



## CHAPTER xxi.

An Act to confer further powers upon the mayor  
aldermen and citizens of Oxford with regard  
to their electricity undertaking to make further  
and better provision for the improvement health  
and local government of the city of Oxford and  
for other purposes. [28th June 1933.]

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**W**HEREAS the city of Oxford (in this Act called "the city") is a municipal borough under and subject to the Municipal Corporations Act 1882 and is also a county borough under the Local Government Act 1888 and the mayor aldermen and citizens of Oxford (in this Act called "the Corporation") acting by the council of the city are the urban sanitary authority of the city under the Public Health Act 1875 :

And whereas in pursuance of section 63 of the Oxford Electric Lighting Order 1890 (confirmed by the Electric Lighting Orders Confirmation (No. 5) Act 1890) and of an agreement made the thirty-first day of December one thousand nine hundred and thirty-one between the Corporation and the Oxford Electric Company Limited the Corporation acquired the undertaking referred to in the said section 63 and the Corporation are supplying electricity within that portion of the city which comprised the urban sanitary district of Oxford as the same was constituted at the commencement of the said Order of 1890 :



Lords Spiritual and Temporal and Commons in this A.D. 1933.  
present Parliament assembled and by the authority of —  
the same as follows :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Oxford Corporation Short title.  
Act 1933.

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

Division of  
Act into  
Parts.

Part I.—Preliminary.

Part II.—Electricity.

Part III.—Alteration of road and footpaths.

Part IV.—Lands.

Part V.—Streets buildings sewers drains &c.

Part VI.—Infectious disease and sanitary  
matters.

Part VII.—Markets &c.

Part VIII.—Food.

Part IX.—Amalgamation of parishes.

Part X.—Financial.

Part XI.—Miscellaneous.

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

Incor-  
poration of  
Acts.

The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) Provided that 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 ;

The schedule to the Electric Lighting (Clauses) Act 1899 (as amended by subsequent Acts) except subsection (1) of section 7 subsection (1) of section 21 section 83 and section 84 Provided that section 20 of that schedule in its application to the electricity undertaking shall have

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effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways";

The provisions of the Markets and Fairs Clauses Act 1847 with respect to the following matters so far as those provisions relate to markets:—

The holding of the market or fair and the protection thereof except section 12;

Weighing goods and carts;

The stallages rents and tolls to be taken by the undertakers; and

Section 42 (Byelaws may be made for all or any of the following purposes).

(2) For the purposes of the incorporation of the aforesaid Acts and parts of Acts the following provisions shall have effect:—

- (i) The several expressions "the promoters of the undertaking" "the undertakers" "the company" and "the commissioners" where used in any of those Acts shall mean the Corporation;
- (ii) The expression "the special Act" where used in any of those Acts shall mean this Act;
- (iii) The expressions "the limits of the special Act" and "the prescribed limits" and any like expressions where used in the Markets and Fairs Clauses Act 1847 shall mean the city;
- (iv) The expression "the Special Order" where used in the schedule to the Electric Lighting (Clauses) Act 1899 shall mean Part II (Electricity) of this Act.

Inter-pretation.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith or by the Public Health Acts the Electric Lighting Act 1882 or the schedule to the Electric Lighting (Clauses) Act 1899 shall 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 city" means the city of Oxford;

"The Corporation" means the mayor aldermen and citizens of Oxford;

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- “ The council ” means the council of the city ;
- “ The town clerk ” “ the treasurer ” “ the engineer ”  
“ the medical officer ” and “ the sanitary  
inspector ” mean respectively the town clerk  
the treasurer the engineer the medical officer of  
health and the sanitary inspector of the city  
and respectively include any person duly  
appointed by the Corporation to discharge  
temporarily the duties of any of such officers ;
- “ The local Acts ” means the local Acts specified  
in Part I of the First Schedule to this Act  
the Orders specified in Part II of that schedule  
and so much of the confirmation Acts specified  
in that Part as relates to those Orders except  
any part of any such Acts or Orders repealed  
by any subsequent Act or Order or by this Act ;
- “ The Act of 1890 ” means the Oxford Corporation  
Act 1890 ;
- “ The Act of 1925 ” means the Oxford Corporation  
Act 1925 ;
- “ The Act of 1928 ” means the Oxford Corporation  
(Water &c.) Act 1928 ;
- “ The Lands Clauses Acts ” means the Lands  
Clauses Acts as modified by the Acquisition of  
Land (Assessment of Compensation) Act 1919  
and by this Act ;
- “ The Public Health Acts ” means the Public Health  
Act 1875 and the Acts amending and extending  
the same ;
- “ The Municipal Corporations Acts ” means the  
Municipal Corporations Act 1882 and the Acts  
amending and extending that Act ;
- “ The general rate fund ” and “ the general rate ”  
mean respectively the general rate fund and  
the general rate of the city ;
- “ The Minister ” means the Minister of Health ;
- “ The electricity undertaking ” means the electricity  
undertaking of the Corporation as from time  
to time authorised ;
- “ The electricity limits ” means the area of supply  
described in the Second Schedule to this Act

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—

or other the limits within which the Corporation are from time to time authorised to supply electricity;

“The appointed day” means the first day of April one thousand nine hundred and thirty-four;

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

“New” applied to a street designates a street begun to be laid out or made after the passing of this Act;

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

“Infectious disease” means (except where otherwise stated) any infectious disease to which the Infectious Disease (Notification) Act 1889 is for the time being applicable within the city;

“The markets undertaking” means the markets undertaking for the time being of the Corporation;

“Market-house” includes market hall;

“Market stand” means any stand stall shed table compartment or place in any market-house or market hall of the Corporation;

“Marketable commodities” with reference to any market includes all commodities provisions articles and things other than animals which may be sold in the market;

“Food” has the meaning assigned to it by section 34 (Definitions) of the Food and Drugs (Adulteration) Act 1928;

“The water undertaking” means the water undertaking for the time being of the Corporation;

“The county” means the county of Oxford;

“The county council” means the county council of the county;

“The tribunal” means the tribunal to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

“ Statutory security ” and “ statutory borrowing power ” have the meanings respectively assigned to them by section 4 (Interpretation) of the Act of 1925; A.D. 1933.  
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“ Revenues of the Corporation ” includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and from Government grants and from the rates or contributions leviable by or on the order or precept of the Corporation.

## PART II.

### ELECTRICITY.

5. The electricity undertaking as it exists at the passing of this Act shall continue to be vested in the Corporation and shall be held used and enjoyed by them. Electricity undertaking to vest in Corporation.

6. The Oxford Electricity Orders 1890 to 1924 shall subject as hereinafter provided cease to apply to the Corporation as undertakers within the area described in the Second Schedule to this Act and to the electricity undertaking but without prejudice to anything done or suffered or to any liability to a penalty or otherwise incurred or to the prosecution of any legal proceedings thereunder pending or any agreement in existence at the passing of this Act : Oxford Electricity Orders 1890 to 1924 to cease to apply within electricity limits.

Provided that the Oxford Electric Company Limited may maintain repair inspect or remove any mains or conduits laid before the passing of this Act by the said company within the area of supply and which shall not have been purchased by the Corporation and for that purpose the said company shall continue to have the same powers and be subject to the same obligations and liabilities as if the maintenance repair inspection or removal of such mains or conduits were subject to the provisions of the Oxford Electricity Orders 1890 to 1924.

7. The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 incorporated with this Act shall apply to the electricity undertaking in all respects as though that undertaking had been originally authorised by this Act. Application of Electric Lighting (Clauses) Act 1899.

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Area of  
supply.

**8.** The area of supply for the purposes of this Part of this Act and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the Second Schedule to this Act.

As to  
streets  
forming  
boundary of  
electricity  
limits.

**9.** Where the electricity limits are bounded by or abut on any street wholly or for part of its width outside those limits the Corporation may for the purpose of supplying electricity to the owner or occupier of any premises abutting on such street and being within the electricity limits exercise with respect to the whole width of the street the like powers of breaking up the street for the purpose of laying maintaining inspecting repairing and renewing electric lines and works as are exerciseable by them with respect to streets within the electricity limits and subject to the like conditions Provided that nothing in this section shall entitle or require the Corporation to supply electricity to the owner or occupier of any premises abutting on any such street as aforesaid and being outside the electricity limits.

Mainten-  
ance and  
use of  
existing  
generating  
station.

**10.** The Corporation may upon the lands described in the Third Schedule to this Act while they are possessed of the same continue maintain improve alter enlarge work and use their existing generating station together with such machinery engines works matters or things of whatever description as may be required by the Corporation to enable them to generate transform and transmit electricity and the Corporation may on those lands while they are possessed of the same generate transform and transmit electricity accordingly Provided that nothing in this section shall relieve the Corporation from the necessity for obtaining the consent of the Electricity Commissioners under section 11 of the Electricity (Supply) Act 1919 as amended by section 13 of the Electricity (Supply) Act 1922 to any extension of the existing generating station.

Maximum  
prices.

**11.** The maximum prices which may be charged by the Corporation as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be those stated in the Fourth Schedule to this Act.

Minimum  
charges for  
electricity.

**12.** The minimum charges per quarter which are specified in the Fourth Schedule to this Act shall be paid to the Corporation by the occupier of any premises connected to a distributing main of the Corporation in



respect of each quarter of any year during the whole or any part of which quarter such premises are so connected whether electricity has actually been consumed on such premises or not during the currency of such quarter.

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**13.**—(1) The Corporation may if they think fit make an allowance by way of discount not exceeding the rate of five per centum on the amount due in respect of any charges for electricity supplied by them from every person who pays the same within such time after demand thereof as the Corporation think fit to prescribe in that behalf. Provided that all discounts shall be of equal amount in like circumstances to all consumers.

Discount  
on elec-  
tricity  
charges.

(2) If and so soon as the Corporation decide to allow any such discount notice to that effect shall be contained in every demand note in respect of such charges.

**14.** Notices and demand notes orders or other documents in respect of charges leviable by and due to the Corporation for electricity supplied by them may be served in the same manner as notices demand notes orders or other documents under the Rating and Valuation Act 1925 are by section 59 (Service of notices &c.) of that Act authorised to be served.

Service of  
electricity  
notices and  
demand  
notes.

**15.** Notwithstanding anything in any Act or Order relating to the Corporation or the electricity undertaking the Corporation on the one hand and any authority company body or person to whom the Corporation are authorised to supply electricity (other than authorised distributors) on the other hand may enter into and carry into effect contracts or agreements for or with respect to the supply of electricity by the Corporation to such authority company body or person and at such price and on such terms and conditions as may be agreed and the Corporation may supply electricity accordingly. Provided that the Corporation shall not in making any such contract or agreement show any undue preference to any such authority company body or person.

Supply of  
electricity  
on special  
terms.

