



CHAPTER xxvii.

An Act to empower the mayor aldermen and burgesses of the county borough of Hastings to construct additional waterworks and to execute street improvements to make further provision for the improvement and good government of the borough to empower the Corporation to borrow money and for other purposes. A.D. 1928.
[2nd July 1928.]

WHEREAS the borough of Hastings (in this Act called "the borough") is a county borough subject to the Acts relating to municipal corporations and is under the government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") acting by the council:

And whereas the Corporation are the owners of the water undertaking of the borough and under the powers of certain Acts supply water within the borough:

And whereas it is expedient that the Corporation should be empowered to make and maintain the waterworks described in this Act and to acquire lands and easements for the purposes thereof and for the general purposes of their water undertaking:

And whereas it is expedient for the purpose of preventing the contamination of and ensuring the purity of the water to be supplied by the Corporation from the waterworks by this Act authorised that the Corporation

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A.D. 1928. — be empowered to purchase the lands in this Act described and to exercise the other powers in that behalf in this Act contained :

And whereas it is expedient that the Corporation should be empowered to execute the street improvements described in this Act and to acquire lands therefor :

And whereas it is expedient that further borrowing powers for the purposes of this Act and for the other purposes hereinafter referred to should be conferred upon the Corporation :

And whereas it is expedient to make further and better provision with regard to the local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as is provided by 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 waterworks -	222,000
For the execution of street improvements - - - - -	100,000

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

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

And whereas plans and sections showing the lines situations and levels of the works authorised by this Act and plans showing the lands required or which may be taken or used for the purposes or under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of all such lands and describing the same were duly deposited with the clerk of the peace for the county of East Sussex which plans sections and book of reference are in this Act 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):—

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PART I.

PRELIMINARY.

1. This Act may be cited as the Hastings Corporation Act 1928. Short title.

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

Part I. Preliminary.

Part II. Waterworks.

Part III. Street improvements &c.

Part IV. Lands &c.

Part V. Finance.

Part VI. Miscellaneous.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act and for the purposes of such incorporated Acts this Act shall be deemed to be the special Act within the meaning of any such Acts and "the promoters of the undertaking" "the undertakers" "the company" or "the commissioners" where used in those Acts shall mean the Corporation (that is to say):— Incorporation of
Acts.

(1) The Lands Clauses Acts with the following exception and modification:—

(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;

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(2) The Waterworks Clauses Act 1847 except:—

(a) The words “with the consent in writing
“of the owner or reputed owner of any such
“house or of the agent of such owner” in
section 44;

(b) Sections 75 to 82 (with respect to the
amount of profit to be received by the under-
takers when the waterworks are carried on
for their benefit);

(c) Section 83 (with respect to the yearly
receipt and expenditure of the undertakers):

(3) The Waterworks Clauses Act 1863:

(4) The clauses and provisions of the Railways
Clauses Consolidation Act 1845 with respect to
the temporary occupation of lands near the
railway during the construction thereof and also
section 16 (Works to be executed) of that Act:

Provided that in the said provisions of the
Railways Clauses Consolidation Act 1845 “the
railway” shall mean the waterworks authorised
by this Act and “the centre of the railway”
shall mean the centre lines as shown on the
deposited plans of the aqueducts conduits or
lines of pipes authorised by this Act and the top
water line of the reservoir so authorised and
“the prescribed limits” for the purposes of
section 30 shall be four hundred yards and for
the purposes of section 32 four hundred yards.

Interpreta-
tion.

4. Subject to the provisions of this Act and unless
the subject or context otherwise requires the several
words and expressions to which by the Acts wholly
or partially incorporated with this Act or by the Public
Health Acts meanings are assigned shall in this Act have
the same respective meanings And in this Act—

“The borough” means the county borough of
Hastings;

“The council” means the town council of the
borough;

“The Corporation” means the mayor aldermen and
burgesses of the borough acting by the council;

“The borough fund” and “the consolidated rate” mean respectively the borough fund and the consolidated rate of the borough or the general rate fund and general rate of the borough as the case may require; A.D. 1928.

“The Act of 1924” means the Hastings Corporation Act 1924;

“The deposited plans” “the deposited sections” and “the deposited book of reference” mean respectively the plans sections and book of reference deposited in relation to the Bill for this Act;

“The waterworks” means the waterworks and the works in connection therewith authorised by this Act;

“The water undertaking” means the water undertaking of the Corporation as from time to time authorised;

“The Lands Clauses Acts” means the Lands Clauses Acts as varied by the Acquisition of Land (Assessment of Compensation) Act 1919;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of—

(a) borrowing or continuing on loan or reborrowing money; or

(b) redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money

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for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

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

PART II.

WATERWORKS.

Power to
construct
works.

5. Subject to the provisions of this Act the Corporation may in the county of East Sussex and in the lines and situations shown upon the deposited plans and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works (that is to say):—

Work No. 1 A reservoir (to be called “the Powdermill Reservoir”) in the parishes of Udimore (Det. No. 1) and Brede in the rural district of Rye and Sedlescombe and Ewhurst in the rural district of Battle or some of them to be formed by a dam or embankment across the stream known as the Powdermill Stream at a point on that stream 126 yards or thereabouts measured in a northerly direction along the centre line thereof from Powdermill Bridge and to extend from the said dam or embankment—

(a) up the valley of the Powdermill Stream to a point 1,417 yards or thereabouts measured in a northerly and north-westerly direction along the centre line of the Powdermill Stream from the said point at which the said dam or embankment will cross the said stream;

(b) up the valley of the tributary which flows into the Powdermill Stream at or near the south-eastern corner of the enclosure

numbered 18 in the parish of Udimore (Det. No. 1) on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10) to a point 437 yards or thereabouts measured in a north-easterly direction along the centre line of the said tributary from its point of junction with the Powdermill Stream; A.D. 1928.

