting the use of any such cars or trolley vehicles by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this or any other Act of the Corporation as to fares rates or charges for passengers shall not extend to any special cars run upon the tramways of the Corporation or trolley vehicles run for such special services as aforesaid and in respect thereof the Corporation may demand and take such fares rates or charges as they shall think fit. A.D. 1924.

47. For the better regulation of persons desiring to travel in the cars on the tramways of the Corporation or in their trolley vehicles the Corporation may make byelaws requiring persons waiting to enter such cars or trolley vehicles at any stopping place or terminus upon any of their tramways or trolley vehicle routes to wait in lines or queues and to enter such cars or vehicles in the order in which they stood in such line or queue and in the event of the Corporation making any such byelaws they may after consultation with the Commissioner of Police of the Metropolis erect and maintain barriers and posts at any stopping place or terminus and for that purpose may with the consent of the road authority use part of any highway within the borough. Power to require intending passengers to wait in lines or queues.

48. The Corporation may erect and maintain within the borough sheds shelters or waiting-rooms and gangways for the accommodation of passengers on the tramways of the Corporation or on any trolley vehicle routes established under the authority of this Act and may after consultation with the Commissioner of Police of the Metropolis use for that purpose portions of the public streets or roads due regard being given to the convenience of the general traffic along any such street or road. Shelters or waiting-rooms.

49. The Corporation may provide cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with their tramways undertaking (including the trolley vehicle undertaking authorised by this Act) and at any places on the routes of the tramways of the Corporation or any trolley vehicle route and the Corporation may make charges for the use of such cloakrooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein. Cloak-rooms &c.

50. For the protection of the Southern Railway Company (in this section referred to as "the Company") the following provisions shall unless otherwise agreed in For protection of Southern Railway Company.

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A.D. 1924. writing between the Corporation and the company apply and have effect in relation to the exercise by the Corporation of the powers of this Part of this Act (that is to say) :—

- (1) Before commencing the construction of any works in connection with Street Work No. 13 and Trolley Vehicle Route No. 1 by this Act authorised passing over or under the railway of the company or within ten yards thereof the Corporation shall deliver to the company plans sections and particulars showing the manner in which the works are intended to be carried out and the said works shall be executed under the superintendence (if given) and to the reasonable satisfaction of the chief engineer of the company and in accordance with such plans sections and particulars as shall be reasonably approved by such engineer or failing such approval determined by arbitration as hereinafter provided and subsequently maintained by the Corporation at their sole expense :
- (2) No standard bracket wire post pole or other apparatus shall under the provisions of the section of this Act of which the marginal note is "As to electrical works" be attached to the bridges or other property of the company without their consent in writing which consent shall not be withheld unreasonably :
- (3) The Corporation shall so construct maintain and use the trolley vehicle equipment provided under or in pursuance of this Act under over or upon any bridge belonging to or maintainable by the company as not injuriously to affect the structure thereof and in the event of any such injury being caused the Corporation shall at their own expense and to the reasonable satisfaction of the said engineer restore the same to as good a condition as it was in before such injury was occasioned :
- (4) The Corporation shall not in any way alter or except with the consent of the company which shall not be withheld unreasonably interfere with the structure of any bridges over or under the railway of the company and the Corporation

shall make good any drainage from the bridge carrying the Woodside and South Croydon line of the company over Lower Addiscombe Road or from that railway that may be interfered with by the said Street Work No. 13 and shall make good any damage that may be caused to the said bridge or other property of the company in carrying out and completing the said street work at their own expense and to the reasonable satisfaction of the said engineer :

- (5) The Corporation shall indemnify the company against all claims arising from the said works and shall compensate them for any damage or injury which may from time to time be caused by such works to any of the said bridges or to any person or persons or the traffic using or passing over their railway and the superintendence of the said works by the company shall not relieve the Corporation from any liability under this subsection in connection with the construction of any works carried out by the Corporation :
- (6) From and after the commencement of any of the said works any additional expense reasonably incurred by the company in the maintenance of the structure of the said bridges occasioned thereby and the cost of any underpinning or other works which may be rendered necessary to secure the safety and stability of such bridges by reason of the said works shall be repaid to the company by the Corporation :
- (7) The company shall be at liberty at their own expense to divert or stop (but only for so long as may be absolutely necessary for the purposes in this subsection mentioned) the trolley vehicle equipment if required for the purpose of executing repairs or alterations to the said bridges and the company shall not be liable for any compensation claim demand damages costs or expenses for or in respect of such diversion and stoppage :
- (8) No barrier or post shed shelter waiting room gangway cloakroom or room shall be erected maintained or provided by the Corporation

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under the powers of this Act nor shall any starting or stopping station or place be appointed under such powers nor shall the Corporation require persons waiting at any such stopping place or any terminus to wait in any line or queue so as to obstruct or render less convenient the access to or exit from any station or depôt belonging to the company nor shall any such barrier or post shed shelter waiting room cloakroom or room be erected maintained or provided on any bridge carrying any street or road over the railways of the company or on the approaches to any such bridge without the consent of the company which shall not be withheld unreasonably :

- (9) Any difference which may arise between the company and the Corporation touching any of the matters referred to in this section shall be decided by a single arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protec-
tion of
South Met-
ropolitan
Electric
Tramways
and Light-
ing Com-
pany
Limited.

51. Notwithstanding anything contained in this Part of this Act the following provisions for the protection of the South Metropolitan Electric Tramways and Lighting Company Limited (in this section referred to as "the company") shall unless otherwise agreed in writing between the Corporation and the company have effect (that is to say):—

- (1) So long as the company continue to run a service of tramcars over the lines of the Corporation within the borough from the Penge boundary to West Croydon Station or so long as the Corporation grant transfer tickets enabling the company's passengers to travel over the lines of the Corporation within the borough from that boundary to that station in accordance with the provisions of subsection (16) of section 35 (For protection of corporation of Croydon) of the Croydon and District Electric Tramways Act 1902 the Corporation shall not make application to the Minister of Transport under the provisions of the section of this Act of which

the marginal note is "Minister of Transport may authorise new routes" for a Provisional Order authorising the use of trolley vehicles by the Corporation along the streets or roads along which the above-mentioned lines of the Corporation are situate : A.D. 1924.

- (2) So long as the company run such service of tramcars as may be reasonably required in the public interest along a street or road in which an existing tramway (other than the tramway from the Penge boundary to West Croydon Station referred to in subsection (1) of this section) which is for the time being belonging or leased to or worked or run over by the company is situate the Corporation shall not make application to the Minister of Transport under the provisions of the section of this Act of which the marginal note is "Minister of Transport may authorise new routes" for a Provisional Order authorising the use of trolley vehicles by the Corporation along such street or road in competition with such tramway :
- (3) For the purposes of subsection (2) of this section failure to afford such a service of tramcars as may be reasonably required in the public interest which is due to strikes unforeseen accidents or circumstances beyond the control of the company shall not entitle the Corporation to make application for any such Provisional Order as aforesaid :
- (4) Not less than one month before commencing to execute any work under the provisions of this Part of this Act in under or over the surface of any part of any street or road in which any tramway for the time being belonging or leased to or worked or run over by the company or the apparatus provided in connection with or for the purpose of working any such tramway is situate the Corporation shall submit to the company plans sections and particulars of the intended work and shall comply with all such requirements as the company may at any time within fourteen days after the receipt of any such plans sections and particulars reasonably make

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for the protection of the said tramway and apparatus and for preventing any interruption in the working thereof and the Corporation shall repay to the company any expenses incurred by the company by reason of the execution of such works:

- (5) If any question shall arise between the company and the Corporation under the foregoing provisions of this section such question shall be referred to and determined by an arbitrator to be appointed on the application of either party after notice in writing to the other of them by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination.

Attachment
of signs
indicating
stopping
places to
lamp-posts
&c.

52.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the tramways or trolley vehicles of the Corporation signs or directions indicating the position of stopping places for tramway cars and trolley vehicles. Provided that in cases where the Corporation are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Corporation shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Corporation shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

Conveyance
of mails.

53. The Corporation shall perform in respect of trolley vehicles such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

54. The fares rates and charges authorised by this Act or by the provisions incorporated therewith shall be paid to such persons and at such places upon or near to the trolley vehicles and in such manner and under such regulations as the Corporation may by notice to be annexed to the lists of fares rates and charges appoint.

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—
Payment of
fares rates
and charges.

55.—(1) The Corporation on the one hand and any local authority company body or person owning or working any tramways which may now or hereafter be connected with any tramways of the Corporation or any part of which is for the time being situate within a distance of five yards from any part of the tramways of the Corporation on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

Working
agreements
for tram-
ways.

- (a) The formation of junctions between the tramways of the contracting parties;
- (b) The leasing working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom;
- (c) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways of rolling stock necessary for the purposes of such agreement and the employment of officers and servants;
- (d) The supply of motive power;
- (e) The payments to be made and the conditions to be performed with respect to the matters aforesaid;
- (f) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the contracting parties.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum fares and charges in

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A.D. 1924. — respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway.

(3) In this section the word "tramways" includes light railways.

Power for Corporation to suspend traffic.

56. The Corporation may on market or fair days or for the execution of any works by the Corporation or during the time of any public meeting procession or demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the working of the Corporation tramways or any part thereof or the running of trolley vehicles on any trolley vehicle route or part thereof shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damages in respect thereof.

Penalty for malicious damage.

57. If any person wilfully and unlawfully does or causes to be done with respect to any apparatus used for or in connection with the working of the tramways or trolley vehicles of the Corporation anything which is calculated to obstruct or interfere with the working of such tramways or trolley vehicles or to cause injury to any person he shall be liable to a penalty not exceeding twenty pounds.