**16.** The Corporation may levy and recover such charges as they think fit for taking the reading of any electricity meter fixed in a house which is either in whole or in part let furnished at the request of and for the convenience of consumers at times other than those of the periodical readings. Provided that such charges

Charges for  
special  
readings of  
electricity  
meters.

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Electricity supplied for power not to be used for lighting.

**17.**—(1) No consumer to whom electricity is supplied by the Corporation shall without the consent in writing of the Corporation use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illuminating or for any process operation or purpose involving or requiring the use of light (all of which purposes are in this section referred to as “lighting purposes”) the whole or any part of any electricity supplied to him by the Corporation for any other purpose.

(2) Any consumer who without such consent shall use or allow to be used 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 any purpose other than lighting purposes shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and shall in addition be liable to pay the Corporation at such higher rate as they may for the time being be charging for the supply of electricity for the purpose for which the electricity is used or allowed to be used by the consumer for all or any portion of the electricity which has been supplied to him for any other purpose within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

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

(4) 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.

Power to construct electricity sub-stations under streets.

**18.** Subject to the provisions of the Electricity (Supply) Acts 1882 to 1928 and the schedule to the Electric Lighting (Clauses) Act 1899 the Corporation may in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use

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and being in either case a street within the electricity limits construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient Provided that—

- (a) Where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same; and
- (b) The Corporation shall not construct any such sub-station transforming station or work (i) in or upon any bridge carrying a street over the railway of any railway company or under any bridge carrying the railway of any railway company over a street or within fifteen feet of any portion of any abutment or wing wall of any such bridge without the consent of the railway company which consent shall not be unreasonably withheld or (ii) so as to interfere with or render less convenient the access to or exit from any station or depot of any railway company.

Any difference which may arise between any railway company and the Corporation as to whether any consent of the railway company under this proviso has been unreasonably withheld shall be determined by an arbitrator to be agreed or failing agreement to be appointed on the application of either party after notice in writing to the other party by the President of the Institution of Civil Engineers.

**19.** The Corporation may upon the application of the owner or occupier of any premises within the electricity limits abutting on or being erected in any street laid out or made and whether dedicated to the public use or not supply such premises with electricity and may lay down

Power to lay electric mains in private streets.

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take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1928 and of the schedule to the Electric Lighting (Clauses) Act 1899 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof and to any works constructed or executed by the Corporation under the provisions of this section :

Provided that nothing in this section shall apply to any street belonging to and forming the approach to any station or depot of a railway company nor shall the Corporation in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

Power to  
supply  
electricity  
in neigh-  
bouring  
districts.

20.—(1) Where any local authority for or company supplying electricity in any district adjacent or in proximity to the electricity limits or on the route of any electric line belonging to the Corporation desires to be supplied with electricity by the Corporation such local authority or company being authorised to supply electricity under the provisions of the Electricity (Supply) Acts 1882 to 1928 the Corporation may supply electricity in bulk to any such local authority or company but nothing in this section shall authorise the Corporation to lay any electric line or interfere with any street beyond the electricity limits Provided that the Corporation shall not supply electricity under this section to any local authority or company authorised to supply electricity—

(a) within the area of supply of the Wessex Electricity Company other than the Oxford Electric Company Limited or other the undertakers for the time being for the purposes of the Oxford Electricity Orders 1890 to 1924 except with the previous consent in writing of the Wessex Electricity Company; or

(b) within the area of supply of the Shropshire Worcestershire and Staffordshire Electric Power Company except with the previous consent in writing of that company.

(2) Any agreement or contract for the supply of electricity by the Corporation in bulk made under the provisions of this section shall be submitted to the Electricity Commissioners for their approval.

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**21.** The Corporation may by agreement supply electricity to any house building or other premises which or the curtilage of which is partly within and partly outside the electricity limits in the same manner as if those premises were wholly within such limits :

Supply to premises partly without electricity limits.

Provided that the Corporation shall not supply electricity under this section to any such premises as aforesaid for use within—

- (a) the area of supply of the Oxford Electric Company Limited without the consent of that company; or
- (b) the area of supply of the Wessex Electricity Company without the consent of that company;

but no such consent shall be unreasonably withheld. Any question as to whether any such consent is unreasonably withheld shall be determined by the Electricity Commissioners.

**22.—**(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of electricity taken on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for the premises of such consumer the sum so to be paid to be determined in default of agreement by arbitration in the manner provided by section 28 of the Electric Lighting Act 1882.

Maximum power which may be demanded.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

**23.** The powers of the Corporation under section 21 of the Electric Lighting Act 1882 of cutting off supplies of electricity and cutting or disconnecting electric lines or works and of recovering the expenses incurred in such

Power to cut off supplies where charges &c. not wholly paid.

A.D. 1933. cutting off shall be exerciseable in any case in which  
— any part of any charge or sum due to the Corporation—

(a) for electricity supplied by them; or

(b) in respect of any apparatus or fitting which is  
let on hire by the Corporation or supplied  
by them on hire purchase terms and which the  
Corporation are under obligation to maintain;

remains unpaid after the expiration of such period from  
the date of demand thereof as the Corporation may from  
time to time determine.

Power to  
recover  
cost of  
cutting off  
supplies.

**24.** In any case in which the Corporation lawfully  
cut off a supply of electricity by reason of any act  
omission or default of a consumer or any other person  
they may recover from the person to whom the supply  
was theretofore furnished or from any other person on  
account of whose act omission or default such supply  
was cut off the reasonable expenses incurred by them  
in such cutting off in like manner as charges for  
electricity are recoverable by the Corporation.

Power of  
entry for  
substitution  
of cables &c.

**25.** In any case in which the proper and efficient  
supply of electricity necessitates the substitution of a  
new cable or other work situate in or upon the private  
property of a consumer the Corporation after giving  
forty-eight hours' notice in writing under the hand of the  
town clerk to the occupier or if there be no occupier  
then to the owner or lessee of any house building or land  
in which such cable or work is laid or fixed may enter  
such house building or land between the hours of nine  
in the morning and four in the afternoon or with the  
authority in writing of a justice at any other time for  
the purpose of effecting such substitution repairing all  
damage caused by such entry or substitution.

Further  
powers as  
to entry  
upon  
premises.

**26.—**(1) The powers conferred by section 24 of the  
Electric Lighting Act 1882 of entering premises for the  
purposes mentioned in that section shall extend to enable  
the Corporation to enter any premises to which electricity  
is or is proposed to be or has been supplied by them  
(whether for the time being occupied or not) and in or upon  
which they have reason to believe that there is or has  
been any contravention of any Act or Order relating  
to the electricity undertaking or of any byelaw or  
regulation made thereunder and to inspect such premises  
and any electric lines wires fuses casings switches fittings

lamps lampholders or other apparatus therein and in any case in which any such contravention is found to exist or to have existed to cut off and disconnect the supply of electricity to the premises. A.D. 1933.  
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(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 or section 16 of the Electric Lighting Act 1909 or this section are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof either personally or if he be unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

(3) Any person who shall refuse or neglect to admit any officer appointed by the Corporation to any premises which he is entitled to enter in pursuance of the said section 24 or the said section 16 or this section or shall hinder any such officer from entering any such premises or from exercising the powers contained in any of the said sections shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(4) The provisions of this section shall not apply to or in respect of any building or premises (not being a dwelling-house) belonging to and used by any railway company for the purposes of their railway and forming part of any station or goods depot.

27. The provisions of section 38 (Penalty for injuring meters) of the Gasworks Clauses Act 1871 (incorporated with the Electric Lighting Act 1882) shall apply to any person who wilfully fraudulently or by culpable negligence injures or detaches or suffers to be injured or detached any of the sealing or locking devices attached to any sealed or locked receptacle meter or apparatus inserted by the Corporation in any electric line within a consumer's premises or opens or suffers to be opened any such sealed or locked receptacle meter or apparatus. Protection of seals &c. belonging to Corporation.

28. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electricity to any consumer the Corporation may use the transformer for the purpose of affording a As to use of transformers.

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supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which that transformer was originally provided.

Notice to  
discontinue  
supply of  
electricity.

**29.**—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the electricity undertaking or be given by the consumer personally at the office of the electricity undertaking.

(2) Notice of the effect of this section shall be endorsed upon every demand note for charges for electricity.

Period of  
error in  
defective  
meter.

**30.** In the event of a meter of a construction and pattern approved by the Board of Trade or the Minister of Transport and used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it is proved to have first arisen during the then current quarter. The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and in the case of a surcharge shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Provisions  
as to  
supply of  
electricity  
by  
agreement.

**31.**—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of the agreement—

- (a) the Corporation may if they think fit discontinue to supply electricity to that consumer;
- (b) the consumer shall in respect of all the electricity supplied to him by the Corporation within one year previous to the date of any demand in that behalf made upon him by the Corporation (whether they determine to discontinue the supply or not) be liable to pay the Corporation at any higher rate which they may for the time being be charging for the supply of electricity for use in the manner or under the conditions



in or under which the consumer used the electricity supplied to him; and A.D. 1933.

(c) the Corporation in any case in which they discontinue the supply as aforesaid shall not be required to resume the supply until—

(i) they are satisfied that any electricity supplied to the consumer will be consumed in accordance with the terms of the agreement; and

(ii) the consumer has paid to the Corporation the sum payable by him pursuant to the foregoing paragraph (b) :

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the supply seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of the agreement.

(2) A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in the agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for those provisions.

**32.**—(1) The Corporation may make byelaws for the purpose of preventing fire or any injury to persons in any building or premises supplied or proposed to be supplied with electricity by the Corporation with respect to the nature material workmanship and mode of

Byelaws  
as to  
apparatus  
and  
fittings.

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arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and may refuse to supply electricity to any building or premises in which such byelaws are not complied with.

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

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

Transfer of  
under-  
takings by  
agreement  
to Cor-  
poration.

**33.**—(1) The Corporation may by agreement (but not otherwise) acquire from any local authority company or person who is or shall be authorised by Act of Parliament or by Provisional Order confirmed by Parliament or by Special Order to supply electricity in an area adjoining the electricity limits (in this section called “authorised undertakers”) the undertaking authorised by such Act or Order or any part or parts thereof and the powers rights authorities and privileges of the authorised undertakers in relation to the undertaking or part or parts thereof so acquired and the authorised undertakers may with the approval of the Electricity Commissioners by deed to be approved by the commissioners transfer their undertaking or part or parts thereof together with such powers rights authorities and privileges as aforesaid to the Corporation subject to such exceptions and modifications (if any) and upon such terms as may be specified in the deed.

(2) In the event of the Corporation acquiring the undertaking of any authorised undertakers or any part or parts thereof under this section the Corporation shall subject to such exceptions or modifications (if any) as aforesaid and subject to the duties and obligations of such authorised undertakers in respect thereof be deemed to be the undertakers for all the purposes of the Act or Order in relation to the undertaking or part or parts thereof so acquired.