(c) up the valley of the tributary which flows into the Powdermill Stream at or near the southern corner of the enclosure numbered 310 in the parish of Sedlescombe on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 6) to a point 247 yards or thereabouts measured in a north-easterly direction along the centre line of the said tributary from its point of junction with the Powdermill Stream; and

(d) up the valley of the tributary which flows into the Powdermill Stream at or near the south-eastern corner of the enclosure numbered 312 in the parish of Sedlescombe on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 6) to a point 253 yards or thereabouts measured in a north-westerly and northerly direction along the centre line of the said tributary from its point of junction with the Powdermill Stream;

The said dam or embankment will commence in the parish of Udimore (Det. No. 1) in the enclosure numbered 59 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10) at a point 28 yards or thereabouts measured in a southerly direction from the north-western corner of the said enclosure numbered 59 and 182 yards or thereabouts measured in a northerly direction from the south-western corner of the said enclosure numbered 59 and will terminate in the parish of Brede in the enclosure numbered 692 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10) at a point 220 yards or thereabouts measured in a south-easterly direction from the north-eastern corner of the enclosure numbered 53 in the parish of

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Udimore (Det. No. 1) on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10) and 160 yards or thereabouts measured in an easterly direction from the south-eastern corner of the enclosure numbered 694 in the parish of Brede on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10);

Work No. 2 An aqueduct conduit or line or lines of pipes in the parish of Brede in the rural district of Rye commencing at or in the intended Reservoir (Work No. 1) hereinbefore described in the enclosure numbered 693 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 10) at a point 63 yards or thereabouts measured in a north-westerly direction from the south-eastern corner of the said enclosure numbered 693 and 63 yards or thereabouts measured in a north-easterly direction from the south-eastern corner of the enclosure numbered 694 in that parish on that Ordnance map and terminating in the southern boundary of the enclosure numbered 696 in that parish on that Ordnance map at a point 77 yards or thereabouts measured in an easterly direction from the south-western corner of the said enclosure numbered 696 and 24 yards or thereabouts measured in a westerly direction from the south-eastern corner of the said enclosure numbered 696;

Work No. 3 An aqueduct conduit or line or lines of pipes in the parish of Brede in the rural district of Rye commencing by a junction with the intended aqueduct conduit or line or lines of pipes (Work No. 2) at the point of termination thereof hereinbefore described and terminating in the enclosure numbered 783A in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 14) at a point 192 yards or thereabouts measured in a south-westerly direction from the north-eastern corner of the said enclosure numbered 783A and 137 yards or thereabouts measured in a north-westerly direction from the southern corner of the said enclosure numbered 783A;

Work No. 4 An aqueduct conduit or line or lines of pipes in the parish of Brede in the rural district of Rye commencing by a junction with the intended aqueduct conduit or line or lines of pipes (Work No. 3) at the point of termination thereof hereinbefore described and terminating at or in the intended pumping station (Work No. 5) hereinafter described; A.D. 1928.
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Work No. 5 A pumping station in the parish of Brede in the rural district of Rye to be formed by way of extension of the Corporation's existing Brede pumping station at the south-western end thereof in the enclosure numbered 783 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 14);

Work No. 6 An aqueduct conduit or line or lines of pipes in the parish of Brede in the rural district of Rye commencing at or in the intended pumping station (Work No. 5) hereinbefore described and terminating in the southern boundary of the enclosure numbered 783 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 14) at a point 16 yards or thereabouts measured in a north-westerly direction from the south-eastern corner of the said enclosure numbered 783 and 129 yards or thereabouts measured in a south-easterly direction from the south-western corner of the said enclosure numbered 783;

Work No. 7 An aqueduct conduit or line or lines of pipes commencing in the parish of Westfield in the rural district of Battle by a junction with the intended aqueduct conduit or line or lines of pipes (Work No. 6) at the point of termination thereof hereinbefore described passing through the parish of Ore in the rural district of Hastings the parish of Hollington Rural in the rural district of Battle and the parish and county borough of Hastings and terminating in the said parish of Hollington Rural in the southern boundary of the enclosure numbered 58 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet LVIII 9) at a point 52 yards or thereabouts measured in a westerly direction

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from the south-eastern corner of the said enclosure numbered 58 and 131 yards or thereabouts measured in an easterly direction from the south-western corner of the said enclosure numbered 58;

Work No. 8 An aqueduct conduit or line or lines of pipes in the parish of Hollington Rural in the rural district of Battle commencing by a junction with the intended aqueduct conduit or line or lines of pipes (Work No. 7) at the point of termination thereof hereinbefore described and terminating at or in the intended service reservoir (Work No. 9) hereinafter described);

Work No. 9 A service reservoir in the parish of Hollington Rural in the rural district of Battle in the enclosure numbered 58 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets LVIII 9 and 10) at or near a point 73 yards or thereabouts measured in a north-westerly direction from the south-eastern corner of the said enclosure numbered 58 and 146 yards or thereabouts measured in a north-easterly direction from the south-western corner of the said enclosure numbered 58;

Work No. 10 An aqueduct conduit or line or lines of pipes in the parish of Hollington Rural in the rural district of Battle commencing at or in the intended service reservoir (Work No. 9) hereinbefore described and terminating in the southern boundary of the enclosure numbered 58 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet LVIII 9) at a point 58 yards or thereabouts measured in a westerly direction from the south-eastern corner of the said enclosure numbered 58 and 125 yards or thereabouts measured in an easterly direction from the south-western corner of the said enclosure numbered 58;

Work No. 11 An aqueduct conduit or line or lines of pipes commencing in the parish of Hollington Rural in the rural district of Battle by a junction with the intended aqueduct conduit or line or lines of pipes (Work No. 10) at the point of termination thereof hereinbefore described and

terminating in London Road in the parish and county borough of Hastings by a junction with the existing aqueduct conduit or line of pipes of the Corporation at a point 13 yards or thereabouts measured in a southerly direction from the north-western corner of the Clarence Hotel and 24 yards or thereabouts measured in a northerly direction from the north-western corner of No. 387 London Road; A.D. 1928.

Work No. 12 An aqueduct conduit or line or lines of pipes commencing in the parish of Whatlington in the rural district of Battle at or in a spring in the enclosure numbered 189 in that parish on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIII 12) at a point 28 yards or thereabouts measured in a north-easterly direction from the south-eastern corner of the said enclosure numbered 189 and 83 yards or thereabouts measured in an easterly direction from the south-western corner of the said enclosure numbered 189 passing through the parish of Sedlescombe in the rural district of Battle and terminating in the urban district of Battle in the existing well of the Corporation in the enclosure numbered 235 in the parish of Battle on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet XLIV 13).