Use for sanitary purposes.

58. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and to any byelaws for the time being in force with respect to tramways or trolley vehicles) use the tramways or trolley vehicles of the Corporation for sanitary or road watering purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all rates and charges in respect of such use.

Removal of obstructions.

59. 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 provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction. A.D. 1924.
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60. For the purpose of using mechanical power the Corporation may acquire hold and exercise patent and other rights or licences relating to motive power or otherwise but not so as to acquire any exclusive right therein. Power to acquire patent rights.

61. Any byelaws and regulations made by the Corporation under the provisions contained in this Part of this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws. As to byelaws &c. under this Part of this Act.

62. Where the Minister of Transport causes any inquiry to be held under the provisions of this Part of this Act all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct and the Minister may certify the amount of the expenses incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown. Expenses of inquiry by Minister of Transport.

PART V.

PUBLIC BATHS AND RECREATION GROUNDS.

63. 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.

64. The Corporation may close to the public and may reserve the exclusive use of any swimming bath belonging to them and may grant the use thereof either gratuitously or for payment for swimming contests practices aquatic exercises or for any other entertainment or exhibition or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath such sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit. Use of swimming baths for exhibitions and entertainments.

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Use of baths
for music
and dancing.

65.—(1) Any swimming bath of the Corporation when closed under the provisions of this Act or of section 5 (Powers to close swimming baths for a limited period) of the Baths and Washhouses Act 1878 and any portion thereof may although a licence is granted in respect thereof for music or dancing be let otherwise than occasionally and money for admission thereto may be taken at the doors.

(2) The proviso (b) to section 2 of the Baths and Washhouses Act 1899 shall cease to apply to any bath of the Corporation.

Byelaws as
to family
and mixed
bathing.

66. Notwithstanding anything to the contrary contained in the Baths and Washhouses Acts 1846 to 1899 the following provisions shall have effect:—

(1) The power of the Corporation to make byelaws for the management use and regulation of the public baths shall extend to enable them to permit any swimming bath to be used for the purpose of family bathing (that is to say by any males and females members of families bathing together at the same time) or of mixed bathing (that is to say by males and females bathing together at the same time) during such hours and subject to such regulations as shall be prescribed in such byelaws provided that by such byelaws provision shall be made for ensuring that separate dressing accommodation shall be provided for and used by males who have attained the age of eight years and females respectively and proper costumes worn:

(2) The provisions of sections 10 and 11 of the Baths and Washhouses Act 1878 shall apply in reference to such byelaws as if the same were made under that Act and the Corporation may accordingly exercise all the powers conferred upon them by the said sections in reference to the enforcement of such byelaws.

Power to let
recreation
grounds &c.
to cricket
clubs &c.

67.—(1) The Corporation may purchase take on lease or acquire land for the purpose of athletic meetings cricket football and other games and for those purposes or any of them may lay out the whole or any portion of any land so purchased taken on lease or acquired, or any portion of any park or place of public resort or recreation

set apart by them under the provisions of the Public Health Acts Amendment Act 1907 and may from time to time let to any club company body or persons the whole or any portion of such land or any portion of any park or place of public resort or recreation so set apart by the Corporation and may upon such lands or upon the portions of parks or places of public resort or recreation so set apart erect construct and maintain all proper and convenient houses pavilions dressing rooms and other buildings works and conveniences.

A.D. 1924.

(2) The provisions of this section shall not apply to the lands known as Addington Hills Croham Hurst Duppas Hill Upper Norwood Recreation Ground Whitehorse Road Recreation Ground or Woodside Green.

68. When any portion of a public park or pleasure or recreation ground is set apart by the Corporation for any purpose under paragraph (b) of subsection (1) of section 76 of the Public Health Acts Amendment Act 1907 and specially laid out and maintained for any such purpose the Corporation may charge reasonable sums for the use thereof for that purpose.

Charge for use of parts of recreation grounds &c. set apart for certain purposes.

69. The Corporation may make such reasonable charges as they may think fit for admission to and for the use of any public building belonging to them or for the use of any buildings or enclosures in any of their parks recreation grounds or lands used for the purposes mentioned in this Part of this Act and they may also make such charge for the use of chairs and for admission to the public halls concert halls pavilions conservatories winter gardens assembly rooms reading rooms and conveniences in connection therewith as they may deem fit.

Power to charge for admission.

70.—(1) The Corporation may provide or arrange for the provision or carrying on of suitable concerts entertainments athletic meetings exhibitions and amusements and for the sale of refreshments in any public buildings halls or rooms belonging to them or in any park or recreation ground for the time being vested in them or under their control or upon any land belonging or leased to them and may make such charges as they may think fit for admission thereto and the Corporation may let any such building belonging to them or any park or recreation ground for the purpose of such concert

Provision of concerts entertainments &c.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. — entertainment athletic meetings exhibitions or amusements or for the sale of refreshments for such periods or occasions and upon such terms and conditions as the Corporation may think fit Provided that any letting other than for a period of less than one month under this section of any building for the purpose of an entertainment shall be by tender and the Corporation shall secure the best rent reasonably obtainable.

(2) The Corporation may in any park or recreation ground vested in them enclose an area for the purpose of any such concert entertainment meeting exhibition or amusement as aforesaid.

(3) The Corporation may provide and sell or authorise any person or persons to provide and sell programmes of any concert entertainment or performance given in pursuance of this section.

(4) The Corporation may make byelaws for securing good and orderly conduct during any concert entertainments meetings exhibitions or amusements provided or carried on in pursuance of the provisions of this section.

(5) The Corporation may pay or contribute towards the cost of providing and maintaining in the borough and in newspapers published in the borough advertisements of any concerts entertainments meetings exhibitions or amusements given in pursuance of this section.

(6) All expenses incurred by the Corporation under the provisions of this section shall be paid out of the borough fund and borough rate and all moneys received by them thereunder shall be carried to the credit of the borough fund Provided always that the net amount of any payments or contributions made by the Corporation under the provisions of this section after deducting any moneys received by them thereunder shall not in any one year exceed a sum equivalent to that which would be produced by a rate of one penny in the pound levied on property in the borough assessable in that year to the borough rate.

(7) No payment or contribution shall be made under this section unless incurred in pursuance of a resolution of an absolute majority of the whole number of the council at the meeting of the council after due notice of such meeting and of the intention to propose such resolution.

71. The Corporation may appoint officers for securing the observance of this Part of this Act and of the provisions of all other Acts relating to parks and pleasure grounds and of the byelaws and regulations made thereunder and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant.

A.D. 1924.

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Power to
appoint
officers.

PART VI.

STREETS BUILDINGS SEWERS AND DRAINS.

72.—(1) The power of the Corporation to make byelaws with respect to new streets under section 157 of the Public Health Act 1875 shall extend to enable them to require intersecting streets in connection with the laying out of new streets at such intervals as the byelaws may determine. For the purposes of this section intersecting street means a side or cross street forming a junction with another street.

Byelaws as
to inter-
secting
streets.

(2) Section 55 (Intersecting streets) of the Act of 1900 is hereby repealed.

73.—(1) On and from the first day of January nineteen hundred and twenty-four the Corporation on the one hand and the local or road authority having jurisdiction in any area adjoining the borough on the other hand may enter into and carry into effect agreements for and with respect to the making widening improvement maintenance repair sweeping cleansing lighting or watering of any street or road along which the boundary of the borough runs.

Agreements
with respect
to streets
adjoining
borough
boundary.

(2) For the purpose of carrying into effect any such agreement any party thereto shall subject to the provisions of the agreement have with respect to any street or road or part thereof outside their jurisdiction all the powers and be subject to all the obligations and liabilities of the party to the agreement within whose jurisdiction the street or road or part thereof or lands aforesaid are situate and such first mentioned party may bear or contribute towards the cost of the making widening improvement maintenance repair sweeping cleansing lighting or watering of such street or road or part thereof and apply the like funds and rates and exercise the like powers of borrowing money upon the security of rates or

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. otherwise in all respects as though such street or road or part thereof had been within their jurisdiction.

(3) Any such agreement as aforesaid may be carried into effect notwithstanding the provisions of any Order relating to any street or road or part thereof referred to in the agreement and made under the Highway Act 1835 or under any Act repealed or superseded by that Act and where any such street or road or part thereof is widened or otherwise altered pursuant to any such agreement as aforesaid the Order shall (unless and except so far as may be otherwise provided by the agreement) extend and apply to the street or road or part thereof as so widened or altered.

Width of
new streets.

74.—(1) Whenever application shall be made to the Corporation to approve the formation of a new street on any estate or lands it shall be lawful for the Corporation to require that the new street shall be formed of such width as the Corporation shall require :

Provided that in the event of the Corporation requiring any new street to be of any greater width than the following (hereinafter in this Act called "the prescribed width") namely—

(a) In the case of a new street which in the opinion of the Corporation will form a main thoroughfare or a continuation of a main thoroughfare or means of communication between main thoroughfares in the borough or a continuation of a main approach or means of communication between main approaches to the borough sixty feet; or

(b) In the case of any other new street the width required for such street by any Act or byelaw for the time being in force within the borough;

the Corporation shall purchase from the owner of such estate or lands and such owner shall sell to the Corporation any additional land necessary to make such new street of such greater width as aforesaid and shall also make compensation to such owner for any loss or damage sustained by him by reason of the Corporation requiring the street to be of such greater width as aforesaid.

(2) The compensation payable by the Corporation in respect of any such additional land as aforesaid shall

in default of agreement be a sum equal to the pro rata A.D. 1924.
proportion of the amount which shall at the date on
which the Corporation require the new street to be of
such greater width be the value of so much of the un-
developed land of the same owner as is or will be developed
or improved by the intended works of street formation
on the estate of which such additional land forms part.