(3) The powers conferred by this section shall not be exercised by the Corporation in respect of any

undertaking or part of an undertaking situate in an area not for the time being included within the city and being within the area of supply of the Wessex Electricity Company except with the previous consent in writing of that company.

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(4) Nothing in this section shall prejudice or affect any right or power of the Corporation to acquire the undertaking of any authorised undertakers or any part or parts thereof under section 2 of the Electric Lighting Act 1888 or under any other Act or Order.

**34.** The provisions of section 16 of the Electricity (Supply) Act 1919 as modified and set forth in the Fourth Schedule to the Electricity (Supply) Act 1926 and as amended by the Electricity (Supply) Act 1928 shall extend and apply to any officer or servant of any local authority company or person (not being a director of such company) affected by the acquisition of or closing (permanent or temporary) or restriction in the working or use of a generating station or by the acquisition of a main transmission line or any part thereof under or in consequence of any agreement entered into by the Corporation under the powers conferred on them by the section of this Act of which the marginal note is "Transfer of undertakings by agreement to Corporation" as if such acquisition closing or restriction were an acquisition or a closing of or a restriction on the working or use of a generating station under or in consequence of the said Act of 1926.

Compensa-  
tion for  
deprivation  
of employ-  
ment.

**35.** Where under the authority of the Municipal Corporation Acts the Corporation appoint out of their own body any committee for the execution of any of the purposes of this Part of this Act they may delegate to any such committee such of the powers and duties of the Corporation under this Part of this Act as the Corporation think fit for the purpose of carrying into effect any orders of the Corporation and the acts and proceedings of any such committee within the limits of such delegation shall be deemed to be the acts and proceedings of the Corporation or the Corporation may appoint any committee for any purpose of this Part of this Act so that the acts of any such last-mentioned committee shall be submitted to the Corporation for approval.

Com-  
mittees of  
Corporation.

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Saving for  
Thames  
Conser-  
vancy.

**36.** Nothing in this Part of this Act shall authorise the Corporation to interfere in any manner with the bed or shore of the river Thames or the navigation thereof or affect in any manner the rights powers or privileges of the conservators of the river Thames.

Expenses  
and receipts  
under  
Part II.

**37.** Any expenses incurred and moneys received by the Corporation under this Part of this Act shall respectively be deemed to be expenses incurred and moneys received in respect of the electricity undertaking.

## PART III.

## ALTERATION OF ROAD AND FOOTPATHS.

Power to  
stop up  
portions of  
road and  
footpaths.

**38.**—(1) The Corporation may stop up and discontinue the user by the public of—

- (a) so much of Barton Road Headington in the city as extends from its junction with the Oxford northern bye-pass road to a point twenty-one yards or thereabouts measured in a southerly direction from the southern boundary of the said bye-pass road;
- (b) the footpath in the city leading from the Oxford northern bye-pass road through the Cutteslowe Estate of the Corporation to Banbury Road.

(2) The Corporation may divert in a northerly direction and within the limits shown on the deposited plans so much of the footpath in the parish of Littlemore in the rural district of Bullingdon in the county of Oxford leading from the main Henley Road through the Rose Hill Estate of the Corporation to the village of Iffley as is shown on the deposited plans as intended to be altered and diverted and may stop up such portion of the said existing footpath as will be rendered unnecessary by the construction of such diversion.

(3) Notwithstanding the stopping up of the said portion of Barton Road the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said portion of the road or any part thereof any telegraphic line of the Postmaster-General which is in under upon along over or across the same and the Corporation shall pay to the Postmaster-General the expenses incurred by him of and incidental to

the removal of the 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.

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**39.** Where this Act authorises the diversion and the stopping up of an existing footpath or portion thereof such stopping up shall not take place until such diversion of footpath is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Corporation and the road authority until two justices shall have certified that the diversion of footpath has been completed to their satisfaction and is open for public use.

Stopping  
up footpath  
in case of  
diversion.

Before applying to the justices for their certificate the Corporation shall give to the road authority of the district in which the existing footpath is situate seven days' notice in writing of their intention to apply for the same.

As from the completion to the satisfaction of the road authority of the diversion of footpath or as from the date of the said certificate as the case may be all rights of way over or along the footpath or portion thereof authorised to be stopped up shall be extinguished :

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.

**40.** All lamp-posts paving metalling and other materials in or under any street or part of a street altered or diverted under the powers of this Part of this Act and all materials obtained in the alteration of or interference with any sewer drain channel gas or water main or pipe wire or apparatus under the powers of this Part of this Act shall by virtue of this Act vest in the Corporation who may appropriate and use or sell or dispose of the same or any of them :

Vesting and  
disposing of  
materials.

Provided that the Corporation shall not alter or interfere with any telegraphic line belonging to or used by the Postmaster-General except under and subject to the provisions of the Telegraph Act 1878.

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## PART IV.

## LANDS.

Power to  
take lands.

41. Subject to the provisions of this Act the Corporation may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference or any outstanding interest in those lands not vested in the Corporation at the passing of this Act as the Corporation may require for and in connection with the purposes of Part III of this Act :

Provided that the Corporation shall not under the powers of this section enter upon take or use the lands numbered on the deposited plans 1 2 3 4 5 and 6 in the parish of Oxford or any such outstanding interest as aforesaid in those lands.

Correction  
of errors in  
deposited  
plans and  
book of  
reference.

42. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the county council and a duplicate thereof shall also be deposited with the town clerk or with the clerk of the council for the district in which the lands are situate and if the lands are situate in a rural parish having a parish council also with the clerk of that council and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

43. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease on the first day of October one thousand nine hundred and thirty-six.

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Period for compulsory purchase of lands.

44. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Part of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the twenty-sixth day of November one thousand nine hundred and thirty-two if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently acquired interest.

45.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall be extinguished as from the date of the acquisition of such lands by the Corporation if the Corporation shall by resolution so determine and give notice in writing of such their resolution to the owner of any right of way referred to therein.

Extinction of private rights of way.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any rights extinguished under the provisions 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.

46. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the Lands Clauses Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

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Retention  
and  
disposal of  
lands.

47.—(1) Notwithstanding anything in any other Act or otherwise to the contrary the Corporation may retain hold and use for such time and for such purpose as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands vested in them or acquired by them under any public general Act from time to time in force in the city or under any local enactment from time to time in force in the city and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposal of such lands or interests in lands and may do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposal and on any exchange may give or take any money for equality of exchange :

Provided that the Corporation shall not unless the Minister otherwise directs sell lease or dispose of any lands under the powers of this section except at the best price or on the best terms which can reasonably be obtained but a purchaser or lessee shall not be concerned to inquire whether the direction of the Minister is necessary or has been obtained.

(2) Nothing in this section shall be taken to dispense with the necessity for obtaining the consent of any Government department to any sale lease appropriation exchange or other disposal of any lands of the Corporation in any case in which such consent would be required if this section had not been enacted.

(3) Nothing in this section shall release the Corporation or any person purchasing or acquiring any lands from them under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered



exercised enjoyed and enforced in like manner and to the same extent as if this section had not been enacted. A.D. 1933. —

48.—(1) The Corporation may so far as they consider necessary apply subject to the approval of the Minister any capital moneys received by them on the resale or exchange of or by leasing any lands belonging to the Corporation in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall subject to the provisions of section 161 (Consolidated loans fund) of the Act of 1925 apply the same either—

Proceeds of  
sale of  
lands.

- (a) in or towards the extinguishment of any loan raised by them under the powers aforesaid 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; or
- (b) in such other manner as may be approved by the Minister.

(2) Any capital moneys received by the Corporation on the resale or exchange of or by leasing any lands acquired under any public general Act from time to time in force in the city or under any local enactment (other than this Act and the local Acts) shall be applied in the same manner as capital moneys received under such public general Act or local enactment are applicable or in such other manner as may be approved by the Minister.

49.—(1) The Corporation may with respect to any lands for the time being belonging to them exercise all or any of the following powers :—

Power to  
develop  
lands &c.

- (a) they may with the consent of the Minister lay out and develop any such lands and on any such lands may erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways ;
- (b) they may grant any easements rights or privileges in under or over any such lands and may pull down and remove any house or other building situate on any such lands and use or dispose of the materials thereof.

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(2) The Corporation may also sell lease (for any period not exceeding ninety-nine years) exchange or otherwise dispose of any such lands or any houses shops offices warehouses or buildings erected or situate on any such lands and subject to such terms conditions and restrictions as they may think fit including conditions and restrictions as to the buildings to be erected and the use to which such buildings may be put.

(3) Notwithstanding the foregoing provisions of this section the Corporation shall not under the powers of this section—

- (a) lay out or develop any lands or erect on any lands any houses shops offices warehouses or other buildings in any manner which infringes any then existing legal right of any owner lessee or occupier of adjoining lands;
- (b) except with the consent of the Minister sell lease or dispose of any such lands houses or other buildings except at the best price or on the best terms which can reasonably be obtained but nothing in this subsection shall require a purchaser or lessee from the Corporation to inquire whether the consent of the Minister is necessary or has been obtained; or
- (c) except with the consent of the appropriate Government department sell lease appropriate exchange or otherwise dispose of any lands of the Corporation in any case in which such consent would be required if this section had not been enacted.

## PART V.

## STREETS BUILDINGS SEWERS DRAINS &amp;C.

**50.**—(1) 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 within the meaning of the byelaws of the Corporation with respect to new streets or of any provision in a local Act with respect to the width of new streets 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

Develop-  
ment  
scheme  
may be  
required in  
connection  
with new  
streets.

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 from time to time with respect to the laying out of new streets be deemed to be the date on which plans sections and particulars required as aforesaid shall be so furnished.

(2) If after the submission of the plans and particulars referred to in subsection (1) of this section the Corporation shall approve the laying out of such new street either unconditionally or subject to any modification of such plans and particulars neither the owner of the estate or lands nor his successors in title shall carry out the development of such estate or lands in such a manner as to conflict substantially with such plans and particulars as approved and if any such owner shall offend against the provisions of this section he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

(3) The said owner may at any time submit to the Corporation for their approval any alteration in the said plans and particulars and the Corporation may if they think fit approve such alteration.

(4) (a) Any person deeming himself aggrieved by any requirement of or by the Corporation under this section or by any modification required in the said plans and particulars by the Corporation or by any refusal on the part of the Corporation to approve any such alteration as aforesaid therein may within fourteen days from the date of such requirement or of the intimation to him by the Corporation of such refusal 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.

(b) 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.

(5) Nothing in this section shall be deemed to authorise any contravention of any byelaw of the Corporation or statutory provision.