6. In addition to the foregoing works the Corporation may upon the lands for the time being belonging to them for the purposes of the water undertaking or over which they may obtain easements make and maintain all such cuts channels catchwaters tunnels adits conduits pipes culverts drains sluices washouts byewashes shafts water towers overflows waste-water channels gauges filter-beds tanks banks walls bridges embankments piers approaches telegraphs telephones and other means of electric communication engines machinery and appliances as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any of them but nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them. Subsidiary works.

7. In the construction of the works authorised by the section of this Act of which the marginal note is Limits of deviation.

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Provided that the Corporation shall not construct the embankment or dam of the Powdermill Reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of that embankment or dam and five feet in addition and that except for the purpose of crossing over a river stream or canal no part of the aqueducts conduits or lines of pipes authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Power to
divert
footpaths.

8. The Corporation may divert the public footpaths referred to in the next following table in the manner shown upon the deposited plans and subject to the provisions of this Part of this Act may stop up and cause to be discontinued as a footpath each of the said existing footpaths between the points shown on the said plans (that is to say) :—

Work.	Parish.	Nos. of footpath on deposited plans.
No. 1 - -	Ewhurst - - -	42
No. 1 - -	Sedlescombe - - -	67
No. 1 - -	Udimore (Det. No. 1) -	33 38 and 39
No. 1 - -	Brede - - -	10
No. 1 - -	Sedlescombe - - -	59 60 62 58 63 and 64

Stopping up
of footpath
in case of
diversion.

9. Where this Part of this Act authorises the diversion of a public footpath and the stopping up of an existing public footpath or any portion thereof such stopping up shall not take place until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use.

As from the date of the said certificate all rights of way over or along the existing footpath or portion thereof shall be extinguished and the Corporation may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of the water undertaking the site of the portion of footpath stopped up as far as the same is bounded on both sides by lands of the Corporation : A.D. 1928.
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Provided that the Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

10. The Corporation may stop up the bridle roads referred to in the next following table between the points shown upon the deposited plans and thereupon all public rights of way over the bridle roads so stopped up shall be extinguished :— Power to stop up bridle roads.

Work &c.	Parish.	Nos. of bridle road on deposited plan.
Work No. 1 -	Ewhurst - - -	42
Work No. 1 -	Sedlescombe - - -	67
Work No. 1 -	Udimore (Det. No. 1) -	33 38 and 39
Work No. 1 -	Brede - - -	10
Additional lands -	Ewhurst - - -	30 and 27
Additional lands -	Sedlescombe - - -	16 22 50 48 and 36

11. Subject to the provisions of this Act the Corporation may collect impound take use divert and appropriate for the purposes of the water undertaking the waters of the stream known as the Powdermill Stream and all such springs streams and waters as may be intercepted by the waterworks. Power to take water.

12. If the works authorised by this Part of this Act and delineated on the deposited plans and sections are not completed within the period of seven years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so Period for completion of works.

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A.D. 1928. — much thereof as shall then be completed. Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of their works and plant as and when occasion may require.

As to compensation water.

13.—(1) Until the date upon which the reservoir (Work No. 1) by this Act authorised shall have been completed the Corporation shall not take from the Powdermill Stream any other water than such as they may require for or in connection with the construction of the waterworks.

(2) After the said reservoir shall have been completed and filled with water the following provisions shall apply :—

(a) The Corporation shall discharge or deliver into the Powdermill Stream at a point therein situate not more than two hundred yards below the foot of the dam or embankment of the said reservoir during such periods as the commissioners of sewers for the levels within the rapes of Pevensey and Hastings (in this section called “the commissioners”) may require such quantities of water as the commissioners may require. Provided that the commissioners shall not be entitled to require the Corporation to discharge or deliver in the aggregate in any one year any greater quantity of water than three million gallons in addition to any water which may flow down the Powdermill Stream at times when the said reservoir is full or to discharge or deliver water at any greater rate of flow than at the rate of one million gallons in twenty-four hours :

(b) For the purpose of measuring the quantity of water so to be discharged or delivered into the Powdermill Stream the Corporation shall erect and maintain at a point on the said stream below the said reservoir not more than two hundred yards from the foot of the dam or embankment thereof a proper and suitable measuring gauge or meter over or through which the said compensation water shall flow and the same shall be open to the inspection and examination of the commissioners.

(3) In case of any neglect on the part of the Corporation to maintain the said gauge or meter in a state of efficiency and in case of any other neglect by or in consequence of which the quantities of compensation water provided for by this section shall not so flow the Corporation shall for every day on which such neglect occurs forfeit and pay to the commissioners (who may sue for and recover the same) the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by the commissioners.

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(4) If any difference arises between the Corporation and the commissioners with respect to the construction or use of the said gauge or meter or the state of repair or condition thereof such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the Minister of Agriculture and Fisheries.

(5) The provisions of this section shall be accepted and taken by the commissioners as full compensation for all water of the Powdermill Stream which the Corporation can divert collect impound or appropriate by means of the waterworks.

14.—(1) After the completion and first filling with water of the reservoir (Work No. 1) by this Act authorised the Corporation shall supply to the rural district council of Battle for distribution for domestic purposes such quantity of water not exceeding fifteen thousand gallons per day as the said council shall by reasonable notice in writing to the Corporation specify and agree to take.

Supply to
Battle and
Rye Rural
District
Councils.

(2) After the completion and first filling with water of the said reservoir the Corporation shall supply to the rural district council of Rye for distribution for domestic purposes such quantity of water not exceeding fifteen thousand gallons per day as that council shall by reasonable notice in writing to the Corporation specify and agree to take.

(3) All water supplied under the provisions of this section to the rural district council of Battle shall be supplied at a point at the service reservoir (Work No. 9) by this Act authorised and at such other point or points not being more than two in number on the aqueduct (Work No. 7) by this Act authorised as may be agreed

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A.D. 1928. — between the Corporation and the council or failing agreement determined by a water engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto in accordance with the provisions of the Arbitration Act 1889.