(3) If by reason of the Corporation requiring any
new street to be of any such greater width as aforesaid
any land of any owner adjoining such new street will be
or has become so reduced in area that it cannot having
regard to the provisions of any Act or byelaw in force
within the borough be used for building purposes and such
owner shall within three months from the date of his
receiving notice of such requirement give to the Cor-
poration written notice so desiring the Corporation shall
in lieu of paying such owner compensation as aforesaid
purchase from such owner and such owner shall sell to
the Corporation such reduced area of land and the com-
pensation payable in respect of any such reduced area
as aforesaid shall be the amount which shall be the value
thereof at the date on which the Corporation require
the new street to be of such greater width.

(4) The amount of any compensation payable
under this section and any difference thereunder as to
whether any land has become so reduced in area as afore-
said shall in default of agreement be determined by
arbitration in accordance with the provisions of the
Acquisition of Land (Assessment of Compensation) Act
1919 but in estimating the amount of any such compensa-
tion the benefit accruing to the property of which such
additional land forms part by reason of the street being
of such greater width shall be fairly estimated and set
off against such compensation.

(5) Nothing contained in this section shall require
an owner to incur any greater expense in the execution
of any street works than he would have been required
to incur if the new street had been of no greater width
than the width required for such street under any byelaw
for the time being in force within the borough and any
additional expense incurred in the execution of street
works by reason of the new street being of such greater
width shall be borne by the Corporation.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 Geo. 5.]
Act, 1924.

A.D. 1924.

Building line
in streets.

75.—(1) Every person who intends to form a new street shall in addition to the information required to be supplied to the Corporation by virtue of any enactments or byelaws with respect to streets and buildings in force within the borough distinctly define and mark on a plan to be drawn to such scale as the Corporation may require and to be prepared and submitted by such person to the Corporation for their approval the proposed line of frontage of any house or building to be erected in or fronting such street (in this section called “the building line”) and the Corporation shall be deemed to have approved any building line unless within six weeks after the date of submission thereof they shall have signified to the person submitting the same their disapproval thereof.

(2) The Corporation may also prescribe the building line to be observed in those parts of any street already formed upon which buildings have not already been erected.

(3) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof or any addition to any house or building if the building line for such street has been disapproved by the Corporation or before the expiration of the six weeks aforesaid without their approval nor beyond or in front of the building line approved or prescribed by the Corporation and any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(4) The provisions of section 3 (Buildings not to be brought forward) of the Public Health (Buildings in Streets) Act 1888 shall not apply to any house or building erected or proposed to be erected on lands in respect of which a building line as aforesaid shall have been approved or prescribed by the Corporation.

(5) In the event of the Corporation requiring as a condition for their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of a new street than one-half of the width of the street and ten feet in addition or in the event of the Corporation prescribing a building line at a greater distance from the centre of a street already formed than the line at which buildings could be erected

having regard to the provisions of the Public Health (Buildings in Streets) Act 1888 the Corporation shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set back for any damage sustained by him by reason of his being unable to build upon such land. A.D. 1924.

(6) For the purposes of this section the surveyor shall by certificate under his hand at or before the time of the approval of the building line by the Corporation determine the centre of any street or intended street.

(7) The amount of any compensation payable under this section shall in default of agreement be determined by arbitration.

76. Whenever application shall be made to the Corporation to approve the laying out of or notice shall be given to the Corporation of intention to lay out a new street (including in that expression the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street) the Corporation may require the owner of the estate or lands the development of which will be commenced or continued by the laying out of such new street to furnish the Corporation with plans and particulars showing the general scheme (if any) for the development or laying out of such estate or lands and in such case the date of the making of application or of the giving of notice as aforesaid shall for the purposes of any enactments or provisions in force for the time being with respect to the laying out of new streets be deemed to be the date on which plans and particulars required as aforesaid shall be so furnished. Development scheme may be required in connection with new streets.

77.—(1) Any person deeming himself aggrieved by any requirement of or by the Corporation under either of the last two preceding sections of this Act may within fourteen days from the date of such requirement appeal to a court of summary jurisdiction and such 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. Appeal to court of summary jurisdiction.

(2) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court of summary jurisdiction may direct.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924.

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Adjustment
of bound-
aries of
streets.

78.—(1) The Corporation may enter into and carry into effect agreements with any owner of lands adjoining any street for the adjustment of the boundary of any such street and for such purpose may give up to such owner land including land forming part of the street in exchange for other land. Provided that no such agreement shall be entered into until the expiration of one month from the date on which notice of the proposals has been given by advertisement in some local newspaper circulating in the borough and if during such period of one month four inhabitant householders of the borough by themselves or their agent give notice to the Corporation of their intention to appeal under this section the Corporation shall not proceed with their proposals (unless the notice of appeal is withdrawn) pending a decision on or a withdrawal of the appeal. The advertisement in the newspaper shall include notice of this proviso.

(2) Any four inhabitant householders of the borough may appeal to a court of summary jurisdiction against any proposal of the Corporation as to an adjustment of the boundaries of a street under this section and on any such appeal the court of summary jurisdiction 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 of summary jurisdiction may direct.

Adjustment
of bound-
aries of
estates.

79.—(1) The Corporation may for the purposes of securing the proper laying out or development of any estate or lands in respect of or in connection with which plans for any new streets to be constructed are submitted to the Corporation for approval require that provision shall be made for adjusting and altering the boundaries of any such estate or lands or any lands adjacent or near thereto and for effecting such exchanges of land and the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands as may be necessary or convenient for the purposes and the provision to be so made and the terms and conditions upon which such provision is to be made shall failing agreement between the Corporation and the respective persons interested in such estates or land be

determined on the application of the Corporation or any person by an arbitrator to be appointed by the Minister of Health and the Corporation may for securing the execution of any such purposes agree to pay and may and shall pay to any such person or persons such sums as may be agreed upon or in default of agreement determined by arbitration as aforesaid provided that the payment of money by any such person shall not be made a term or condition of any award made under this section otherwise than with his consent. A.D. 1924.

(2) Any award made under the provisions of this section shall operate to effect any adjustment or alteration of boundaries or exchange of lands or the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands which may be provided for by such award or be necessary for giving effect thereto and shall be duly stamped accordingly and the costs charges and expenses of any such arbitration shall unless and except in so far as the award shall otherwise provide be borne and paid by the Corporation.

(3) Any lands or moneys received by any person in or in respect of an adjustment or alteration of boundaries or exchange of lands under the provisions of this section shall be held by such person subject to the same trusts (if any) and any lands so received shall also be held subject to the same covenants restrictions and conditions (if any) so far as the same are applicable as the lands exchanged therefor Where any such covenants restrictions or conditions shall in any case be agreed to be inapplicable or be determined by the arbitrator to be inapplicable the same shall be indicated in any agreement or award made under the provisions of this section.

(4) For the purpose of the adjustment or alteration of the boundaries of any such estate or lands as aforesaid the Corporation may themselves purchase any land and may sell or lease the land so purchased in whole or in part at such time or times at such price or prices and on such conditions as they may think fit or may appropriate the same for any public purpose approved by the Minister of Health and until such sale or appropriation may occupy manage or let the same or any

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924: part thereof in such manner as the Corporation may think reasonable.

Power to Corporation to grant licences for bridges over streets.

80.—(1) The Corporation may grant to the owner or with the consent of the owner to the lessee or occupier of any premises abutting upon any street repairable by the inhabitants at large or any public highway a licence to construct and use a way (exclusive or otherwise) for himself his servants and agents at all times with or without trucks by means of a bridge over such street or highway for such term as shall be co-extensive with or less than the interest of such owner lessee or occupier in the premises in respect of which such licence shall be given on such terms and with under and subject to such covenants conditions and agreements as to the Corporation may seem fit Provided that—

- (a) No fine rent or other sum of money (except a reasonable sum in respect of legal or other expenses incurred) shall be payable for or in respect of such licence;
- (b) Any licence given under this section shall not in any way interfere with the convenience of persons using such street or affect the rights of the owners of the property adjoining and up to the line of the street or highway;
- (c) It shall be a condition of every such licence that the licensee shall at the request of the Corporation and at his own expense remove or alter such bridge in such manner as the Corporation require in the event of their considering such removal or alteration necessary or desirable in connection with the carrying out of improvements to such highway at any time and the decision of the Corporation that such removal or alteration is necessary or desirable shall be final and conclusive;
- (d) In the event of the construction removal or alteration of any such bridge involving the alteration of a telegraphic line of the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration and any such bridge shall for the purposes of the placing or maintenance of over-ground telegraphic lines under the powers

conferred by the Telegraph Acts 1863 to 1922 A.D. 1924.
be deemed part of the street or road which it
crosses.

(2) If any person shall construct a bridge over any such street or highway without such licence or shall construct or use the same otherwise than in accordance with the terms and conditions of the licence or shall fail to remove or alter the same when required so to do under the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(3) In this section the expression "the owner" shall include the Corporation where they are the owners of any such premises as are mentioned in subsection (1) hereof.

81. The owners or occupiers of all lands abutting upon any public street and the owners or occupiers of all lands abutting upon any private street communicating with any public street shall so fence off channel or embank their lands as to prevent soil sand clay cinders or other like substances from such lands from falling upon or being washed or carried into any public street or sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully. Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

For preventing soil &c. from being washed into streets.

For the purposes of this section "public street" means so much of a street repairable by the inhabitants at large as is seweraged and "private street" means a street not so repairable :

Provided that such owner or occupier shall not be responsible for any soil sand clay cinders or other substances from land other than his own although such soil sand clay cinders or other substances may have passed over the land of such owner or occupier. Provided further that this section shall not apply to any land of a bona fide agricultural character or to any woodland.