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As to new  
streets.

**51.**—(1) Any person who lays out or intends to lay out a new street or part of a new street shall before any building is begun to be erected or built abutting on such new street or part of a new street if required by the Corporation so to do construct the carriageway of such new street or such part of the new street as may be required by the Corporation with a foundation of suitable materials and of sufficient depth to be capable of carrying the traffic which will make use of the same and shall also if required sewer such street or such part of such street :

Provided that where any new street is or is intended to be constructed of a length exceeding one hundred yards the Corporation shall not be empowered to require such new street to be constructed in its entire length by one operation but such new street may be constructed in parts and in such event nothing in this section shall prevent the erection or building of a new building abutting on any part of such street in reference to which the foregoing provisions of this section have been complied with.

(2) The execution of any works under the provisions of this section shall not relieve any person of any liability under section 150 of the Public Health Act 1875 or under the Private Street Works Act 1892 or under the local Acts for the time being in force within the city.

(3) Any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

Further  
powers as  
to future  
line of  
streets.

**52.**—(1) The Corporation may at any time after prescribing the improvement line of any street in pursuance of the power conferred on them by section 33 (Power to prescribe improvement line for widening streets) of the Public Health Act 1925 or by section 15 (Power to define future line of existing streets) of the Act of 1925 on giving six months' previous notice in writing to the owner require that any building or erection which or any part of which was beyond or in front of any such improvement line at the date when the same was so prescribed shall be pulled down set back or altered so that the same shall not project beyond or in front of such improvement line.

(2) The owner may and if so required by the Corporation shall notwithstanding any contract lease or

agreement or any provision therein contained enter upon any land building or erection affected by any requirement of the Corporation under this section and carry out such requirement. A.D. 1933.

(3) In the event of any building or erection being pulled down set back or altered in accordance with any requirement of the Corporation under this section the Corporation shall make compensation to the owner lessee and tenant of any such building or erection and to any or either of them for any loss or damage sustained by such owner lessee or tenant in consequence of such building or erection being pulled down set back or altered as aforesaid.

(4) The amount of any compensation payable under this section and any other question under this section the determination whereof is not otherwise provided for by this Act shall in default of agreement be determined in accordance with the provisions of the Lands Clauses Acts but in estimating the amount of any such compensation the benefit arising from the widening or improvement of the street and accruing to the property in respect of which such compensation shall be payable shall be fairly estimated and set off against such compensation.

(5) Any person who shall fail to comply with a requirement of the Corporation under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(6) As soon as section 33 of the Public Health Act 1925 comes into force in the city section 15 of the Act of 1925 shall be repealed.

(7) In the event of any building which is alleged to be of special architectural or historic interest being affected by any requirement of the Corporation under subsection (1) of this section the owner of such building may within two calendar months from the date of the service upon him of the notice referred to in the said subsection appeal to the Minister against the requirement of the Corporation in so far as it relates to such building and the Minister shall have power (after consulting with the Commissioners of Works) to make such order in the premises as he may think fit.

(8) Nothing in this section shall extend or apply to any building (not being a dwelling-house) railway or

A.D. 1933. — work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by any such company with the authority of Parliament so long as any such building railway work or land is used or held by the said railway company primarily for railway purposes.

Stopping  
up and  
diversion of  
highways.

**53.**—(1) Subject to the provisions of this section a petty sessional court if satisfied on the application of the Corporation that a highway within the city is unnecessary may by order authorise the stopping up thereof and if so satisfied that a highway within the city can be diverted so as to make it nearer or more commodious to the public may by order authorise it to be so diverted.

Any such application or order may be made with respect to any length of a highway and in the subsequent provisions of this section any reference to a highway shall be construed as a reference to that length thereof to which the application or order relates.

(2) No order shall be made under the preceding subsection unless the court is satisfied that notice of the intention to make the application specifying the time and place at which it is to be made and the order which will be asked for and embodying a plan showing what will be the effect of the order asked for—

(a) has at least twenty-eight days before the date on which the application is made been served either personally or by registered post on the owners or reputed owners and the occupiers of all land abutting on the highway and where the application relates to a classified road (as defined in the Local Government Act 1929) on the Minister of Transport; and

(b) has during at least twenty-eight days been exhibited in such manner and in such positions on or near the highway as are reasonably sufficient for notifying persons using the highway of the application;

and that a similar notice (except that there may be substituted for the plan a statement of the place where such a plan can be inspected at all reasonable hours without payment) has been inserted once at least in

each of four successive weeks in a newspaper circulating in the city. A.D. 1933.

(3) On the hearing of such an application the Corporation and any person who is interested in land abutting on or served by the highway or uses the highway or is otherwise aggrieved shall have a right to be heard and an appeal against the decision of the court may be brought to quarter sessions either by the Corporation or by any such person as aforesaid who was or claimed to be heard by the court.

(4) For the purposes of the provisions of the Summary Jurisdiction Act 1879 with respect to appeals to quarter sessions—

- (a) a refusal by a petty sessional court to make an order under this section shall be deemed to be an order;
- (b) in a case where more than two persons were heard or claimed to be heard in opposition to an application under this section it shall be sufficient if a notice of appeal against a refusal to make an order upon that application is served upon any two of those persons in addition to the clerk to the petty sessional court but any of those persons whether served with such a notice or not may appear at quarter sessions as respondents to the appeal;
- (c) any appeal under this section whether against an order or against a refusal to make an order shall be in the nature of a rehearing.

(5) Every order made under this section shall have annexed thereto a plan signed by the chairman of the court and shall be binding on all persons whatsoever:

Provided that—

- (i) nothing in this section shall authorise the diversion over any land of any highway unless the written consent of every person interested in that land is produced to and deposited with the court; and
- (ii) an order under this section authorising the diversion of a highway shall not authorise the stopping up of any part thereof until the new part to be substituted for the part

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—

stopped up has been completed to the satisfaction of two justices and a certificate to that effect signed by them has been transmitted by their clerk to the clerk of the peace.

(6) Where an order is made by a petty sessional court under this section authorising the stopping up or diversion of a highway the clerk of the court shall forthwith transmit the order to the clerk of the peace together if the order be for diverting a highway with the written consents produced to the court and the clerk of the peace shall enrol any documents so transmitted to him and any certificates transmitted to him under the last preceding subsection among the records of quarter sessions.

(7) Where any highway is diverted in accordance with an order made under this section the substituted highway shall be repairable by the person if any by whom the original highway was repairable.

(8) Any application or order under this section—

(a) may include two or more highways which are connected with each other;

(b) may relate to the stopping up or diversion of a highway for the purposes of all traffic or subject to the reservation of a bridleway or footway.

(9) The provisions of this section shall be in addition to and not in derogation of any other provisions relating to the stopping up and diversion of highways.

Restrictions  
on rights  
of breaking  
up streets.

**54.**—(1) If not less than three months before commencing any work involving the closing to vehicular traffic of any street or part of a street in the city either absolutely or to the extent of one-third or more of the width of the carriageway thereof the Corporation shall give notice in writing of their intention to execute such work to all undertakers having statutory powers to break up that street and when such work has been executed by the Corporation it shall not be lawful for any such undertakers within twelve months of the completion of such work to break up the street or part of a street so closed without the consent of the Corporation which consent shall not be unreasonably withheld and the Corporation may if they think fit



and without prejudice to their other rights and powers attach to any consent given under this section such conditions as may be reasonable with respect to the times at which and the period within which the work of the undertakers shall be executed and completed :

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Provided that as respect any work executed by any undertakers which but for the provisions of this section would have been lawfully executed nothing in this section shall deprive such undertakers of any right or immunity as between themselves and any person other than the Corporation to which but for the said provisions such undertakers would have been entitled in respect of such work.

(2) Any dispute or difference which may arise between the Corporation and any undertakers under the provisions of the preceding subsection shall be referred to and settled by a single arbitrator to be agreed on between the parties or in default of such agreement 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 reference and settlement.

(3) Nothing in this section shall prevent any such undertakers as aforesaid from carrying out extending or enlarging works in any street in case of emergency or prevent any such undertakers from carrying out any works necessary to enable them to perform their statutory duties as such undertakers or their obligations under any contract subsisting at the date of the giving of the notice by the Corporation in default of which they would be liable to any penalty or damages or from making altering repairing extending enlarging or disconnecting communication pipes or service connections or laying service lines between premises and distributing mains or altering repairing extending enlarging or disconnecting any service line or from laying mains or pipes for the supply of property not previously supplied with gas or water as the case may be In this section the expression "service line" has the meaning assigned thereto by the schedule to the Electric Lighting (Clauses) Act 1899.

**55.**—(1) When any street repairable by the inhabitants at large shall be opened or broken up by any person he shall with all convenient speed complete

Streets  
broken up  
to be  
reinstated.

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the work on account of which the same shall have been broken up and fill in the ground and reinstate and make good to the reasonable satisfaction of the engineer and with materials to be reasonably approved by him the street so opened or broken up.

(2) Any person offending against the provisions of this section shall be liable to a penalty of five pounds and to a daily penalty of forty shillings.

(3) Nothing in this section shall apply to the Central Electricity Board as authorised undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1928.

Names of  
streets and  
numbers of  
houses &c.

**56.**—(1) The Corporation may name any street or any part of a street which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street and may from time to time paint engrave or otherwise describe and place the name of any street or of any part of a street on a conspicuous part of any building or other erection at or near each end corner or entrance thereof.

(2) The Corporation may require the owner of every building or other erection in any street to number such building or erection on the door thereof or otherwise as the Corporation may think proper and may from time to time require the owner of any such building or erection to alter the number thereof as directed by the Corporation. In the event of any such owner refusing or omitting to comply with any such requirement the Corporation may themselves number or alter the number of any such building or erection and the expenses of so doing shall be repaid to the Corporation by such owner on demand and shall be recoverable summarily as a civil debt.

(3) If any person wilfully or without sufficient reason destroys obliterates defaces removes or without the consent of the Corporation alters any such name or number he shall be liable to a penalty not exceeding forty shillings.

(4) Section 52 (Power to alter names of streets and names to be put up and houses to be numbered &c.) of the Act of 1890 is hereby repealed.

As to  
pavement  
lights.

**57.**—(1) It shall not be lawful for the owner or occupier of any property to construct in any pavement forming part of any street any work for the admission of

light through such pavement to any room or premises situate under or adjoining the same (in this section referred to as "pavement lights") without the consent in writing of the Corporation but such consent shall not be unreasonably withheld. A.D. 1933.

(2) In giving their consent to the construction of any pavement lights the Corporation may attach thereto such terms and conditions as they may think fit.

(3) Any agreements entered into by the Corporation with any person prior to the passing of this Act which would have been valid under the provisions of this section if made after the passing thereof are hereby confirmed.