(4) All water supplied under the provisions of this section to the rural district council of Rye shall be supplied at a point which shall be either on the aqueduct (Work No. 6) or on the aqueduct (Work No. 7) by this Act authorised to be agreed between the Corporation and the council or failing agreement determined by a water engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto in accordance with the provisions of the Arbitration Act 1889.

(5) The price to be paid by either of such councils for a supply of water under this section shall be at the rate of two shillings and six pence per thousand gallons.

For protec-
tion of East
Sussex
County
Council.

15. The provisions of section 19 (For further protection of East Sussex County Council) of the Act of 1924 shall in respect of the powers conferred upon the Corporation by this Act extend and apply in respect of main roads and county or main road bridges and approaches thereto as if that section with any necessary modifications were re-enacted in this Act for the protection of the council of the administrative county of East Sussex.

For protec-
tion of
Claude
Leonard
Bell and
Thomas
Crump.

16. Notwithstanding anything in this Act contained the following provisions shall apply for the protection of Claude Leonard Bell and Thomas Crump or other the owner or owners for the time being of the enclosures numbered 702a 714 715 716 717a 718 754 755 756 757 769 and 770 in the parish of Brede on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets XLIV 10 and XLIV 14) (all of whom are in this section called "the owners") unless otherwise agreed between the Corporation and the owners:—

- (1) The Corporation shall provide along such parts of the western bank of the Powdermill Stream as may be reasonably required by the owners respectively such fences as may be reasonably

necessary for preventing cattle sheep and horses from straying from such of the said enclosures as are situate on the western side of the said stream to such of the said enclosures as are situate on the eastern side of the said stream : A.D. 1928.
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- (2) Until the date upon which the reservoir (Work No. 1) by this Act authorised shall have been completed the Corporation shall not divert the waters of the Powdermill Stream in any other manner than such as will permit so much of the said waters as they do not require for or in connection with the construction of the water-works to flow down the said stream as from a point north of the said enclosure numbered 718 :
- (3) The Corporation shall provide and maintain drinking troughs each of at least fifty gallons capacity at the points marked "Tr" on the plan signed by Sidney Little on behalf of the Corporation and Edward Sandeman on behalf of the owners and as from the date upon which the reservoir (Work No. 1) by this Act authorised shall have been completed and filled with water the Corporation shall at all times supply to each such drinking trough and keep the same supplied by means of a pipe supply and ball cock with a proper and sufficient supply of water for watering cattle sheep and horses :
- (4) The Corporation shall provide and maintain a water tank of at least two hundred gallons capacity at the point marked "200 gallon Tank" on the said plan and as from the date upon which the reservoir (Work No. 1) by this Act authorised shall have been completed and filled with water the Corporation shall at all times supply to the said tank and keep the same supplied by means of a pipe supply and ball cock with a proper and sufficient supply of water for agricultural and farming purposes (including the growing of hops) for the said enclosures numbered 702a 714 715 716 717a and 718 and for domestic purposes at Little

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Jacob's Farm Provided that the quantity of water to be supplied by the Corporation under this subsection shall not exceed twenty thousand gallons per month during the months from November to April (inclusive) and ten thousand gallons per month during the months from May to October (inclusive):

- (5) The owners respectively shall grant to the Corporation without payment therefor all such easements or facilities as may be necessary for or in connection with the execution of the works required to enable the Corporation to carry out their obligations under this section and the Corporation shall fence off or otherwise sufficiently protect any open trench dug by them in connection with the execution of such works so as to prevent danger to cattle sheep and horses in any enclosure in which such trench shall be dug and the Corporation shall complete the execution of such works with all convenient speed after commencing the same and shall properly reinstate the ground in which any such work shall have been executed:
- (6) If any question shall arise between the Corporation on the one hand and the owners or any of them on the other hand under this section such question shall be referred to and determined by an arbitrator to be agreed upon between the parties in dispute or failing such agreement to be appointed on the application of any or either of such parties 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 reference to arbitration.

PART. III.

STREET IMPROVEMENTS &C.

Power to
construct
street
improve-
ments.

17. 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 works hereinafter described together

with all necessary or convenient works improvements junctions connections approaches embankments retaining walls sewers drains and conveniences connected therewith. A.D. 1928.

The works hereinbefore referred to and authorised by this section will (with the exception of part of Work No. 17 situate in the parish of Hollington Rural in the rural district of Battle) be situate in the borough and are :—

Work No. 13 A widening and improvement of Sedlescombe Road North on the east side thereof and of Burry Road on the south side thereof at the corner formed by those streets commencing in Sedlescombe Road North at a point 7 yards or thereabouts measured in a north-westerly direction from the south-western corner of the boundary of No. 99 Sedlescombe Road North and 24 yards or thereabouts measured in a southerly direction from the south-eastern corner of the boundary of the Silverhill School and terminating in Burry Road at a point 15 yards or thereabouts measured in an easterly direction from the north-western corner of the boundary of No. 99 Sedlescombe Road North and 16 yards or thereabouts measured in a south-easterly direction from the south-western corner of the boundary of No. 51 Burry Road;

Work No. 14 A widening and improvement of Paynton Road on the north side thereof and of Sedlescombe Road North on the west side thereof at the corner formed by those streets commencing in Paynton Road at a point 12 yards or thereabouts measured in a south-westerly direction from the south-eastern corner of the boundary of No. 104 Sedlescombe Road North and 41 yards or thereabouts measured in a north-westerly direction from the north-western corner of the boundary of No. 51 Burry Road and terminating in Sedlescombe Road North at a point 11 yards or thereabouts measured in a north-easterly direction from the south-eastern corner of the boundary of No. 104 Sedlescombe Road North and 52 yards or thereabouts measured in a northerly direction

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from the north-western corner of the boundary of No. 51 Burry Road;

Work No. 15 A widening and improvement of Sedlescombe Road North such widening being on the east side thereof commencing at a point 11 yards or thereabouts measured in a northerly direction from the south-western corner of the boundary of No. 99 Sedlescombe Road North and 14 yards or thereabouts measured in a south-westerly direction from the south-western corner of the boundary of No. 51 Burry Road and terminating at a point 39 yards or thereabouts measured in a northerly direction from the north-eastern corner of No. 138 Sedlescombe Road North and 20 yards or thereabouts measured in a north-westerly direction from the south-western corner of Silverhill House Sedlescombe Road North;