82. Where premises abutting upon any street are so situate that surface water from such premises flows on to or over the footpath of such street the owner of such premises shall within fourteen days after service

For preventing water flowing on footpaths.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. of a notice by the Corporation for that purpose execute such works as may be reasonably practicable to prevent the water from such premises from flowing over the footpath and in default of compliance with such notice within the period aforesaid such owner shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Courts to be flagged and drained.

83.—(1) The owner or owners of premises the occupiers of which use in common any court or yard or passage (not being a highway repairable by the inhabitants at large) or any part of such court yard or passage shall if so required by the Corporation flag asphalt concrete or pave such court yard or passage or any part thereof and make a drain through or along the same and provide gullies and grids in suitable positions and at proper levels and keep such flagging asphalt concrete or paving and drain gullies and grids in good repair.

(2) If any such owner shall for two months after notice in writing from the Corporation fail in any respect to comply with any requirements of the Corporation under the provisions of subsection (1) of this section he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings and the Corporation may themselves if they think fit do the work and recover the expense incurred by them in that behalf from such owner or owners.

Forecourts to be fenced off from streets.

84. Whenever any person erecting any building shall be desirous of leaving an opening which may be a source of danger to the public or of placing any steps or other projection in any forecourt area or space left in front of such building such forecourt area or space shall if required by the Corporation be well and sufficiently fenced off from the footpath or street and any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Street orderly bins.

85. 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 shingle or cinder in upon or under the streets of the borough of such dimensions and in such positions as the Corporation after consultation with the

Commissioner of Police of the Metropolis may from time to time determine. A.D. 1924.

86.—(1) The Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed at or within a distance of fifteen yards from the corner of any street. The line which in any case the Corporation propose so to prescribe and define shall be definitely marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to the owners of the premises affected. No new building erection excavation or obstruction shall be made or remade nearer to the centre of the street or streets at such corner than such line except with the consent in writing of the Corporation which may be given for such period and upon and subject to such terms and conditions as they may deem expedient.

As to erection of buildings at street corners.

(2) The Corporation may and if required by the owner shall purchase the land lying between any such line as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road and the amount of purchase money shall in case of difference be settled by arbitration under the Lands Clauses Acts as varied by the Acquisition of Land (Assessment of Compensation) Act 1919 :

Provided that the Corporation shall not be required by any owner to purchase any such land until he shall have completed subsequent to the prescription of a line as aforesaid a new building on premises immediately behind such line.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make compensation to the owner of and to persons interested in any land or building for any loss or damage they may sustain in consequence of such line of frontage being set back and the Corporation shall also make to the owner of any adjoining land or building and to all other persons interested in any such land or building compensation in respect thereof for all damage loss or

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A.D. 1924. injury (if any) sustained by them by reason of the Corporation requiring the said line to be observed and kept.

(4) If after any such line shall be so defined and prescribed as aforesaid any person shall act contrary to this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty of the like amount.

(5) In estimating the amount of compensation or purchase-money to be paid by the Corporation under this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street corner shall be fairly estimated and shall be set off against the said compensation or purchase-money.

As to erection of hoardings &c. at street corners.

87.—(1) Before placing or erecting any hoarding or fence at or within a distance of ten yards from the corner of any street the person proposing to place or erect such hoarding or fence shall give notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding or fence proposed to be so placed or erected.

(2) If the placing or erection of such hoarding or fence would constitute a danger to the traffic in the streets of the borough upon adjoining or near to which the same is proposed to be placed or erected by obstructing the view of any foot passenger or the driver of any vehicle in a street of vehicular or pedestrian traffic the Corporation may within six weeks of the receipt of the said notice prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. If within six weeks of the receipt of the said notice the Corporation shall not have prohibited such placing or erection or allowed the same subject to a condition or to a modification of such plans or particulars they shall be deemed to have allowed such placing or erection.

(3) Any person who places or erects any hoarding or fence in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding or fence so placed or erected and may recover the expense incurred by them in so doing from such person.

(4) (a) Any person deeming himself aggrieved by any prohibition or by the withholding of any approval of

or by the Corporation under this section may within fourteen days from the date of such prohibition or refusal of approval appeal to a court of summary jurisdiction and such 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.

A.D. 1924.

(b) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

88. For the purposes of the last two preceding sections of this Act the corner of any street shall be deemed to be the point at which the frontage or boundary line of that street (if necessary continued in a straight line) intersects the frontage or boundary line of any other street (if necessary similarly continued).

Definition of corner of street.

89.—(1) When a road footpath or way within the borough 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 borough 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 roads 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.

90. The Corporation may if they think fit in any case vary the relative widths of the carriageway and footway or footways in any street in the borough repairable by the inhabitants at large Provided that twenty-one days before commencing any work under this section which will materially reduce the width of any carriageway

Power to determine width of carriage and foot ways.

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A.D. 1924. — or footway the Corporation shall send notice of the proposed work to the Minister of Transport.

Fire
alarms.

91. The Corporation may after consultation with the Commissioner of Police of the Metropolis erect or fix street fire alarms in such positions in any street road or public place within the borough as they think fit Provided that nothing in this section shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

As to fire
plugs.

92. Any person who shall cover over or wilfully or negligently obstruct or interfere with the convenient access to any fire alarm fire-plug or hydrant or who shall remove or efface any plate or mark indicating the position of such alarm plug or hydrant shall be liable to a penalty not exceeding five pounds.

Prevention
of obstructive
buildings.

93.—(1) If the medical officer is of opinion that any building proposed to be erected in the borough would if erected—

- (a) stop ventilation or otherwise make or conduce to make other buildings in its proximity to be in a condition unfit for human habitation or dangerous or injurious to health; or
- (b) prevent proper measures from being carried into effect for remedying any nuisance injurious to health or other evils complained of in respect of such other buildings;

he may make a representation to the Corporation to that effect stating that in his opinion it is inexpedient that the proposed buildings should be erected.

(2) The Corporation on receiving any such representation shall cause a report to be made to them respecting the circumstances of the case and the cost of acquiring the land upon which such building is proposed to be erected and on receiving such report shall take into consideration the representation and report and if they decide to proceed shall cause a copy of both the representation and report to be given to the owner of the said land with notice of the time and place appointed by the Corporation for the consideration thereof and such owner shall be at liberty to attend and state his objections and after hearing such objections the Corporation shall make an

order either allowing the objection or directing that such building shall not be erected and such order shall be subject to appeal in like manner as an order of demolition of the local authority under the provisions of Part II. of the Housing of the Working Classes Act 1890.

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(3) Where an order of the Corporation prohibiting the erection of a building is made under this section and either no appeal is made against the order or an appeal is made and either fails or is abandoned the Corporation may (and if required so to do by notice in writing from the said owner served within seven days from the last date upon which such owner might have so appealed or from the hearing of such appeal (as the case may be) shall) purchase the land on which the building was proposed to be erected in like manner as if they had been authorised by a special Act to purchase the same and for the purpose of such purchase the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement shall be deemed to be incorporated in this section and such lands may be purchased at any time within one year after the date of the order or if it was appealed against after the date of the confirmation.

(4) The owner of the land may within one month after notice to purchase the same is served upon him declare that he desires to retain the said land and in such case the owner shall retain the said land.

(5) The amount of any compensation to be paid on the purchase of any land under this section shall in case of difference be settled by arbitration in manner provided by section 41 of the Housing of the Working Classes Act 1890.

94.—(1) Every new building which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is above twenty feet from the street level and which is used or intended to be used as flats or as a tavern hotel hospital nursing home orphanage boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant shall be provided on each of the storeys the upper surface of the

Means of
escape from
buildings in
case of fire.

A.D. 1924. — floor whereof is above twenty feet from the the street level with such means of escape in case of fire for the persons dwelling sleeping or employed in each such upper storey or resorting thereto as may be reasonably required by the Corporation under the circumstances of the case and the owner shall not permit such building to be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

(2) From and after the first day of January nineteen hundred and twenty-five the Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as a tavern hotel hospital nursing home orphanage boarding-house common lodging-house or school or as a shop or restaurant if in their opinion such building is not provided with proper and sufficient means of escape from each storey the upper surface of the floor whereof is above twenty feet from the street level in case of fire for the persons dwelling or sleeping therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

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

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

(b) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections. A.D. 1924.

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

(6) If the owner alleges that the occupier of the building ought to bear or contribute to the expenses of complying with any requirement of the Corporation under this section he may apply to the county court and thereupon the county court after hearing the occupier may make such order as appears to the court just and equitable under all the circumstances of the case.

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

(8) This section shall not apply to any premises to which section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 apply.

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

95.—(1) No warehouse factory manufactory brewery distillery or other building not being a building excepted from the provisions of this section by subsection (2) hereof shall extend to more than two hundred and fifty thousand cubic feet unless it be divided by floors and walls constructed of fire-resisting materials in such manner that no division thereof extend to more than two hundred and fifty thousand cubic feet. As to cubical extent of buildings.

(2) The following buildings shall be excepted from the provisions of this section (namely):—

- (a) a dwelling-house;
- (b) a building used or constructed or adapted to be used as a church chapel or other place of public

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worship or as a school college or place of instruction or as a hospital workhouse public theatre public hall public concert room public ball room public lecture room public library or public exhibition room or as a public place of assembly or for any other public purpose;

- (c) a building used or constructed or adapted to be used as a hotel lodging-house home refuge or shelter, where such building has sleeping accommodation for less than one hundred persons; or
- (d) any building which is used wholly for a retort house or the manufacture of gas or for generating electricity provided that such building consist of one floor only and be constructed of brick stone iron or other incombustible material throughout.