(4) Any person who shall contravene the provisions of this section or the terms or conditions attached to any consent given thereunder shall be liable to a penalty not exceeding five pounds and any person who knowingly retains pavement lights constructed in contravention of the provisions of this section shall be liable to a daily penalty not exceeding forty shillings.

**58.**—(1) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 is hereby extended so as to enable the Corporation to make byelaws providing in such manner as they may think necessary that any person intending to erect a new building in any street shall furnish the Corporation with drawings or other sufficient indication of the design or external appearance of the building including such indication of the materials to be used in its construction as may be necessary for the purpose (which drawings and particulars are in this section included in the expression "specifications").

Elevations of new buildings.

(2) Where the specifications of any building proposed to be erected are required to be submitted to the Corporation by a byelaw made under the said section 157 as extended by this section the Corporation shall within one month after the submission to them of the specifications by notice in writing—

(a) approve the specifications; or

(b) if they shall consider that having regard to the character of the locality and of the neighbouring buildings in the street the building to which the specifications relate would seriously disfigure the street whether by reason of the height

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design or external appearance of the building disapprove the specifications and in that event the notice shall be accompanied by a statement of the grounds for the disapproval.

(3) Any person deeming himself aggrieved by any disapproval by the Corporation under this section may appeal against their decision to a tribunal composed of one architect appointed by the President of the Royal Institute of British Architects one surveyor appointed by the President of the Surveyors' Institution and one justice of the peace appointed by the Corporation none of the members of such tribunal being members of the council and the tribunal shall have power to make such order as the tribunal may think fit and to award costs. The grounds on which a person may appeal to a tribunal under this subsection shall include the ground that compliance with the Corporation's decision would involve an increase in the cost of the building which would be unreasonable having regard to the character of the locality and of the neighbouring buildings.

(4) In the event of a division of opinion among the members of the tribunal upon reference to them the matter shall be decided by a majority of votes of the members of the tribunal but save as aforesaid the tribunal shall act by their whole number.

(5) Where the specifications of a building have been disapproved under this section it shall not be lawful to erect the building until the specifications thereof have been approved by the Corporation and any person who offends against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds.

(6) If and when provisions in a town planning scheme dealing with the design and external appearance of buildings come into operation in a particular area the provisions of this section shall cease to have effect in that area.

Extension  
of section  
157 of  
Public  
Health  
Act 1875.

**59.**—(1) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 in its application to the city shall be extended so as to empower the Corporation to make byelaws with respect to—

- (i) the number of dwelling-houses which may be erected in one block or in one continuous row;

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- (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;
- (iv) the materials with which new buildings shall be constructed and the manner in which and the materials with which grates stoves and fire-places shall be set in new buildings or be newly set or re-set in existing buildings and the thickness and construction of walls of all ovens and furnaces wholly or partially built after the passing of this Act;
- (v) the uniting of buildings and the making and stopping up of openings in party walls of buildings and the provision of fire-resisting doors in connection therewith and as to the occupation of buildings when united;
- (vi) the testing of drains of new buildings;
- (vii) the securing that waterclosets shall be so constructed and supplied with water that they can be adequately flushed by mechanical means and the provision to be made for securing the protection of the same from frost and preventing the improper use of such closets and of the blocking of the pipes therefrom;
- (viii) the provision of fixed baths in such classes of new dwelling-houses as may be prescribed in the byelaws;
- (ix) for ensuring that any hole made through the wall of a building below the level of the ground shall be so stopped as to prevent the free passage of gas into the building;
- (x) for securing that any geyser or similar gas-heated water apparatus of the rapid water-heating type or any gas apparatus for heating a building or any part of one is properly fixed and adequately ventilated.

(2) Any byelaws made under paragraphs (ix) and (x) of subsection (1) of this section or under the said section 157 with respect to the ventilation of a room in which any apparatus of the kind specified in paragraph (x) of

A.D. 1933. — that subsection is fixed may be made so as to affect buildings erected before the times mentioned in the said section 157.

Further extension of section 157 of Public Health Act 1875.

**60.**—(1) Section 157 (Power to make byelaws respecting new buildings &c.) of the Public Health Act 1875 in its application to the city shall be read and construed as if the following sub-paragraphs were added immediately after the sub-paragraph numbered (4) in the said section :—

(5) For requiring work to be done in connection with the alteration whether in use or structure of a building or part thereof for securing stability and the prevention of fire and for purposes of health ;

(6) For securing the adequate lighting of buildings.

(2) The said section 157 shall also in its application to the city be read and have effect as if it empowered the Corporation to require by byelaws the deposit of plans and sections by persons intending to construct reconstruct or alter the course of any drain in connection with a building.

(3) Any byelaws under the said section 157 as above extended with regard to the adequate lighting of buildings may be made so as to affect buildings erected before the times mentioned in that section.

Food storage accommodation.

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

(2) (a) Every existing dwelling-house and every dwelling-house the erection of which was commenced before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated pantry or other food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which 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. A.D. 1933.

(b) Any person 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 gives 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.

(c) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under this subsection.

**62.**—(1) If the Corporation shall by resolution determine that any stall structure or other erection used for the sale or exposure for sale of goods in a front garden or forecourt within the city is by reason of its character injurious to the amenities of the street in which such garden or forecourt is situate they may by notice in writing require the owner of or person responsible for such stall structure or other erection within such period (not being less than seven days) as may be specified in the notice to make such alterations to such stall structure or other erection as may be necessary to prevent the same from being injurious to the amenities of such street. Provisions as to forecourts.

(2) Any person neglecting or refusing to comply with the requirement of any such notice shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Any person aggrieved by any requirement of any notice of the Corporation under the provisions of this section may appeal to a court of summary jurisdiction within seven days after the service upon him of such notice by the Corporation provided he gives written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal and the court shall have power to make such order as the court may think fit and to award costs.

(4) Notice of the right to appeal shall be endorsed upon every such notice served by the Corporation.

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Provision  
of tele-  
phone call  
boxes &c.**63.** The Corporation may—

- (a) After consultation with the chief constable of the city erect or fix police telephone call boxes in such positions in any street as they think fit; and
- (b) With the consent of the road authority and with the consent and at the cost of the local authority (which cost the local authority are hereby authorised to incur) erect or fix street fire alarms in such positions as may be agreed in any street in the district of any local authority with whom the Corporation have entered into an agreement for the use of their fire brigade :

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 :

Provided also that the Corporation shall not under the powers of this section erect or fix any such telephone call box or street fire alarm—

- (a) In or upon any bridge carrying a street over a railway of a railway company or the approaches thereto belonging to or repairable by them or under any bridge carrying a railway of a railway company over a street; or
- (b) In any street belonging to and repairable by a railway company and forming the approach to any station or depot of a railway company; or
- (c) So as to obstruct the access to or exit from any station or depot of a railway company constructed and maintained under statutory authority;

except in each case with the consent in writing of such railway company but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be referred to the arbitration of a single arbitrator to be appointed failing agreement by the Minister of Transport and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.



**64.** Any person who shall cover over or wilfully or negligently obstruct or interfere with the convenient access to any police telephone call box fire alarm fire plug or hydrant or who shall remove or efface any plate or mark indicating the position of such call box alarm plug or hydrant shall be liable to a penalty not exceeding five pounds and the Corporation may recover the expenses of replacement and making good from such person.

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Inter-  
ference with  
telephone  
call boxes  
&c.

**65.**—(1) The contractor or builder engaged in or upon the erection of a new building or the construction or reconstruction of any works shall where practicable provide to the reasonable satisfaction of the Corporation and maintain until the completion of any such erection construction or reconstruction such water or other closets and urinals in or in connection with such building or works as may be sufficient for the accommodation of the workmen employed.

Contractors  
&c. to  
provide  
sanitary  
con-  
veniences  
for  
workmen.

(2) Any person who offends 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.

**66.** Section 24 (Projections against or in front of houses or buildings) of the Public Health Act 1925 in its application to the city shall be read and construed as if it had been provided that the notice which the Corporation may give under section 69 of the Towns Improvement Clauses Act 1847 may require the projection to be removed or altered within the time specified in the notice after which time the Corporation may remove such projection as provided in the said section 69 and as if the words "three days" had been inserted in section 70 of the said Act of 1847 instead of the words "thirty days."

Projections  
against or  
in front of  
houses or  
buildings.

**67.**—(1) Section 36 (Power of local authority to enforce provision of privy accommodation for houses) of the Public Health Act 1875 shall with the necessary modifications apply to a part of a house occupied by a separate family as it applies to the whole of a house.

Closet  
accom-  
modation  
in houses  
occupied  
by more  
than one  
family.

(2) The provisions of subsections (1) (2) and (3) of section 7 (Execution of works to comply with byelaws)

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of the Housing Act 1925 as amended by the Housing Act 1930 shall apply with any necessary modifications as if the same were set out in this section.

Extension  
of section  
39 of  
Public  
Health  
Act 1925.

**68.** Section 39 of the Public Health Act 1925 in its application to the city shall extend and apply to the repair of any such drain as is referred to in that section in like manner as it applies to the reconstruction or the alteration of the course of such drain.

Power to  
order  
altera-  
tion of  
chimneys.

**69.**—(1) It shall be lawful for a court of summary jurisdiction upon complaint by the Corporation upon a report by the medical officer or the sanitary inspector that any smoke gas or vapour or any soot from any chimney of a washhouse or outbuilding forming part of or in proximity to a dwelling-house is a nuisance to any of the inhabitants of the city to make an order requiring the owner of such chimney to cause the same to be raised or a funnel or pipe to be placed thereon for conveying away such smoke gas or vapour or such other means to be adopted as may seem fitting to such court for preventing or mitigating such nuisance within such time as shall be specified in such order where the cost of complying with such requirement does not exceed twenty pounds.

(2) Any such owner as aforesaid who shall neglect or refuse to obey such order shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Provisions  
as to  
tents  
vans &c.

**70.**—(1) Any tent van shed or similar structure standing upon land abutting upon a street shall for the purpose of the application of section 3 of the Public Health (Buildings in Streets) Act 1888 to the city be deemed to be a house or building within the meaning of those words where they first occur in the said section.

(2) It shall not be lawful without the written consent of the Corporation to place any tent van shed or similar structure used for human habitation so as to stand upon any square court alley or passage to which the public have access or which is required by law to be kept free from obstructions.

(3) Any person who offends against the provisions of subsection (2) of this section shall be liable to a penalty

not exceeding forty shillings and to a daily penalty not exceeding twenty shillings. A.D. 1933.

71.—(1) (a) No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land situate within the city without the previous approval of the Corporation. Prohibition of tents vans &c.

(b) It shall not be lawful for any person without the previous consent of the Corporation to let or permit to be used any land for occupation by any tent van shed or similar structure used or intended to be used for human habitation unless and until such land is provided with sufficient roads and sewers and furnished with a separate and sufficient supply of water and sanitary accommodation to the satisfaction of the Corporation.