Work No. 16 A widening and improvement of Sedlescombe Road North such widening being on the west side thereof commencing at a point 8 yards or thereabouts measured in an easterly direction from the north-eastern corner of the boundary of No. 128 Sedlescombe Road North and 7 yards or thereabouts measured in a north-westerly direction from the north-western corner of the boundary of No. 2 Clements Cottages Sedlescombe Road North and terminating at a point 27 yards or thereabouts measured in a north-easterly direction from the north-eastern corner of Clyde House Sedlescombe Road North and 9 yards or thereabouts measured in a south-easterly direction from the north-western corner of the boundary of Meopham Bank Sedlescombe Road North;

Work No. 17 A widening and improvement of Sedlescombe Road North such widening being on the east side thereof commencing in the borough at a point $\frac{1}{2}$ yard or thereabouts measured in an easterly direction from the eastern corner of the boundary of Clyde House Sedlescombe Road North and 38 yards or thereabouts measured in a southerly direction from the south-western corner of Crossways Sedles-

combe Road North and terminating in the borough at a point 7 yards or thereabouts measured in an easterly direction from the north-eastern corner of the enclosure numbered 111 in the parish of Hollington Rural in the rural district of Battle on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheet LVIII 10) and 23 yards or thereabouts measured in a south-westerly direction from the south-western corner of Messrs. Burslam's stonemasons shop Sedlescombe Road North.

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18.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the works authorised by this Part of this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or any of them and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such works or any of them and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe or electricity or telephone wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

Subsidiary works in connection with street improvements.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

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

Limits of deviation.

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PART IV.

LANDS &C.

Power to
take lands
for works
&c.

20. Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the purposes of the works by this Act authorised.

Further
powers for
the acqui-
sition of
lands.

21. For the purpose of preventing the contamination of and ensuring the purity of any water which can or may be intercepted or taken by means of the waterworks the Corporation may enter upon take and use the lands in the county of East Sussex hereinafter referred to and delineated on the deposited plans and described in the deposited book of reference and may hold and use the same for the purposes of and in connection with the water undertaking. The lands in this section referred to are :—

(a) The enclosures numbered 663 902 904 905 909 910 911 912 913 917 924 925 926 927 928 929 930 930A 931 932 933 934 935 937 938 939 940 941 894 942 893 874A 874 876 877 878 875 887 882 885 886 886A 890 891 888 889 884 884A 883 880 881 and 879 in the parish of Ewhurst in the rural district of Battle on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets Nos. XLIV 5 and XLIV 6) :

(b) The enclosures numbered 392 369 391 390A 368 370 371 357 358 367 341 359 366 365 364 361 360 323 291 295 296 297 298 299 300 263A 301 302 311 315 316 320 325 324 321 322 319 318 362 363 317 314 313 312 309 306 307 308 and 305 in the parish of Sedlescombe in the rural district of Battle on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets Nos. XLIV 5 XLIV 6 XLIV 9 and XLIV 10) :

(c) The enclosures numbered 624 623 642 637 641 640 639 638 625 626 627 628 629 630 631 635 636 632 634 692 697 693 694 696 and 695 in the parish of Brede in the rural district of Rye on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets Nos. XLIV 6 and XLIV 10) :

- (d) The enclosures numbered 11 12 14 25 24 41 43 47 48 46 45 50 44 23 22 21 16 19 20 16A 17 53 57 59 58 56 64 69 63 62 and 62A in the parish of Udimore (Det. No. 1) in the rural district of Rye on the $\frac{1}{2500}$ Ordnance map (edition 1909 Sussex (East) sheets Nos. XLIV 6 and XLIV 10). A.D. 1928. —

22. In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous with such adjoining lands arising out of the widening or improvement of any existing street or arising through such adjoining lands becoming lands fronting on any such existing street shall be fairly estimated and shall be set off against the said compensation or purchase money. Benefits to be set off against compensation.

23.—(1) The Corporation may make byelaws for preventing the pollution fouling or contamination of the water which they are authorised to take for the purposes of the waterworks and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water. Byelaws for preventing pollution of water.

(2) The areas within which any byelaws made under this section shall be in force shall be defined in such byelaws and may comprise the whole or any part of the areas from or through which the said waters flow.

(3) The provisions with respect to byelaws to be made by an urban authority contained in sections 182 to 185 of the Public Health Act 1875 shall apply to byelaws made by the Corporation under this section.

(4) Any landowner who may be affected by any byelaws made under this section and the county council of East Sussex shall be entitled to be furnished with a copy thereof and to object to the confirmation thereof.

(5) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force Provided that such

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A.D. 1928. approval shall not be necessary where in the opinion of
— the Minister of Health it has been unreasonably withheld.

(6) The Corporation shall pay compensation to the owners of and other persons interested in any lands in respect of which byelaws shall be made under this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws or who are required by such byelaws to construct any works or to do any act or thing which could not lawfully be required by the local sanitary authority of the district in which such lands are situate or which for reasons which appear to such local sanitary authority to be sufficient have or has not in fact been required by such local sanitary authority and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889 and for the purposes of this subsection the expression "legal rights" shall include a user of land in respect of which the local authority might have taken proceedings under the Public Health Acts or under their byelaws but have decided not to do so having regard to the character or situation of the land.

(7) If the authority responsible for the maintenance of any highway in any area in which byelaws made under the provisions of this section shall be in force shall be required by the Corporation to construct filtration or other works for dealing with surface water from the highway the reasonable cost of the construction of such works shall be borne by the Corporation.

(8) If during the period when any byelaws made under the provisions of this section are in force the local sanitary authority empty and dispose of the contents of any cesspit cesspool or pail closet and for that purpose incur expense which would not have been necessary if such byelaws had not been in force the Corporation shall pay to the local sanitary authority all expense reasonably incurred by them for the said purpose and any dispute as to whether the expense incurred would or would not have been necessary if such byelaws had not been in force or as to whether any expense has been reasonably incurred shall be determined by the Minister of Health.

(9) If for the purpose of complying with any byelaws made by the Corporation under this section any local

authority shall construct any new drain sewer or works or enlarge any existing drain sewer or works the Corporation shall pay to the local authority— A.D. 1928.