(3) Openings may be constructed or made in the floors or walls referred to in subsection (1) of this section and the Corporation may make byelaws for prescribing the maximum dimensions of such openings and the materials of which and the manner in which the same shall be constructed or made and for requiring the provision of means of closing such openings with doors or shutters of fire resisting materials.

(4) A building erected or constructed before the date of this Act to which no objection could have been taken under any law then in force shall (subject to the provisions of subsection (5) of this section) be deemed to be erected or constructed in compliance with the provisions of this section.

(5) No addition shall be made to any building to which the provisions of subsection (1) of this section apply or to any division thereof so that the cubical extent of such building or division shall exceed two hundred and fifty thousand cubic feet.

(6) Any person who shall construct re-construct or alter a building so as to contravene the provisions of this section shall be liable to a penalty not exceeding fifty pounds and to a further penalty not exceeding five pounds for each day on which he fails to comply with an order of any court in reference to the provisions of this section.

96.—(1) Where the Corporation are satisfied on the report of the surveyor that additional cubical extent is necessary for any building to be used for any trade or manufacture and are satisfied that proper arrangements have been or will be made and maintained for lessening so far as reasonably practicable danger from fire the Corporation may consent to such building containing additional cubical extent:

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—
Consent
to larger
dimensions.

Provided that such building shall not—

- (a) extend to a number of cubic feet exceeding five hundred thousand or any less number allowed by the Corporation without being divided by party walls in such manner that the cubical extent of each division do not exceed that number;
- (b) exceed eighty feet in height;
- (c) be used for the purpose of any trade or manufacture involving the use of explosive or inflammable materials.

(2) Such consent shall continue in force only while the said building is actually used for the purposes of the trade or manufacture in respect of which the consent was granted.

(3) Any person who increases the cubical extent of any building without the consent of the Corporation as required by this section or who uses a building (in respect of which the Corporation have consented to such additional cubical extent) after such consent has ceased to be in force shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding five pounds.

97.—(1) (a) Where any part of a building which is used or adapted to be used as a shop projects for a distance of seven feet or more beyond the main front of any building of which it forms part and in which any persons are employed or sleep the projecting portion of such shop shall be provided by the owner with a roof constructed of fire-resisting materials not less than five inches thick.

As to construction of buildings used as dwelling-house and for trade purposes.

(b) It shall be lawful to construct or place in or upon the roof of the portion of any shop so projecting

A.D. 1924. beyond the main front of the building as aforesaid lantern lights or ventilating cowls. Provided that no such lantern light or ventilating cowl shall be constructed or placed so that any part thereof will be at a less distance than six feet from the main front of the building from which the shop projects or within such distance as may be reasonable in the circumstances of the case from any other external or party wall. Provided also that the sides of such lantern light or ventilating cowl (except the side facing away from the main building) shall be carried up in fire-resisting materials for two feet above the roof in or upon which it is constructed or placed. Provided further that no part of any such lantern light or ventilating cowl shall project above the roof in or upon which the same is constructed or placed to a greater extent than five feet.

(2) The provisions of this section shall extend and apply as well to existing as to new buildings.

(3) The Corporation may in any case where it is reasonable so to do sanction subject to such conditions (if any) as the Corporation may impose in giving such sanction the exemption of any building from all or any of the provisions of this section. If in any case the Corporation refuse to give their sanction under the provisions of this section such refusal shall be deemed to be the withholding of a consent within the meaning of section 47 (As to appeal) of the Act of 1905 the provisions of which section are applied to this Act by the section thereof of which the marginal note is "Application of provisions of existing Acts."

(4) Any person who occupies or (being the owner thereof) permits to be occupied—

(a) any new building that does not comply with the provisions of this section;

(b) any existing building that does not so comply after the expiration of one calendar month's notice in writing requiring him to execute such works in connection therewith as may be necessary to cause such building to comply with such provisions;

shall (without prejudice to any other proceedings that may be taken against him) be liable to a penalty not

exceeding twenty pounds and to a daily penalty not exceeding ten pounds. A.D. 1924.

98.—(1) Before any person shall erect on any land within the borough a retaining wall of greater height than six feet abutting on or adjacent to or within twelve feet of any street or road he shall submit to the Corporation plans sections and specifications thereof and no such wall shall be erected except in accordance with such plans sections and specifications as may be approved by the Corporation.

As to erection of retaining walls.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Corporation requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Corporation be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

99.—(1) In case any building is erected or raised after the first day of October nineteen hundred and twenty-three to a greater height than the adjoining building and any flues or chimneys of such adjoining building are in the outer or party wall or against the building so erected or raised the person erecting or raising such building shall at his own expense build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised or the top of such last-mentioned building whichever may be the higher.

Erection of buildings to greater height than adjoining buildings.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

100. The power given by subsection (4) of section 23 of the Public Health Acts Amendment Act 1890 to make byelaws with respect to the alteration of buildings shall be extended so as to authorise byelaws with respect to the alteration of buildings whether or not erected in accordance with byelaws and with respect to the submission in respect of the alteration of such plans and sections as can be required in relation to the erection of a new building.

Byelaws as to alterations to old buildings.

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—
Removal of
dilapidated
and ne-
glected
buildings.

101.—(1) Where an unoccupied building is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a court of summary jurisdiction on complaint by the Corporation may order the owner at his option to take down or repair such building (in this section referred to as a “neglected structure”) or any part thereof or otherwise put the same or any part thereof into a state of repair and good condition to the satisfaction of the Corporation within a reasonable time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing.

(2) If the order is not obeyed the Corporation may with all convenient speed enter upon the neglected structure and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials to a convenient place and (unless the expenses of the Corporation under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same if and as they in their discretion think fit.

(4) All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of the sale and the surplus (if any) shall be paid by the Corporation on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down and such materials are not sold by the Corporation or if the proceeds of the sale are insufficient to defray the said expenses the Corporation may recover such expenses or such insufficiency from the owner of the structure together with all costs in respect thereof in a summary manner but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

As to dan-
gerous
buildings.

102.—(1) In the case of any building which may appear to the Corporation on the report of any duly qualified officer to be dangerous to the inmates or to persons working therein 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 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 enter upon such building and examine and inspect the same.

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(2) If upon such examination and inspection it shall appear necessary that any works should 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.

103. The Corporation may make byelaws with respect to—

Byelaws as to erection of dwelling-houses under continuous roof.

- (i) the number of dwelling-houses which may be erected in one block or in one continuous row;
- (ii) the provision of an open space for separating blocks or rows of dwelling-houses and the width of such space;
- (iii) the situation construction and height of walls or fences upon or across such open space.

104. Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 shall be extended so as to empower the Corporation to make byelaws for securing the adequate lighting of buildings.

Byelaws as to admission of light to buildings.

105.—(1) Every dwelling-house erected after the passing of this Act shall be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Larders to be provided.

(2) (a) Every dwelling-house erected before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which

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A.D. 1924. — can reasonably be so provided but which is not so provided after one month's notice from the Corporation requiring the same to be done shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(b) Any owner aggrieved by any requirement of the Corporation under this subsection may appeal to a court of summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this subsection.

(c) If in any case the owner alleges that the occupier of any dwelling-house in respect of which any work is required to be executed under the provisions of this subsection ought to bear or contribute to the expenses of the execution of such work he may apply to the court of summary jurisdiction and such court shall have power to make such order as the court may think fit.

Area of habitable rooms.

106. Section 23 (Extension of 38 & 39 Vict. c. 55. s. 157) of the Public Health Acts Amendment Act 1890 in its application to the borough shall have effect as if the words "and floor area" had been inserted therein after the word "height" in subsection (1) of that section.

Closet accommodation in houses occupied by more than one family.

107.—(1) The power of making and enforcing bye-laws under section 90 (Local Government Board may empower local authority to make byelaws as to lodging-houses) of the Public Health Act 1875 shall be deemed to include the making of byelaws for requiring the provision in every building constructed or reconstructed by way of conversion so as to comprise two or more separate or self-contained flats or tenements of closet accommodation adequate for the use of and readily accessible to the persons occupying each such flat or tenement and where necessary for securing separate accommodation as aforesaid for every part of such building which is occupied as a separate dwelling.

(2) The provisions of subsections (2) (3) and (4) of section 26 (Byelaws respecting houses divided into

separate tenements) of the Housing and Town Planning &c. Act 1919 shall apply with any necessary modifications as if the same were set out in this section. A.D. 1924.

108. If in any street not repairable by the inhabitants at large the Corporation for the purpose of main drainage or otherwise shall require a larger sewer to be made than they consider necessary for the ordinary sewerage of such street or the lands draining thereto the person laying out such street shall construct such enlarged sewer in accordance with the requirements of the Corporation and the additional cost thereof as ascertained by the surveyor shall be paid by the Corporation. Power to require specially enlarged sewer in new street.

109.—(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.

110. If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation with which he is entitled to have such sewer or drain made to communicate such communication shall be made by the Corporation upon the cost or estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose. Corporation to make communications between private drains and their sewers on payment &c.

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

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A.D. 1924. do so except in case of emergency and in that case it shall not be lawful for any person to cover over the drain without giving the like notice of his intention to do so.

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

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

Power to reconstruct drain if laid in contravention of Public Health Act 1875.

112. Where any person has been convicted of causing any drain to be constructed in contravention of section 25 (Penalty on building house without drains in urban district) of the Public Health Act 1875 the court may in addition to imposing a penalty under that section order that the drain shall be laid relaid or amended or remade as the case may require in accordance with the provisions of that section and if such person shall not comply with the order within one month after the date thereof the Corporation may cause the drain in respect of which such conviction has been obtained to be laid relaid or amended or remade as the case may require and may recover from such person the expenses incurred by them in so doing.