(2) Any person aggrieved by the withholding by the Corporation of any approval or consent under the provisions of this section may within fourteen days from the date of the decision of the Corporation appeal to a court of summary jurisdiction provided that he gives written notice of such appeal and of the ground thereof to the town clerk before lodging his appeal and such court may make such order in the premises and on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to—

(a) a tent van shed or similar structure unless it is used or intended to be used as a means of habitation for a period of at least three months; or

(b) Any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder travelling with a travelling show not being a pedlar or hawker.

(4) Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

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Applica-  
tion of  
provisions  
of Act of  
1890 to  
this Part  
of Act.

**72.** The provisions of the following sections of the Act of 1890 shall with any necessary modifications extend and apply to the exercise of the powers of this Part of this Act as if the same were re-enacted in this Act (that is to say) :—

Section 25 (Buildings abutting on streets);

Section 41 (Corporation may alter &c. buildings contrary to Act);

Section 83 (This Part not to extend to river Thames &c.).

For pro-  
tection of  
university  
of Oxford  
and its  
colleges.

**73.**—(1) In the event of any building used by the university of Oxford for administrative or educational purposes or any building or wall being within or forming part of the curtilage of any college or hall (as defined in the schedule to the Universities of Oxford and Cambridge Act 1923 and including any of the societies of women students referred to in Titulus XXIII section II subsection I clause I of the statutes of the university of Oxford being a statute made by the Commissioners wholly for the university under the Universities of Oxford and Cambridge Act 1923 and St. Peters Hall) or not being within or forming part of such curtilage and being erected and used solely for the purposes of any such college or hall being affected by any requirement of the Corporation under subsection (1) of the section of this Act of which the marginal note is "Further powers as to future line of streets" the university or the college or hall affected as the case may be may within two calendar months from the date of the notice served upon them by the Corporation appeal to the Minister against the requirement of the Corporation in so far as it relates to any such building or wall as aforesaid and the Minister shall have power to make such order as he may deem just.

(2) Where any building or wall of special architectural or historic interest is affected by any requirement of the Corporation under subsection (1) of the said section the Minister shall before making any such order consult with the Commissioners of Works.

(3) No byelaw to be made by the Corporation under the sub-paragraphs numbered (5) and (6) in the section of this Act of which the marginal note is "Further

extension of section 157 of Public Health Act 1875 ” shall apply to any building specified in subsection (1) of this section.

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## PART VI.

### INFECTIOUS DISEASE AND SANITARY MATTERS.

**74.**—(1) The occupier of any building in the city 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 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 may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

Information to be furnished in case of infectious 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 and the expression “infectious disease” shall include pulmonary tuberculosis in addition to the diseases referred to in the section of this Act of which the marginal note is “Interpretation.”

(4) Section 72 (Penalty for withholding information from medical officer) of the Act of 1925 is hereby repealed.

**75.**—(1) If the medical officer shall certify in writing that any person in the city—

Removal of infirm and diseased persons in certain cases.

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

(b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in the interests of the health of such person and for preventing injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the medical officer may make application to a

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— court of summary jurisdiction and the court upon oral proof of the allegations in the certificate and subject to examination of such person by a registered medical practitioner to be nominated by them (if they think fit) may make an order for the removal of such person to a suitable hospital infirmary or other institution or other suitable place provided within the city or within a convenient distance of the city and for the detention and maintenance of such person therein for such period (not exceeding three months) as may be determined by the order or such further period or periods (each not exceeding three months) as may be determined by any further order or orders made under and in accordance with the provisions of this section :

Provided that not less than three clear days before making any application under this subsection for the removal of any person to an institution or place not provided by the Corporation the medical officer shall give to the council of the county or borough or district to whom the institution or place belongs (in this section referred to as "the appropriate authority") notice in writing of his intention so to do.

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

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

Provided that if the application asks for the removal of the person to an institution or place not provided by the Corporation the appropriate authority shall be entitled to appear and be heard on the application and any matters relating thereto and may in the exercise of their powers under any scheme made under Part I of

the Local Government Act 1929 assume such obligations with regard to the maintenance of the said person and his dependants as may be agreed between the appropriate authority and the Corporation. A.D. 1933.  
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(4) An order under this section may be addressed to such officer of the Corporation as the court making the order may think expedient and any person who wilfully disobeys or obstructs the execution of the 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 the court may make a rescission order accordingly if having regard to the circumstances they are of opinion that it is right and proper that such rescission order should be made.

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

(6) Nothing in this section or in any order made thereunder shall authorise the removal of any person to or the detention of any person in any institution not provided by the Corporation except with the consent in writing of the appropriate authority or shall affect or interfere with the exercise or discharge by the appropriate authority of any of their powers or duties.

(7) The powers of this section shall not be put into operation by the medical officer unless he is authorised by a resolution of the Corporation so to do either generally or in any particular case in which those powers are proposed to be exercised and no order shall be made under the provisions of this section for the removal of any person to any voluntary hospital or charitable institution without the consent in writing of the controlling body thereof.

**76.** When the medical officer certifies in writing that any dwelling-house is in an insanitary condition and that the occupier thereof is unable through infirmity or mental incapacity to remedy such condition and that Cleansing  
of dwelling-  
houses  
in certain  
cases.

A.D. 1933. — his health is thereby endangered a court of summary jurisdiction may on the application of the Corporation (who shall give to the occupier seven days' notice of their intention to make such application) make an order for the removal of such occupier to an institution or other dwelling for such period as the court may by such order direct as being necessary to enable the Corporation to cleanse and disinfect the dwelling-house and the Corporation may carry out the removal and such cleansing and disinfection of the dwelling-house as may be necessary.

As to  
common  
lodging-  
houses.

**77.**—(1) No house or part of a house within the city shall be exempt from the provisions with respect to common lodging-houses of the Public Health Acts or of this section or any byelaws made under the next succeeding section on the ground that accommodation in such house or part of a house is let for a longer period or longer periods than one day or is not let for a less period than one week.

(2) (a) The Corporation may without prejudice to their powers under the Public Health Acts refuse to register or to renew the registration of any house as a common lodging-house unless they are satisfied—

- (i) that the premises are suitably equipped for use and occupation as a common lodging-house; and
- (ii) that the use of the premises as a common lodging-house is not likely to occasion inconvenience or annoyance to the inhabitants or persons in the neighbourhood.

(b) If the Corporation refuse to grant or renew registration under this subsection they shall if required by the applicant deliver to him a statement in writing of the ground or grounds on which registration is refused.

(c) If the registration or renewal of registration be refused any person aggrieved by such refusal may appeal to a court of summary jurisdiction provided that the appeal be made within fourteen days from the date of the refusal and that not less than twenty-four hours' notice of the appeal be sent to the Corporation.

(d) If the registration or renewal of registration be refused on the ground that the premises are not suitable or suitably equipped for the purposes of a common lodging-house the court shall have power to appoint a



person being a properly qualified surveyor or architect to examine and report to them on the condition of such premises and their suitability for the purposes of a common lodging-house and the expenses of any such examination and report shall be paid in such manner and by such parties to the appeal as the court may direct.

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(e) On any such appeal the court may after considering any representations made by the Corporation either by order confirm the refusal or direct the Corporation to grant registration and the Corporation shall comply with any such direction.

(3) Notwithstanding anything in the Public Health Acts the registration of a common lodging-house whether registered before or after the passing of this Act shall remain in force only for such time not exceeding one year as may be fixed by the Corporation but may be renewed from time to time by the Corporation.

(4) Notice shall be given to the Corporation of the death of any common lodging-house keeper forthwith after the death shall have occurred and the right by section 77 of the Public Health Act 1875 conferred on the widow or any member of the family of a common lodging-house keeper to keep such common lodging-house open and to receive lodgers therein for four weeks after such death without registration shall not be exerciseable unless such notice shall have been duly given.

**78.** Section 80 (Byelaws to be made by local authority) of the Public Health Act 1875 shall operate so as to include the making by the Corporation of byelaws as regards the maintenance in good condition and free from obstructions of all precautions and means of escape in case of fire which may be provided in or in connection with a common lodging-house and for requiring the exhibition or placing in a conspicuous part of any room in a common lodging-house of a copy of any byelaws applicable thereto and of a placard setting forth the cubical contents and the accommodation thereof.

Byelaws  
as to  
common  
lodging-  
houses.

**79.** Within one month after the passing of this Act the Corporation shall give notice of the provisions of the two last preceding sections to the keeper of every common lodging-house in the city.

Notice to  
keepers of  
common  
lodging-  
houses.

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Byelaws  
as to  
lodging-  
houses.

**80.** Section 6 of the Housing Act 1925 shall operate so as to empower the Corporation to make byelaws with respect to the following matters relating to houses which are let in lodgings or occupied by members of more than one family (that is to say):—

(1) For requiring a placard to be affixed in each room so let or occupied setting forth the cubical content and accommodation thereof:

(2) For requiring a separate approach to each such room or tenement separately occupied without passing through any other room or tenement.

Byelaws  
as to  
refuse.

**81.** The power of the Corporation to make byelaws under section 26 of the Public Health Acts Amendment Act 1890 shall extend to refuse which is not faecal or offensive or noxious matter or liquid.

As to  
dustbins.

**82.**—(1) In any case in which the Corporation are authorised to require the owner or occupier of any dwelling-house to provide a dustbin the Corporation may themselves provide a dustbin and the cost of providing the same shall be repaid to the Corporation by such owner or occupier on demand and shall be recoverable summarily as a civil debt.

(2) The Corporation shall pay all moneys received by them for the purposes of this section into the general rate fund and shall pay all expenses incurred by them thereunder out of the general rate fund and the Corporation shall keep an account of all such receipts and expenses.

(3) The said account shall be kept so as to secure that (as far as may be reasonably practicable) taking one year with another the receipts of the Corporation under this section shall meet the expenses incurred by them thereunder.

Notice to  
be given of  
this Part  
of Act.

**83.**—(1) Public notice of the 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 a newspaper published or circulating in the city.

(2) A copy of the newspaper containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

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(with a similar right) or a weekly or other tenancy of any office shop store warehouse tenement or building situate in any of their markets or forming part of or acquired or erected in connection with the markets undertaking.

Power to take possession of stands for non-payment of rent &c.

**86.** If any person occupying or using any market stand shall not after any toll or charge has become due and payable to the Corporation in respect of the market stand and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of that market stand and re-let it without prejudice to any other remedy for the recovery of such toll or charge.

As to sale of distrained goods.