- (a) the interest and sinking fund payments or contributions incurred annually by the local authority in respect of any moneys borrowed for and/or
- (b) such annual sum as the Corporation and the local authority agree or the Minister of Health on the application of either party determine in respect of the amount expended otherwise than out of borrowed moneys on

the construction of the whole or such part of the drain sewer and works or the whole or such portion of the enlargement of the drain sewer and works (as the case may be) as from time to time the Corporation and the local authority agree or the said Minister on the application of either party determine would not be necessary except for the purpose of complying with the said byelaws.

24. The Corporation on selling any lands held by them for the purposes of the water undertaking and not required for those purposes may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit. Reservation of water rights &c.

25. The powers of the Corporation for the compulsory purchase of lands and easements or rights for the purposes of this Act shall cease after the thirty-first day of October nineteen hundred and thirty-one. Period for compulsory purchase of lands &c.

PART V.

FINANCE.

26.—(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 Power to borrow.

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A.D. 1928. — respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column thereof (namely) :—

1	2	3
Purpose.	Amount.	Years from the date or dates of borrowing.
For the construction of the water-works :—	£	
Buildings — Pumping station filter house and cottage.	12,000	Fifty.
Impounding reservoir - - -	120,000	Sixty.
Trunk mains - - - -	44,000	Thirty-five.
Service reservoir - - -	15,000	Twenty-five.
Machinery—		
Pumping plant - - - -	16,000	Twenty.
Gravity filters - - - -	8,500	Fifteen.
Sterilising plant - - -	500	Ten.
Approach roads and fencing -	6,000	Thirty.
For the construction of the street improvements by this Act authorised.	100,000	Twenty.
For the acquisition of lands and easements for the waterworks and for the street improvements by this Act authorised.	56,000	Sixty.
For the acquisition of the lands referred to in the section of this Act of which the marginal note is "Further powers for the acquisition of lands" - - - -		
For the payment of the costs charges and expenses of obtaining this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act.

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

(i) For the purpose of the electricity undertaking of the Corporation as from time to time authorised with the consent of the Electricity Commissioners;

- (ii) For the purpose of any undertaking of the Corporation other than the electricity undertaking with the consent of the Minister of Health. A.D. 1928.

(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.

(3) In order to secure the repayment of any moneys borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge the borough fund and the consolidated rate.

27.—(1) When under the provisions of this Act or of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and to the accumulations thereof (if any) required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation (that is to say):—

Investment
of and pay-
ments into
sinking fund
and loans
fund.

(a) The Corporation may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities;

(b) The accumulations of the said yearly sums shall be paid and provided out of the borough fund and consolidated rate and any interest dividends and proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the borough fund.

(2) Section 179 (Power to invest all sinking funds in statutory securities) of the Act of 1924 is hereby repealed.

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Period for
repayment of
loans under
Municipal
Corporations
Act 1882.

Return to
Minister of
Health with
respect to
repayment
of debt.

28. Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister of Health shall in each case prescribe.

29.—(1) The town clerk of the borough shall if and when he is requested by the Minister of Health so to do send to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation in pursuance of 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 accountant or other the chief accounting officer of the Corporation and shall be sent 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 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 purpose 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 provisions of this section shall extend and apply to any annual returns required to be made to the Minister with regard to the repayment of debt by any provisions of the local Acts or Provisional Orders now in force in the borough notwithstanding anything contrary to or inconsistent therewith in any such Act or Order. A.D. 1928.

30. The Corporation may if they think fit form a fund to be called "the accident insurance fund" to provide for meeting claims upon them under the common law the Employers' Liability Act 1880 the Workmen's Compensation Acts 1923 and 1925 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of any accident whether to persons employed by or paid by or through the Corporation or to third parties occurring in the execution of any of their powers including accidents to children attending schools provided or maintained by the Corporation as the local education authority and such fund shall be formed by annually appropriating thereto such sums out of the borough fund as they from time to time deem expedient and such sums shall subject to the provisions of section 185 (Use of moneys forming part of sinking and other funds) of the Act of 1924 be invested at compound interest in or upon any statutory security but when the fund shall amount to the sum of twenty thousand pounds the Corporation may if they think fit discontinue such yearly payments but so that if the accident insurance fund is at any time reduced the Corporation shall recommence and continue the yearly payments until the accident insurance fund be restored to the sum of twenty thousand pounds. Provided that the Corporation may from time to time or at any time resort to the accident insurance fund for any purpose mentioned in this section notwithstanding that the sum shall not then have reached or shall have been reduced below the said sum of twenty thousand pounds. Accident insurance fund.

31. Where Corporation stock has been issued at a price lower than one hundred pounds stock for one hundred pounds sterling so much of the stock as represents the difference between the price of the stock as issued and its nominal value shall for the purposes of section 24 (Contributions to loans fund for extinction of stock) of the Hastings Improvement Act 1885 be As to stock issued at price lower than nominal value.

A.D. 1928. — treated as a loan authorised by a statutory borrowing power and repayable on or before the date at which the stock is first redeemable at par at the option of the Corporation and that section shall be read and have effect accordingly.

As to
expenses
of stock
issued.

32. If the Corporation create and issue Corporation stock for the purpose of defraying the expenses of the creation and issue of any Corporation stock the amount of stock created and issued for that purpose shall be redeemable and extinguished after and within the same periods after and within which the Corporation stock is to be redeemed and extinguished for the purpose of defraying the expenses of which it was so created and issued and for the purpose of determining the amount of the annual contributions to the redemption fund the amount of the said expenses shall be deemed to be the amount of a loan authorised by a statutory borrowing power and required to be paid off on or before the date at which the stock is first redeemable at par at the option of the Corporation.

Further
provisions
with regard
to transfer
of stock by
deed.

33.—(1) The following provisions shall apply to a transfer of Corporation stock under section 42 (Transfer by deed) of the Hastings Improvement Act 1885 in substitution for the provisions of subsection (5) of that section (namely):—

The Corporation or the registrar shall after reasonable notice and on delivery up of the old certificate or on such proof that it cannot be produced as the Corporation or the registrar may require deliver to the purchaser a new stock certificate under the seal of the Corporation.

(2) Subsection (5) of the said section 42 is hereby repealed.