As to repair of private drains.

113. If any drain (including any joint or combined drain) shall not be well and sufficiently maintained and kept in good repair to the satisfaction of the Corporation it shall be lawful for the Corporation if in their opinion such drain can be sufficiently repaired at a cost not exceeding twenty pounds to cause the same to be repaired and the expenses of such repairs may be recovered by them from the owner or owners thereof in such proportions as the surveyor shall determine. Provided that where such expenses do not exceed twenty shillings the Corporation may remit the payment of the same by the owner or owners if they think fit.

Power to lay drains in private streets.

114. The Corporation may on the application and at the expense of any person owning or occupying premises abutting or fronting on any street not repairable by the inhabitants at large wherein a sewer has been laid lay down take up alter re-lay or renew in across or along such street such drains as may be requisite or proper for

connecting such premises with the sewer doing as little damage as may be in the execution of the powers hereby granted and making compensation for any damage which may be done in the execution of such powers such compensation to be ascertained by and recovered before a court of summary jurisdiction.

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115.—(1) When a sewer and water supply sufficient for the purpose are reasonably available the Corporation may require any existing closet accommodation (other than a watercloset which expression shall not include a slop-closet) provided at or in connection with any building to be altered so as to be converted into a fresh-water closet which shall comply with the byelaws for the time being in force and shall communicate with a sewer and they may also require a separate receptacle for ashes and house refuse to be provided at or in connection with such building.

Conversion
of existing
accommoda-
tion into
water-
closets.

(2) If the owner of any such building fail in any respect to comply with a notice from the Corporation under this section the Corporation may at the expiration of a time to be specified in the notice (not being less than twenty-one days after the service of the notice) do the work specified in such notice and may recover from the owner the expenses incurred by the Corporation in so doing:

Provided that if in any case such alteration shall be required in respect of any existing closet accommodation which prior to the service of the notice under this section shall not have been certified by the medical officer to be insufficient for the necessities of the inhabitants of the building or to be in such a state as to create a nuisance or to be dangerous or injurious to health then the Corporation shall bear and pay such part of the expenses incurred by them (not being less than one-half thereof) as they may consider just and proper according to the circumstances and the remainder of the expenses shall be borne by the owner.

(3) The Corporation may contribute towards the expenses incurred in making any alteration of any closet accommodation in pursuance of this section in any case in which they may not be required to bear any part of such expense.

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(4) The notice under this section shall state the effect of the provisions of this section.

Byelaws as to water-closets.

116. The Corporation may make byelaws for securing that waterclosets are so constructed and supplied with water that they can be adequately flushed by mechanical means and for securing their protection against frost and for the prevention of the improper use of such closets and of the blocking of the pipes therefrom.

o Saving for Southern Railway Company.

117. The provisions of the sections of this Act of which the marginal notes are:—

Power to Corporation to grant licences for bridges over streets;

Widening of roads when only one side is built upon;

As to erection of retaining walls;

Erection of buildings to greater height than adjoining buildings;

Byelaws as to alterations to old buildings;

Removal of dilapidated and neglected buildings;

As to dangerous buildings;

Byelaws as to admission of light to buildings;

Notice of intention to repair drains; and

As to repair of private drains;

shall not extend or apply to any building (not being a dwelling-house) belonging to or used or occupied by the Southern Railway Company as part of or in connection with their railway undertaking under any Act of Parliament.

PART VII.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

To prevent spread of infectious disease amongst children in Sunday schools &c.

118.—(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 borough 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.

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

119.—(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 in the borough 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 requirement shall be at once complied with.

Power to close Sunday schools in certain events.

(2) Any person responsible for the conduct or management of any 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 twenty shillings.

120. Any parent or other person liable to maintain a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher of the school shall be liable to a penalty not exceeding twenty shillings :

Special provisions to prevent spread of infectious disease.

Provided that in any proceeding under this section a certificate purporting to be under the hand of the head teacher of an elementary school a continuation school or any other school under the control of the Corporation 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.

121. For the purposes of the foregoing provisions of this Part of this Act the expression "infectious disease" includes measles German measles whooping cough chicken pox ringworm and influenza.

Extended meaning of "infectious disease" for certain purposes.

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—
Medical inspection of inmates of common lodging-houses &c. when infectious disease prevails.

122. Whenever the medical officer shall report in writing to the Corporation or to a committee of the council that there is a prevalence of infectious disease in the borough or in any adjoining or neighbouring borough or district and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common lodging-houses the Corporation or such committee as aforesaid may by resolution declare that by reason of the prevalence of the infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers hereinafter mentioned and subject as hereinafter provided the following provisions shall thereupon be in force within the borough for such period as the Corporation or such committee as aforesaid having regard to the circumstances of the case shall in the resolution determine (that is to say):—

- (1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the infectious disease named in the resolution of the Corporation or such committee as aforesaid may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease Any person obstructing the medical officer in making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence :
- (2) A copy of every such resolution shall forthwith be sent by the Corporation or such committee as aforesaid to every keeper of a registered common lodging-house in the borough and to the Minister of Health :
- (3) Unless approved by the Minister of Health any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the Minister of Health :
- (4) A warrant granted under this section may authorise the medical officer to exercise the

powers of examination hereinbefore conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant. A.D. 1924.

123.—(1) If the Corporation deem it necessary on account of the existence or recent existence therein of infectious disease to close a common lodging-house they may make an application to a justice for an order to close the same and the justice if satisfied of the necessity for such closing may make an order for the closing of such house until the same shall have been disinfected to the satisfaction of and certified to be free from infection by the medical officer and any keeper of a common lodging-house who shall receive any lodger or suffer or permit any lodger to remain in such house after an order has been made to close the same and during the continuance of such order shall be liable to a penalty of five pounds for every day during which the offence continues. Power to close infectious common lodging-houses.

(2) The Corporation shall make compensation to the keeper of any such lodging-house for any loss he may sustain by reason of any such closing.

124. Any person who being in charge of the body of any person who has died from any infectious disease shall permit or allow any other person unnecessarily to come into contact with such body shall be liable to a penalty not exceeding five pounds. For preventing contact with body of person dying of infectious disease.

125. When any person suffering from infectious disease whereof notice shall have been given to the medical officer shall die of such disease in the borough the medical officer may give notice to the person responsible for the conduct of the burial of the body of such person and when any such notice shall have been given it shall not be lawful to transport any such body by railway or other public conveyance (not being a conveyance reserved for such purpose) unless and until the medical officer has certified that every precaution necessary for the public safety has been adopted to his satisfaction and any undertaker and any person so responsible who shall after the giving of such notice knowingly remove or assist in removing such body without such certificate and any person who unless unaware of such notice shall procure or Removal of body of person dying of infectious disease.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GE O. 5.
Act, 1924.

A.D. 1924. — endeavour to procure removal of such body without having obtained such certificate shall be liable to a penalty not exceeding two pounds.

Persons to furnish names of laundryman to whom clothes &c. from infected houses sent.

126. If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 (Notification of infectious disease) of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for washing or mangling from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly Any person who offends against this enactment shall for every such offence be liable to a penalty not exceeding five pounds.

Penalty on with-holding information from medical officer.

127.—(1) The occupier of any building which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer or the deputy or assistant medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer or the deputy or assistant medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding forty shillings.

(3) For the purposes of this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

(4) Section 38 (Occupier to furnish information as to premises occupied by any person suffering from infectious disease) of the Act of 1905 is hereby repealed.

Extension of powers of veterinary inspector to section 116 of Public Health Act 1875.

128. Every veterinary inspector of the Corporation may exercise the powers of section 116 (Power of medical officer of health to inspect meat &c.) of the Public Health Act 1875 in the same manner as the medical officer or the sanitary inspector and the Public Health Acts shall apply within the borough as if such veterinary inspector were

mentioned in the said section in addition to the medical officer and the inspector of nuisances. A.D. 1924.

129.—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of a rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute within the borough any articles of food from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connection with the business of rag and bone merchants. Rag and bone dealers not to sell food.

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

130.—(1) No room shop or other part of a building in which any food is sold or prepared or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place. No place used for storage &c. of human food to be used as a sleeping place.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) 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 the provisions of this section and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

131.—(1) From and after the passing of this Act the following provisions shall apply to any room shop or other part of a building within the borough in which any article whether solid or liquid intended or adapted for the food of man is sold or exposed for sale or deposited. Sanitary regulations for premises used for sale &c. of

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. for the purpose of sale or of preparation for sale or with
a view to future sale :—

—
food for
human con-
sumption.

- (a) No urinal watercloset earthcloset privy ashpit or other like sanitary convenience shall be within such room shop or other part of a building or shall communicate therewith except through the open air or through an intervening ventilated space;
- (b) No drain or pipe for carrying off fæcal or sewage matter shall have any inlet or opening within such room shop or other part of a building;
- (c) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of a building except so far as may be reasonably necessary for the proper carrying on of the trade or business;
- (d) Due cleanliness shall be observed in regard to such room shop or other part of a building and all articles apparatus and utensils therein and shall be observed by persons engaged in such room shop or other part of a building.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building wherein any of the conditions prohibited by this section exist or does or knowingly permits any act or thing therein in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any factory within the meaning of the Factory and Workshop Act 1901.

Regulation
dustbins.

132.—(1) The Corporation may by notice in writing require the owner or occupier of any dwelling-house warehouse or shop in the borough to provide portable covered galvanised iron dustbins in lieu of ashpits or ashtubs or other receptacles for refuse and such dustbins shall be of such size and construction as may be approved by the Corporation.

(2) Every owner or occupier having provided any receptacle pursuant to this section shall maintain the same in good order and condition.