**87.** The Corporation may sell any cattle or other articles distrained upon in pursuance of section 38 of the Markets and Fairs Clauses Act 1847 in respect of which toll is payable and after deducting from the proceeds of sale the amount due to them together with the expenses of distraint and sale shall return the surplus if any to the person or persons to whom the cattle or other articles belonged.

As to emaciated or diseased animals.

**88.**—(1) Any officer of the market or the sanitary inspector or any constable may remove or exclude from any market of the Corporation any emaciated or diseased animal which in the opinion of a duly registered veterinary surgeon or of the medical officer is unfit for food and any animal which after inspection by a duly registered veterinary surgeon is suspected by him to be affected with tubercular disease.

(2) Any officer of the market or the sanitary inspector or any constable may detain for a period not exceeding the hours of the market and three hours after the closing of the market on the day upon which such animal is so detained any emaciated or diseased animal brought to any cattle market of the Corporation and any person wilfully obstructing or impeding any officer in so doing shall be liable to a penalty not exceeding five pounds.

Extension of sections 116 to 119 of Public Health Act 1875.

**89.**—(1) Any animal brought to any market of the Corporation at which animals intended for food are in fact sold shall (unless the contrary be proved) be deemed to be deposited for the purpose of sale and intended for food within the meaning of sections 116

PART VII.

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MARKETS &C.

84. The Corporation shall have the following powers in relation to the markets undertaking :—

Powers of Corporation as to markets.

- (1) They may continue enlarge improve and extend the existing markets and alter the places at which the markets respectively are or may be held and establish and hold new markets and discontinue the whole or any part of any such existing or new markets :
- (2) They may continue any existing and provide new market-places for the sale of any marketable commodities or of cattle or other animals :
- (3) They may alter enlarge improve extend reconstruct and rebuild their existing market-houses or erect or provide and maintain new buildings therefor :
- (4) They may provide and maintain weighing houses and weighing machines and all proper appliances for weighing carts and for weighing or measuring marketable commodities or animals :
- (5) They may in connection with or as part of any existing or new market-house or other building or market-place or any of their markets or the markets undertaking maintain any existing and erect or provide new offices shops stores warehouses buildings approaches market stands appliances conveniences and things :
- (6) They may for the aforesaid purposes or any of them or for any purpose of or in connection with any of their markets or the markets undertaking appropriate and use (subject to the approval of the Minister) any lands for the time being vested in or belonging to them.

85. The Corporation may grant to any person a lease for any term not exceeding three years (with the right if they think fit of assigning the lease with their consent) or a weekly or other tenancy of any of the market stands or other conveniences in any market market-place or market-house belonging to them or under their control and may also grant to any person a lease for any term not exceeding twenty-one years

Power to lease stalls shops &c. in markets.

to 119 (relating to unsound meat &c.) of the Public Health Act 1875 and the provisions of those sections shall respectively apply to any such animal.

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(2) Any person who knowingly causes directs or permits any animal which is diseased or unsound or unwholesome or unfit for food to be brought to any such market of the Corporation and any person (including any auctioneer) who offers for sale or sells any such animal knowing it to be diseased or unsound or unwholesome or unfit for food as well as the persons mentioned in section 117 of the Public Health Act 1875 shall be liable to a penalty as mentioned in the said section 117.

90. The Corporation may from time to time by agreement purchase any slaughter-house and premises connected therewith or any part of such premises or the Corporation may agree with the occupier of a slaughter-house with the consent in writing of any other person having an interest therein entitling him to require the user of such premises as a slaughter-house for the discontinuance of the user thereof as a slaughter-house on such terms and conditions and for such consideration as the Corporation think fit and may remove such slaughter-house from the register of slaughter-houses.

Power to purchase slaughter-houses.

PART VIII.

FOOD.

91.—(1) (a) No person shall carry on the business of a manufacturer or vendor of or dealer in ice-cream or of a manufacturer of preserved meat within the city unless he be registered by the Corporation.

Registration of ice-cream and potted and preserved food manufacturers and premises.

(b) No premises shall be used for the manufacture for sale or sale of ice-cream or for the preparation or manufacture of preserved meat unless such premises are registered by the Corporation.

(c) Any person who offends against the provisions of this subsection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) (a) The Corporation may refuse to register any such person or premises or (after giving one month's

A.D. 1933. — notice in writing to the person registered or in whose name any such premises are registered) revoke the registration of any such person or premises as regards any person on the ground that the public health is or is likely to be endangered by any act or default of the person who is registered or who seeks to be registered as a manufacturer or vendor of or dealer in ice-cream or as a manufacturer of preserved meat in relation to the quality storage or distribution of the ice-cream or preserved meat and as regards any premises on the ground that the premises are not suitable to be used for the purposes aforesaid :

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

(b) If the Corporation should refuse to register or should revoke the registration of any such person or premises they shall deliver to the person applying for such registration or the person registered or in whose name the premises are registered a statement in writing of the ground or grounds on which such refusal or revocation is based. Notice of the right to appeal next hereinafter mentioned shall be endorsed on every such notice.

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

(d) Any person so appealing shall give written notice of such appeal and of the grounds thereof to the town clerk before lodging his appeal.

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

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(3) In this section—

the expression “ice-cream” includes any other similar commodity; and

the expression “preserved meat” includes sausages and any potted pressed pickled or preserved meat fish or other food.

(4) The provisions of this section shall not in any way affect the operation of the Factory and Workshop Act 1901.

(5) The provisions of this section shall not apply to any premises used as a club hotel or restaurant or as railway refreshment rooms or as a theatre music-hall or cinematograph theatre or other similar place of entertainment.

**92.** Section 72 of the Public Health Act 1925 (except paragraphs (d) and (e) of subsection (2) of that section) shall apply so far as applicable to a yard in which food is prepared for sale or in which any food other than food contained in receptacles so closed as to exclude all risk of contamination is sold or is stored or kept with a view to future sale and to which yard the Factory and Workshop Act 1901 as amended by any subsequent enactment or any regulation made under the Public Health (Regulations as to Food) Act 1907 does not apply.

Extension of powers of section 72 of Public Health Act 1925.

**93.**—(1) Every medical practitioner attending on a person who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the medical officer a notification of the case stating the name of the person and the place at which the person is.

Medical practitioners to notify cases of food poisoning.

(2) The Corporation shall pay to every medical practitioner for each notification duly sent by him in accordance with this section a fee of two shillings and sixpence if the case occurs in his private practice and of one shilling if the case occurs in his practice of medical officer of any public body or institution.

(3) Every person required by this section to give a notification who fails to give the same in accordance with this section shall be liable to a penalty not exceeding forty shillings.

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As to  
street  
vendors  
of food.

**94.** Every dealer in any article intended for the food of man vending his wares from any cart barrow or other vehicle or stand or from a pail container or similar receptacle used without a cart barrow or other vehicle or from any market stall shall have his name and address legibly painted inscribed or displayed on such cart barrow vehicle or stand pail container or receptacle or clearly exhibited on such market stall and any person who shall fail to comply with this section shall be liable to a penalty not exceeding forty shillings. Provided that any act or omission contrary to the provisions of this section which also constitutes an infringement of section 6 of the Milk and Dairies (Consolidation) Act 1915 or any regulations made under the Public Health (Regulations as to Food) Act 1907 shall not render such person liable to a penalty under this section.

Notice to  
be given of  
Part VIII  
of this Act.

**95.**—(1) Public notice of the 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 a newspaper published or circulating in the city.

(2) A copy of the newspaper containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

## PART IX.

## AMALGAMATION OF PARISHES.

Amalga-  
mation of  
parishes.

**96.** On and after the appointed day the parish of Oxford and the parish of Saint Giles and Saint John (being the existing parishes in the city) shall be amalgamated to form the parish of Oxford which shall be co-extensive with the city and notwithstanding anything contained in any Act or Order the general rate shall be uniformly charged within the city.

Property  
and  
liabilities.

**97.** All property debts and liabilities of the existing parishes in the city including all property held under a trust for any of the existing parishes or the inhabitants or parishioners thereof shall subject to the provisions of this Part of this Act become the property debts and liabilities of the parish of Oxford and in the case of property held in trust as aforesaid shall subject as aforesaid be held in trust for the parish of Oxford or



for the inhabitants or parishioners thereof for the same purposes as heretofore. A.D. 1933.

**98.**—(1) All books and documents belonging to either of the existing parishes in the city and all documents directed by law to be kept with the public books writings and papers of either of those parishes (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the Corporation may direct. Parish books and documents.

(2) Any ratepayer of either of the said existing parishes shall at all times have the same right of inspection and of making extracts from the books and documents referred to in this section which he would have had if such existing parishes had not been altered.

**99.** The divisions of the valuation list of the city which relate to the existing parishes in the city shall be amalgamated. Valuation list.

**100.** All recoverable arrears of rates and all sums due in respect of either of the existing parishes in the city immediately before the appointed day shall be recoverable from the persons liable to pay the same as fully and effectually as if this Act had not been passed. Arrears of rates &c.

**101.** Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of those Acts remain in force and apply to the area to which it applied immediately before the appointed day. Shops orders.

**102.** Any legal proceedings pending on the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act. Pending actions.

**103.** All contracts deeds bonds agreements and other instruments entered into or made in respect of either of the existing parishes in the city and subsisting immediately before the appointed day shall be of as full force and effect against or in favour of the parish of Oxford and may be enforced as fully and effectually as if instead of the existing parishes the parish of Oxford had been referred to therein. Existing agreements and instruments.

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Saving for  
ecclesiastical  
divisions  
and  
charities.Saving for  
land tax.

**104.** Nothing in this Part of this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any power right interest or jurisdiction in or over or in connection with any charitable endowment.

**105.** Nothing in this Part of this Act shall affect land tax.

## PART X.

## FINANCIAL.

Power to  
borrow.

**106.**—(1) The Corporation may for paying the costs charges and expenses of this Act borrow on the security of the general rate fund and general rate such moneys as may be necessary for that purpose and shall pay off all moneys so borrowed within a period of five years from the passing of this Act.

(2) (a) The Corporation may also borrow with the consent of the Electricity Commissioners such further moneys as may be necessary for any of the purposes of Part II (Electricity) of this Act and with the consent of the Minister such further moneys as may be necessary for any of the purposes of the local Acts and of this Act other than the purposes of the said Part II of this Act.

(b) Any moneys borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent the moneys are borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated with or applied by this Act.

(c) In order to secure the repayment of any moneys borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

(3) The moneys authorised to be borrowed under the provisions of this Act shall be and the same are hereby declared to be principal moneys within the meaning of the Act of 1925 and the provisions of Part XII (Financial) of that Act and of section 70 (Power to borrow by issue of bonds) of the Act of 1928 (as amended by subsequent Acts) with respect to principal moneys for borrowing or raising of money and the payment off of borrowed money shall subject to the provisions of this Act apply accordingly.