As to joint
owners of
stock.

34. Where two or more persons are registered as owners of any Corporation stock such persons shall be deemed to be joint owners with right of survivorship between them.

Interest on
securities
held jointly.

35. Where more persons than one are registered as joint holders of any security of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation by any other of them.

36. From and after the passing of this Act subsection (1) of section 44 (Closing of transfer books) of the Hastings Improvement Act 1885 shall be read and have effect as if the words "twenty-eight days" were therein inserted instead of the words "fifteen days." A.D. 1928.
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Amendment of section 44 of Act of 1885.

37. If any money is payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation. Receipt in case of persons not sui juris.

PART VI.

MISCELLANEOUS.

38.—(1) No consumer to whom electricity is supplied by the Corporation for power purposes shall without the consent in writing of the Corporation use such electricity directly or indirectly for lighting purposes or suffer it to be so used. Use for lighting purposes of electricity supplied for power.

Any consumer who without such consent shall use or suffer to be used directly or indirectly for lighting purposes electricity supplied to him by the Corporation through a meter fixed for the purpose of ascertaining the value of the supply to him of electricity agreed to be supplied to him for power purposes shall be subject to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and shall in addition be liable to pay to the Corporation at such higher rate as they may be for the time being charging for the supply of electricity for lighting purposes for all or any portion of the electricity which has been supplied to him for power purposes within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

Any court having jurisdiction to impose such penalty may and shall on the application of the Corporation decide upon what portion (if any) of such electricity the higher charge as aforesaid shall be payable to the Corporation.

(2) The provisions of section 18 of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.

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Power to
advertise
entertain-
ments and
attractions
&c.

39.—(1) The Corporation may pay or contribute towards the payment of the cost of providing and maintaining at railway stations and other public places and in newspapers magazines and other publications and on passenger boats motor omnibuses and trolley vehicles plying in the borough or between the borough and other places advertisements relating to the performances and entertainments provided at their concert halls pavilions conservatories winter gardens bandstands and other buildings :

Provided that the amount to be expended in any year for the purposes of this section shall not be greater than the amount (calculated in accordance with the rules made from time to time by the Minister of Health under sections 9 and 58 of the Rating and Valuation Act 1925) which would be produced by a rate of one penny half-penny in the pound levied in that year in the borough.

(2) Section 129 (Power to advertise entertainments and attractions) of the Act of 1924 is hereby repealed.

Power to
establish
information
bureau.

40. The Corporation may establish and maintain in the borough an information bureau for the purpose of supplying such information with regard to the borough as may be desired by visitors or intending visitors to the borough and others and may employ and pay such number of clerks assistants and servants as they may think fit for the purpose and may if they think fit make charges for the use of such bureau or for information supplied by means thereof Provided that the amount to be expended in any year for the purposes of this section shall not be greater than the amount (calculated in accordance with the rules made from time to time by the Minister of Health under sections 9 and 58 of the Rating and Valuation Act 1925) which would be produced by a rate of one farthing in the pound levied in that year in the borough.

Recovery
of rates
from
persons
removing.

41. If a justice is satisfied on complaint by any rate collector that any person is quitting or about to quit any premises in the borough and has failed to pay on demand any consolidated rate which may be due from him and intends to evade payment of the same by departing from the borough the justice may in

addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the said rate collector to seize forthwith and detain the goods and chattels of such person until the complaint is determined upon the return of the summons. A.D. 1928
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42. No person shall be entitled to drive a motor vehicle licensed by the Corporation as a hackney carriage or omnibus unless he shall have satisfied the Corporation of his ability to drive and for that purpose the Corporation may impose such reasonable tests as they may think fit. Power to impose tests on motor drivers.

43.—(1) The Corporation may from time to time make regulations prescribing within the central area— Regulations for controlling traffic.

(a) the streets which are not to be used for traffic by vehicles of any specified class or description either generally or during specified hours ;

(b) the streets in which vehicular traffic shall pass in one specified direction only either generally or during specified hours ;

(c) the time during which any omnibus shall be allowed to remain at any one stand ; and

(d) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers :

Provided that any regulation made under paragraph (a) of this subsection shall not apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the central area whilst so engaged and that any regulation made under paragraph (a) or paragraph (b) of this subsection shall not apply to any tramcar or trolley vehicle.

(2) Before any regulations made under this section shall come into force the Corporation shall submit the same to the Minister of Transport for his approval and shall give notice of the subject matters of the regulations by advertisement in a local newspaper circulating in the borough and in the London Gazette and in such other manner (if any) as the Minister of Transport may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from

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A.D. 1928. — the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the Minister of Transport and that any such person shall at the same time send a copy of his representations to the town clerk of the borough.

(3) The Minister of Transport shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modifications or may disapprove the same.

(4) Before approving any regulations the Minister of Transport may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister of Transport any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister of Transport for the services of such person.

(5) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the borough and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

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

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a local newspaper circulating in the borough and otherwise in such manner as may be prescribed by the Minister of Transport and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

(8) The Minister of Transport on the application of any company body or person appearing to him to be sufficiently interested and alleging that any regulation made under this section is unsuitable for the traffic requirements of the borough may if satisfied as to the correctness of such allegation and after considering any representations made to him by the Corporation modify or extend the regulation to which the application relates. A.D. 1928.

(9) A copy of any regulations approved under this section (with any modifications or extensions made by the Minister of Transport as aforesaid) purporting to be signed by the town clerk of the borough and certified by him to be a true copy and to have been duly approved shall be evidence (until the contrary is proved) in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(10) As respects any regulation made and approved under this section (subject to any modification or extension made by the Minister of Transport as aforesaid) any person who—

- (a) shall contravene any regulation under paragraph (a) of subsection (1) of this section after warning given by word or signal by a police constable in uniform; or
- (b) shall drive or cause to be driven any vehicle in any street in relation to which a regulation shall be in force under paragraph (b) of subsection (1) and a warning notice shall have been erected pursuant to subsection (7) of this section in contravention of such regulation; or
- (c) shall contravene any regulation under paragraph (c) or paragraph (d) of subsection (1) of this section;

shall be liable to a penalty not exceeding forty shillings.