A.D. 1924.

(3) Any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation under subsection (1) of this section or who fails to comply with his obligations under subsection (2) of this section shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings.

(4) Provided that this section shall not apply to any ashpits or ashtubs or other receptacles for refuse in use at the passing of this Act so long as the same are of suitable material size and construction and in proper order and condition.

133.—(1) It shall not be lawful for any person to use any ashbin or dustbin for any purpose other than the deposit of dust ashes or other house refuse (not being of a liquid or partly liquid character) intended for removal by or on behalf of the Corporation.

Restriction as to use of dustbins.

(2) Any person contravening the provisions of this section shall be liable to a penalty of ten shillings and to a daily penalty of ten shillings.

134. Public notice of the effect of the foregoing provisions of this Part of this Act shall be given as soon as is reasonably practicable after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall.

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

135.—(1) If the medical officer certifies in writing that any person is suffering from pulmonary tuberculosis and is in an infectious state and that by reason of the lodging or accommodation with which such person is provided being such that proper precautions to prevent the spread of infection cannot be taken or by reason of such precautions not being taken serious risk of infection is caused to other persons and that thorough inquiry and consideration have shown the necessity in the public interest for the compulsory isolation of the person the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination by a registered medical practitioner to be nominated by them if they think fit may make an order for the removal of such person to a suitable hospital or

Removal of person suffering from pulmonary tuberculosis to hospital.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. — place for the reception of the sick provided within the borough or within a convenient distance of the borough and for the retention and maintenance of such person therein for such period not exceeding three months as may be determined by such order or such further period not exceeding three months as may be determined by any further order made under and in accordance with the provisions of this section.

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

(3) The Corporation may in their discretion during the period of retention make payments for or towards the effective support and maintenance of the relatives of or those actually dependent upon any person so suffering occasioned by the removal of any such person to a suitable hospital or place as aforesaid whether voluntarily or in pursuance of an order made by the court as aforesaid and on the hearing of any application under this section the court shall take into consideration the amount necessary for such effective support and maintenance and shall not make an order unless they are satisfied that the Corporation will make a sufficient payment in any case in which it appears that a contribution is necessary for the support and maintenance of such relatives or dependants.

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

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

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

A.D. 1924.

136.—(1) Subject to the provisions of this Act the sanitary inspector or any officer duly authorised by the Corporation in that behalf shall at all reasonable times have power to enter the premises of any vendor of or merchant or dealer in any commodity intended for the food of man or any premises where any such commodity is for the purposes of sale deposited or stored or in preparation for sale for the purpose of inspecting such premises and the materials or commodities or articles of food therein.

Power to enter and inspect premises where food is deposited for sale.

(2) On any such inspection the said sanitary inspector or officer of the Corporation shall have power to take samples of any such materials commodities or articles of food found therein making reasonable payment therefor if required and if he intends to submit any sample to analysis he shall forthwith notify to the vendor merchant or dealer or the agent of such person his intention to have the same analysed and shall divide the sample into three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall if required to do so deliver one of the parts to such vendor merchant dealer or agent. The officer shall afterwards retain one of the said parts for future comparison and submit the third part if he deems it right to have the sample analysed to the analyst.

(3) Any person who without reasonable excuse refuses entry into or inspection of such premises as aforesaid or obstructs such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

137.—(1) For the purpose of section 112 (Restriction on establishment of offensive trade in urban district) of the Public Health Act 1875 as extended by section 51 (Power to declare a business to be an offensive business) of the Public Health Acts Amendment Act 1907 and by this Act a trade business or manufacture shall be deemed to be established not only if it is established for

Defining establishment of a new business for purposes of section 112 of Public Health Act 1875.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. the first time but also if without the consent in writing
— of the Corporation—

- (a) it is removed from one set of premises to any other premises; or
- (b) it is renewed on the same set of premises after having been discontinued for a period of six months or upwards; or
- (c) any premises on which it is for the time being carried on are enlarged;

but a trade business or manufacture shall not be deemed to be established for the first time on any premises by reason only that the ownership or tenancy of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

(2) Any consent of the Corporation to the establishment of any offensive trade or to the enlargement of any premises on which any offensive trade is carried on may be given so as to continue in force for such period only as the Corporation may prescribe by such consent and section 112 of the Public Health Act 1875 and this section shall be construed accordingly.

(3) If any person shall carry on such offensive trade beyond the period aforesaid he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Discontinu-
ance of
offensive
trade.

138.—(1) In any case where premises are being used for the carrying on of an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and by this Act and in the opinion of the Corporation it is inexpedient in the interests of public health that such trade should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of such offensive trade.

Such notice shall be deemed to be a requirement of the Corporation within the meaning of section 47 (As to appeal) of the Act of 1905 and the owner or occupier (as the case may be) may appeal accordingly.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. A.D. 1924.

(3) If the Corporation require any person to cease to use such premises for the carrying on of an offensive trade they shall pay to such person such compensation for any loss sustained by him in consequence of the action of the Corporation as may be agreed between the Corporation and such person or as failing such agreement shall be determined by arbitration under the provisions of the Arbitration Act 1889 Provided that this subsection shall not apply in the case of any premises with respect to which the consent of the Corporation shall have been given for a period only unless the Corporation shall have required that the user of such premises for the carrying on of an offensive trade shall cease before the expiration of such period.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

139.—(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 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.

140.—(1) If the medical officer or the sanitary inspector has reasonable cause to believe that any house is infested with vermin he may enter into such house Houses infested with vermin to be cleansed.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924. — and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin.

(2) Where on the certificate of the medical officer or sanitary inspector it appears to the Corporation that any house is infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper or other covering from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall (subject as hereinafter provided) be recoverable from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirements contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

(6) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation.

141.—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may within the borough examine the person and clothing of any child (other than children in boarding schools including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice.

A.D. 1924.
—
Cleansing of
children and
their cloth-
ing.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and with suitable appliances and if necessary for that purpose may without any warrant other than this Act convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section the parent or guardian or other person liable to maintain the child allows him to get into such a condition that it is again necessary to proceed under this section the parent guardian or other person shall be liable to a penalty not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a person duly qualified as a medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter to his usual or last known residence. In any such notice it shall be sufficient to designate the person to be served as the parent guardian

A.D. 1924. or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

PART VIII.

MATERNITY HOMES.

Registra-
tion of
maternity
homes.

142.—(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 within the borough 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." A.D. 1924.

(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
- (c) the premises or their equipment are 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.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924.

(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.

143.—(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 also with respect to the cause of death of any patient or child dying in such home and the holding of any inquest on any such patient or child and requiring the notification to the Corporation of any death occurring thereat.

(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.

Powers as to entry and inspection.

144. 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.

Penalties for offences in respect of maternity homes.

145. Subject to the provisions of this Part of this Act:—

(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: A.D. 1924.

(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 from the receipt of notice in writing from the Corporation or the publication of notice in the London Gazette and in a newspaper published or circulating in the borough that the registration of such home has been refused or cancelled under the provisions of this Part of this Act;

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.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
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Directors of
companies
to be per-
sonally
liable for
penalties.

146. 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 car-
ried on by
medical
practi-
tioners.

147.—(1) 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 borough 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.

(2) Provided that any such certificate shall not be valid—

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

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

A.D. 1924.

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Saving for certain pre-
mises.

(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 recognised 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.

149.—(1) The Corporation shall give public notice of the effect of the provisions of this Part of this Act by advertisement in two or more newspapers circulating in the borough and otherwise in such manner as they think sufficient.

Notice of
provisions to
be given.

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section have been complied with.

PART IX.

FINANCIAL AND MISCELLANEOUS.

150.—(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 in order

Power to
borrow.

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
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A.D. 1924. to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective revenue fund and rate mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is referred to as "the prescribed period" in certain of the enactments extended and applied to and for the purposes of this Act by the section thereof of which the marginal note is "Application of provisions of existing Acts") mentioned in the fourth column thereof namely:—

1	2	3	4
Purpose.	Amount.	Charge.	Period for repayment.
(a) The purchase of lands for the construction of the street works authorised by this Act.	£ The sum requisite.	The borough fund and borough rate.	Sixty years from the date or dates of borrowing.
(b) The construction of the street works authorised by this Act.	29,700	The borough fund and borough rate.	Thirty years from the date or dates of borrowing.
(c) The provision of trolley vehicles.	30,800	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Ten years from the date or dates of borrowing.
(d) The provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Act.	10,500	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Twenty years from the date or dates of borrowing.
(e) The erection of buildings for the purposes of the trolley vehicles of the Corporation.	9,600	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Thirty years from the date or dates of borrowing.
(f) The payment of the costs charges and expenses of this Act.	The sum requisite.	- - -	Five 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 any of the purposes of Part IV. (Trolley vehicles and tramways) of this Act and with the consent of the Minister of Health such further money as may be necessary for any of the other purposes of this Act. A.D. 1924.

(b) The Corporation may also borrow such further moneys as may be necessary for the purpose of providing a fund for working capital—

- (i) as respects the tramway undertaking of the Corporation (including the trolley vehicle undertaking authorised by this Act) with the consent of the Minister of Transport;
- (ii) as respects the electricity undertaking with the consent of the Electricity Commissioners;
- (iii) as respects any undertaking with respect to which any deficiency is required to be defrayed out of any fund for which a rate is leviable by or under the direction of the Corporation (other than any account relating to the tramway trolley vehicle or electricity undertakings) with the consent of the Minister of Health.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(d) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister or Commissioners with whose consent the money is borrowed.

(3) The provisions of this section prescribing the fund and rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by section 36 (Power to use one form of mortgage for all purposes) of the Act of 1920.