(11) In this section—

- (a) “the central area” means the portion of the borough comprised within a circle having a radius of one mile from the Town Hall Hastings;

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(b) "stand" means a place where omnibuses may stop a longer time than is necessary for the taking up and setting down of passengers desirous of entering or leaving the same; and

(c) "specified" means specified in any regulations made or approved under this section.

For protec-
tion of
Hastings
Tramways
Company.

44. If in the exercise of any of the powers of this Act the Corporation shall open or break up any road along or across which any tramway or light railway of the Hastings Tramways Company (hereinafter referred to as "the company") is laid or in which is situate any apparatus and equipment belonging to the company and used for the purpose of working any trolley vehicles the Corporation shall be subject to the provisions of paragraphs 1 to 4 (inclusive) of section 32 of the Tramways Act 1870 and for the purposes of this section those provisions shall have effect as if—

(a) the expression "the promoters and lessees" meant the company;

(b) the expression "the tramway" included a light railway and any such apparatus or equipment as aforesaid;

(c) the expression "the traffic on the tramway" included the running of trolley vehicles by the company; and

(d) the expression "the powers so vested in them as aforesaid" included the powers conferred upon the Corporation by this Act.

Insurance
by hackney
carriage pro-
prietors.

45. The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and

all the provisions of that subsection shall apply A.D. 1928.
accordingly.

46.—(1) If the Corporation shall by resolution determine that any banner streamer sign or lettering suspended across or hung over any street in the borough is a nuisance or objectionable by reason of its size construction or situation or an injury to the amenities of the borough they may by notice in writing require the owner of or person responsible for the suspension or hanging of such banner streamer sign or lettering to remove the same within such period not being less than three days as may be specified in the notice.

Banners
and signs
over streets.

(2) Any person neglecting to comply with the requirement of any such notice and any person who shall have removed any such banner streamer sign or lettering as is referred to in any such notice (whether the removal be effected before or after the receipt of the notice) and shall after such removal suspend or hang the same or any similar banner streamer sign or lettering without the permission in writing of the Corporation or without complying with any conditions attaching to any such permission shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings.

(3) For a period of two years from the passing of this Act the foregoing provisions of this section shall not apply to any such banner streamer sign or lettering as is referred to in subsection (1) hereof which was in use on the eighteenth day of November nineteen hundred and twenty-seven.

(4) Any person aggrieved by any requirement of any notice of the Corporation or the withholding of permission by the Corporation or the conditions attached to any such permission under the provisions of this section 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 notice of the Corporation under this section.

(5) The court before which any proceedings are taken under subsections (2) or (4) of this section may

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A.D. 1928. — for the purpose of giving effect to any decision at which it may arrive authorise the Corporation to enter the premises from which the banner streamer sign or lettering is suspended or hung and to remove the same and to recover the cost of so doing from the person in default.

Service of
summons
on members
of Council.

47. Notwithstanding anything contained in the second schedule of the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage.

Application
of provisions
of Acts of
1911 and
1924.

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

The Hastings Corporation (Water and Finance) Act 1911—

Section 23 (Sinking fund):

Provided that the said section 23 shall be read and have effect as if the words “three
“ pounds ten shillings per centum per annum
“ or such other rate as the Minister of Health
“ may approve” were inserted in subsection (1)
(b) of that section instead of the words
“three pounds per centum per annum”
and as if the prescribed period therein
mentioned were the respective periods
mentioned in the third column of the table
set out in the section of this Act whereof
the marginal note is “Power to borrow”;

Section 26 (Certain regulations of Public Health Act as to borrowing not to apply);

Section 28 (Application of borrowed moneys);

Section 31 (Protection of lender from inquiry);

Section 33 (Corporation not to regard trusts);

The Act of 1924—

Section 10 (Limiting powers of Corporation to abstract water);

Section 11 (Waterworks to form part of water undertaking); A.D. 1928.

Section 15 (Application of Waterworks Clauses Act 1847);

Section 16 (For protection of Postmaster-General);

Section 35 (Power to alter steps pipes areas &c.);

Section 36 (Land laid into streets to form part thereof);

Section 39 (Temporary stoppage of streets):

Provided that the said section 39 shall be read and have effect as if the words "Parts II and III of" had been omitted therefrom;

Section 42 (Persons under disability may grant easements &c.);

Section 43 (Correction of errors in deposited plans and in book of reference);

Section 45 (Corporation may acquire easements only in certain cases);

Section 46 (Power to purchase lands already subject to easements);

Section 47 (Compensation in case of recently acquired interest):

Provided that the said section 47 shall be read and have effect as if the first day of November nineteen hundred and twenty-seven were therein mentioned instead of the first day of November one thousand nine hundred and twenty-three;

Section 48 (Owners may be required to sell parts only of certain lands and buildings):

Provided that the said section 48 shall have effect with the substitution of the Schedule to this Act for the Second Schedule to the Act of 1924;

Section 51 (Proceeds of sale of surplus lands);

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A.D. 1928.	Section 52	(Power to Corporation to enter upon property for survey and valuation);
	Section 53	(Extinction of private rights of way);
	Section 174	(Mode of raising money);
	Section 175	(Provisions of Public Health Act 1875 as to mortgages to apply);
	Section 176	(Mode of payment off of money borrowed);
	Section 180	(Appointment of receiver);
	Section 204	(Penalties to be paid over to accountant);
	Section 205	(Informations by whom to be laid);
	Section 206	(Saving for indictments &c.);
	Section 213	(Inquiries by Minister of Health);
	Section 214	(Powers of Act cumulative).

Costs of
Act.

49. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto 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 or consolidated rate or such other funds and revenues and in such proportions as the Corporation may by resolution determine or out of money to be borrowed under this Act for that purpose.

A.D. 1928.

TO BE TAKEN.

Whatlington	-	-	No. 12	2 and 3
Hastings	-	-	No. 13	4a
Hastings	-	-	No. 14	3
Hastings	-	-	No. 15	5 6 9 10 14 and 15
Hastings	-	-	No. 16	13 17 21 29 31 32 33 36 39 42 and 43
Hastings	-	-	No. 17	38 39 40 42 43 44 45 46 47 53 and 57
Hollington Rural	-	-	No. 17	7 8 9 and 13

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