§51.—(1) Notwithstanding anything in the Act of 1884 the Act of 1900 the Croydon Order 1902 or any

Use of
Loans Fund
No. 1 in

[Ch. xc viii.] *Croydon Corporation* [14. & 15 GEO. 5.]
Act, 1924.

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—
exercise of
statutory
borrowing
power.

other enactment but subject as hereinafter provided the Corporation may exercise either wholly or partially any statutory borrowing power possessed by them by using for the purpose any moneys forming part of the Croydon Corporation Consolidated Loans Fund (No. 1) (in this section referred to as "Loans Fund No. 1") and not required for the payment of dividends.

(2) The moneys so used shall be repaid to Loans Fund No. 1 by equal yearly or half-yearly instalments of principal or of principal and interest combined within the period and out of the fund rate or revenue within and out of which a loan raised under the statutory borrowing power would be repayable.

(3) Interest shall be paid to Loans Fund No. 1 on any moneys so used and for the time being not repaid to the fund. Such interest shall be calculated at a rate per centum per annum to be determined by the Corporation and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power.

(4) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised on mortgage in the exercise of the power and the particulars of the exercise of the power by such use shall be entered accordingly in the mortgage register kept by the Corporation.

(5) For the purposes of section 72 of the Act of 1884 any moneys so used and not for the time being repaid to the loans fund shall be deemed to be invested in manner authorised by that section.

Borough
rate may
include
working
balance.

152. The purpose to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they

may consider to be necessary for the provision of such working balance. A.D. 1924.

153.—(1) All money received by the Corporation on account of the revenue of the following undertakings of the Corporation (namely):— Application of revenue and payment of expenses of undertakings.

(a) the water undertaking;

(b) the tramways undertaking (including the trolley vehicle undertaking authorised by this Act);

(c) the electricity undertaking;

shall be carried to and shall form part of the borough fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund.

(2) Any moneys which the Corporation are required or authorised to pay or apply under the provisions of section 52 (Application of revenue) of the Croydon Corporation Electric Lighting Order 1891 as amended by the next succeeding section of this Act shall for the purposes of subsection (1) of this section be deemed to be payments and expenses made and incurred in respect of the electricity undertaking of the Corporation and any income arising from the investment of any reserve fund authorised under the said section shall be deemed to be money received on account of the revenue of the said electricity undertaking.

(3) Section 43 (Case of surplus or deficiency on tramways account) of the Act of 1900 is hereby repealed.

154.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of each of the following undertakings of the Corporation (namely):— Reserve funds.

(a) the water undertaking;

(b) the tramways undertaking (including the trolley vehicle undertaking authorised by this Act);

(c) the electricity undertaking;

by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of the undertaking :

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Act, 1924.

A.D. 1924.

Provided that—

(a) in the case of the water undertaking—

(i) the amount to be set aside in any year shall not exceed one-half per centum of the aggregate amount of capital expenditure on the undertaking;

(ii) the maximum reserve fund shall not exceed a sum equal to one-tenth of the said aggregate amount of capital expenditure;

(b) in the case of the electricity undertaking the maximum reserve fund shall not exceed a sum equal to one-tenth of the aggregate amount of capital expenditure on the undertaking.

(2) Any reserve fund which has been formed for the purposes of any of the said undertakings and which is in existence at the commencement of this Act shall be deemed to have been formed under this section.

(3) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(4) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

(5) The provisions of this section in relation to the electricity undertaking shall be substituted in section 52 (Application of revenue) of the Croydon Corporation Electric Lighting Order 1891 for paragraph (5) of that section and that paragraph is hereby repealed.

155.—(1) The Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the following undertakings (that is to say) the water undertaking the electricity undertaking and the tramways undertaking (each of which is in this section separately referred to as “the undertaking”) on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say) :—

- (a) The working and establishment expenses and cost of maintenance of the undertaking:
- (b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking:
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking:
- (d) All other expenses (if any) of maintaining the undertaking:
- (e) The amount (if any) paid to any reserve fund which the Corporation are by this Act authorised to maintain.

(2) Notwithstanding anything contained in this Act the Corporation shall show in their accounts relating to any undertaking or purpose all items (including payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time it appears to them ought to be so apportioned or carried.

156.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to

A.D. 1924.

—
Separate
accounts to
be kept.

Return to
Minister of
Health with

[Ch. xcvi.] *Croydon Corporation* [14 & 15 GEO. 5.]
Act, 1924.

A.D. 1924.
—
respect to
repayment
of debt.

the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) The following enactments are hereby repealed (namely) :—

(a) Section 107 (Annual return to Local Government Board) of the Act of 1884:

(b) Section 37 (Annual return to Local Government Board with respect to sinking fund) of the Act of 1895:

(c) Section 38 (Returns to Minister of Health as to sinking funds) of the Act of 1920:

(d) Any provision (other than the foregoing provisions of this section) of any enactment now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt. A.D. 1924.

157.—(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 land 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 borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such land 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. Further powers for the acquisition of land.

(2) The Corporation may enter into contracts for the purposes of this section and may pay any sum payable under the contract and for that purpose may borrow money temporarily from their bankers for a period not exceeding twelve months.

(3) 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 borough fund and borough 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.

(4) 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

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A.D. 1924. — 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
- (b) in such other manner as may be approved by the Minister of Health.

Application
of provi-
sions of
existing
Acts.

158. The following provisions of the Act of 1895 the Act of 1900 the Act of 1905 and the Act of 1920 shall with all necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act namely:—

The Act of 1895—

- Section 31 (Provisions of Public Health Act as to mortgages to apply);
- Section 33 (Mode of payment off of money borrowed);
- Section 35 (Protection of lender from inquiry);
- Section 36 (Application of money borrowed).

The Act of 1900—

- Section 71 (Power to retain sell &c. lands);
- Section 117 (General provisions as to byelaws);
- Section 122 (Judges &c. not disqualified).

The Act of 1905—

- Section 32 (Proceeds of sale of surplus lands);
- Section 43 (Audit of accounts);
- Section 47 (As to appeal);
- Section 50 (Crown rights).

The Act of 1920—

- Section 29 (Section 234 of Public Health Act 1875 not to apply);
- Section 30 (Mode of raising money);
- Section 31 (Sinking fund);
- Section 35 (Expenses of execution of Act);
- Section 42 (Application of section 265 of Public Health Act 1875);

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Section 44 (Informations by whom to be laid); A.D. 1924.
Section 45 (Recovery of penalties &c.); —
Section 47 (Inquiries by Minister of Health);
Section 48 (Powers of Act cumulative):

Provided that—

- (1) In the application of section 33 of the Act of 1895 that section shall be read and have effect as if the words “within one year or when the “money is repaid by half-yearly instalments “within six months from the date of borrowing” were substituted for the words “prior “to the thirty-first day of March next “following the time of borrowing”;
- (2) Section 32 (Proceeds of sale of surplus lands) of the Act of 1905 shall not apply in relation to lands acquired by the Corporation under the provisions of the section of this Act of which the marginal note is “Further powers for the acquisition of land”;
- (3) In the application of section 47 of the Act of 1920 that section shall be read and have effect as if the words “five guineas” were substituted therein for the words “three guineas.”

159. The powers and duties conferred and imposed upon the Corporation by Parts V. VI. VII. and VIII. of this Act shall be deemed to be purposes which may (if the Corporation think fit) be regulated and managed by means of committees appointed by the Corporation in pursuance of section 22 of the Municipal Corporations Act 1882. Delegation of certain powers to committees.

160. 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 VI. (Streets buildings sewers and drains) and Part VII. (Infectious disease and sanitary provisions) of this Act as if those purposes had been mentioned in the said section 102. Power to enter premises.

161. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under Part VI. (Streets buildings sewers and drains) Part VII. (Infectious disease and sanitary provisions) and Part VIII. Penalty on occupier refusing execution of Act.

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(Maternity homes) of this Act or under any byelaw made thereunder respectively 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 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 two pounds 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 work.

In executing works for owner Corporation liable for negligence only.

162. Whenever the Corporation or the surveyor under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses paid by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

Consent of Corporation to be in writing.

163. All consents given by the Corporation under the provisions of this Act or of any enactment byelaw or regulation for the time being in force within the borough shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk or other duly authorised officer of the Corporation.

Damages and charges to be settled by justices.

164. Where any damages expenses costs or charges are directed or authorised to be paid or recovered in

addition to any penalty for any offence in this Act mentioned the amount of such damages expenses costs or charges in case of dispute respecting the same may be settled or determined by a court of summary jurisdiction before whom any offender is convicted. A.D. 1924.

165. Where under the provisions of this Act or any local Act in force in the borough the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners or on behalf or in default of two or more such owners the expenses which under those Acts or any of them are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction. Apportionment of expenses in case of joint owners.

166. The provisions of section 267 of the Public Health Act 1875 shall apply to demand notes for the consolidated rate of the borough. Service of rate demands by post.

167. Proceedings for the recovery of any demand made under the authority of any local enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action. Recovery of demands.

168. 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. Saving for indictments &c.

169. Where the payment of more than one sum by any person is due under any Act or Order for the time being in force in the borough any summons or warrant issued for the purposes of such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him. Summons or warrant may contain several sums.

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Compensation how to be determined.

170. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Acts.

Inquiries by Minister of Transport.

171. 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 this Act 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."

Costs of Act.

172. 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 borough fund and borough rate or out of moneys to be borrowed under this Act for that purpose.

The SCHEDULE referred to in the foregoing Act.

PREMISES OF WHICH PARTS ONLY ARE REQUIRED.

Borough.	Numbers on deposited Plans.
Croydon	23(b) 116 117 162 163 165 166 167 168 169 170.

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