**107.** Notwithstanding anything in any enactment to the contrary the Corporation may accelerate the repayment of any loan by increasing the amounts payable to any sinking fund loans fund or redemption fund.

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Power to accelerate repayment of loans.

**108.**—(1) The Corporation may give notice to any person being registered as a holder of any security of the Corporation that they intend to send interest or dividends to him by post if he does not object and if such person does not within fourteen days from the receipt of such notice give notice to the Corporation of such objection the Corporation may from time to time send letters containing orders for the payment of interest or dividend warrants to the address of such person appearing in the register. Provided that if such person gives notice to the Corporation that he desires such orders or warrants to be sent to another person at a given address the Corporation may from time to time send letters containing the same to such other person at such address.

Dividend warrants by post.

(2) Where more persons than one are registered as joint holders of any security of the Corporation any one of them may for the purpose of this section be regarded as the holder of the security unless contrary notice has been given to the Corporation by any other of them.

(3) The posting by the Corporation of a letter containing an order for the payment of interest or a dividend warrant in pursuance of this section shall as respects the liability of the Corporation be equivalent to the delivery of the order or warrant to the registered holder of the security.

(4) Every order or warrant so sent by post shall be deemed to be a cheque and the Corporation shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

**109.**—(1) The Corporation may close any transfer books or the registers of transfers of mortgages or other securities of the Corporation as the case may be on any day in the month next before that in which an instalment of interest on such mortgages or other securities is payable but so that the books be not at any time kept closed for more than one month.

Closing of registers.

A.D. 1933.

(2) The persons who on the day of such closing are entered in the register as holders of any securities of the class of which the register of transfers is so closed shall as between them and the transferees of those securities be entitled to the interest or dividends next payable thereon.

(3) Section 154 (Closing of transfer books) of the Act of 1890 is hereby repealed.

Receipts  
and  
expenses.

**110.**—(1) Notwithstanding anything contained in any enactment all money received by the Corporation whether on capital or revenue account (including all money received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived and interest and other annual proceeds from time to time received by the Corporation on the investments forming part of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingency superannuation insurance consolidated loans purchase of lands or other similar fund) shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any such undertaking or in carrying into execution the powers and provisions of this or any other Act and not otherwise provided for shall be paid out of that fund or the general rate :

Provided that an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited in the accounts to the fund on the investments of which the same is received.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

Application  
of revenues  
of under-  
takings.

**111.**—(1) If in any year moneys received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived exceed the moneys expended by the Corporation in respect of that undertaking in respect of the expenses mentioned in paragraphs (a) (b) (c) and (d) of subsection (1) of the section of this Act

of which the marginal note is "Accounts of undertakings" the Corporation may in that year (if they think fit) apply out of the general rate fund a sum equal to the amount of such excess in any of the following ways :—

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—

- (a) In reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) Subject in the case of the electricity undertaking to the consent of the Electricity Commissioners and in the case of the water undertaking to the consent of the Minister in the construction renewal extension and improvement of the works and conveniences for the purposes of the undertaking;
- (c) In providing a reserve fund in respect of each of the undertakings by setting aside such an amount as they may from time to time think reasonable and investing the same subject to the provisions of section 160 (Use of moneys forming part of sinking and other funds) of the Act of 1925 in statutory securities until the fund so formed amounts in the case of the electricity undertaking to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on that undertaking and in the case of the other undertakings to the maximum reserve fund for the time being prescribed by the Corporation in respect of each such undertaking but not exceeding in the case of the water undertaking a sum equal to one-tenth of the aggregate capital expenditure of the Corporation upon that undertaking.

(2) Any reserve fund which has been formed for the purpose of any undertaking of the Corporation as from time to time existing from which revenue is derived and which is in existence at the passing of this Act shall be deemed to have been formed under this section and any moneys standing to the credit of any such reserve fund shall be carried to the credit of the reserve fund authorised by this section.

(3) The said reserve fund shall in every year be increased by a sum equal to the amount of the interest received in that year from the investment of the said

A.D. 1933. — fund if and so far as the amount of the said fund for the time being is less than the prescribed maximum.

(4) 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 (except in the case of the electricity undertaking) for payment of the cost of renewing improving or extending any part of the works forming part thereof or (except in the case of the electricity undertaking) 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.

(5) 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.

Accounts  
of under-  
takings.

112.—(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 undertakings of the Corporation as from time to time existing from which revenue is derived (each of which is in this section separately referred to as “the undertaking”) on the one side all receipts in respect of the undertaking including the income from any reserve fund authorised in connection with such 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; A.D. 1933.  
—
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) Any money expended on any of the purposes mentioned in subsection (1) of the section of this Act of which the marginal note is "Application of revenues of undertakings."

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and 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 any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

**113.** The following provisions shall apply with respect to the electricity undertaking (in addition to the provisions of the section of this Act of which the marginal note is "Application of revenues of undertakings") viz. :— Provision as to surplus electricity revenue.

If in any year the accounts of the electricity undertaking kept under the section of this Act of which the marginal note is "Accounts of undertakings" shall show that the revenue of the electricity undertaking in respect of that year (including if and so long as any reserve fund established in connection with the electricity undertaking amounts to a sum equal to one-tenth part of the aggregate capital expenditure of the Corporation on that undertaking the interest and other annual proceeds received by the Corporation in respect of that year on the investments forming part of that reserve fund) has exceeded the total amount of the payments and expenses in respect of the year for the several purposes mentioned in paragraphs (a)

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—

to (e) of subsection (1) of the last-mentioned section then—

(a) If the reserve fund in respect of the electricity undertaking does not amount to more than one-twentieth of the aggregate capital expenditure on that undertaking an amount equal to such excess shall be deemed for the purposes of the section of this Act of which the marginal note is "Accounts of undertakings" to be revenue of the electricity undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) If the said reserve fund amounts to more than one-twentieth of the said aggregate capital expenditure such amount as the Corporation may think fit (not being less in cases where the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the electricity undertaking than the difference between the said excess and that sum) shall be deemed for the purposes of the section of this Act of which the marginal note is "Accounts of undertakings" to be revenue of the electricity undertaking in respect of the next following year and a reduction shall be made in the charges for electricity supplied by the Corporation of such respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so deemed to be revenue.

Date of  
operation  
of certain  
sections  
and repeal.

**114.**—(1) The sections of this Act of which the marginal notes are "Receipts and expenses" "Application of revenues of undertakings" "Accounts of undertakings" and "Provision as to surplus electricity revenue" shall be deemed to have come into operation on the first day of April nineteen hundred and thirty-three.



(2) As from the said date the following sections of the Act of 1925 are repealed:—

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Section 168 (Revenue and expenses of water undertaking);

Section 169 (Separate accounts in respect of water undertaking);

Section 170 (Form of accounts);

Section 171 (Apportionment of items).

**115.** All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the general rate fund and general rate.

Expenses  
of execution  
of Act.

**116.**—(1) The Corporation may if they think fit establish a fund to be called “the lands fund” which shall form part of the general rate fund to provide for purchasing or acquiring or taking on lease and holding any lands and buildings which in their opinion it is desirable at any time to acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the city (other than purposes of the water undertaking the electricity undertaking and the markets undertaking of the Corporation) and such fund shall be formed by annually appropriating thereto out of the general rate such an amount as the Corporation may from time to time determine not exceeding the amount which would be produced by a rate of twopence in the pound calculated in manner provided by rules from time to time made by the Minister under the Rating and Valuation Act 1925.

Lands  
fund.

(2) Except so far as the lands fund and the proceeds of sale of securities in which that fund is invested may from time to time be required for the purposes mentioned in subsection (1) of this section all moneys for the time being standing to the credit of the fund may be invested in statutory securities and the interest and annual proceeds arising from those securities may be similarly invested and accumulated as part of the said fund.

(3) When the lands fund shall amount to the sum of twenty thousand pounds the Corporation shall discontinue such annual payments but if the fund is

A.D. 1933. — at any time reduced below the sum of twenty thousand pounds the Corporation may recommence and continue the annual payment until the fund be restored to the sum of twenty thousand pounds.

Capital  
reserve  
fund.

117.—(1) The Corporation may establish a fund to be called "the capital reserve fund" for the purpose of defraying any expenditure to which capital is properly applicable (other than expenditure in connection with the electricity undertaking) to an amount not exceeding five thousand pounds in any one transaction and such fund shall be formed by appropriating such sums out of the general rate fund (other than moneys derived from the electricity undertaking) as the Corporation from time to time deem expedient:

Provided that—

(a) Any sum so appropriated to the capital reserve fund from the general rate fund shall not exceed in any year the equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to section 9 of the Rating and Valuation Act 1925;

(b) Appropriations to and payments into the capital reserve fund shall cease to be made whenever the said fund amounts to the sum of twenty-five thousand pounds.

(2) (a) Pending the application of the capital reserve fund to the purposes authorised in the foregoing subsection the moneys in the fund shall be either invested in statutory securities or used in the manner provided by section 160 (Use of moneys forming part of sinking and other funds) of the Act of 1925.

(b) Any income arising from the investment or use of the moneys in the capital reserve fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund.

Renewal  
and repairs  
fund.

118.—(1) The Corporation may if they think fit in any year apply from the general rate fund or from the proceeds of the general rate to a fund to be called the "renewal and repairs fund" (a) any sum not exceeding an amount equal to twelve and one-half per centum of the cost incurred by the Corporation

A.D. 1933.

(otherwise than for the purposes of the electricity undertaking) in connection with the provision of horses carts mechanically propelled vehicles stables depots boilers equipment and apparatus as shown in the accounts at the thirty-first day of March in any such year and (b) any sum not exceeding the average annual cost incurred by the Corporation during the previous three years in connection with the maintenance and repair of buildings.

(2) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed ten thousand pounds.

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for the maintenance and renewal of the appliances works equipment and buildings referred to in subsection (1) of this section which are not comprised in the electricity undertaking and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses.

**119.**—(1) The town clerk shall if and when he is requested by the Minister so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

Return to  
Minister  
with respect  
to repay-  
ment of  
debt.

(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 or other officer 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

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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) Any provision of any enactment in force in the city immediately before the passing of this Act requiring a return to be made to the Minister with regard to the repayment of debt is hereby repealed.

Treasurer's  
accounts.

**120.**—(1) Notwithstanding anything in the Municipal Corporations Act 1882 the treasurer shall make up his accounts yearly to the thirty-first day of March.

(2) (a) Within three months from the thirty-first day of March in each year the treasurer shall submit the said accounts with the necessary vouchers and papers to the borough auditors or to the auditor or auditors appointed by the Corporation in accordance with the provisions of section 173 (Appointed auditors) of the Act of 1925 as the case may be and the borough auditors or such appointed auditor or auditors shall audit the said accounts.

(b) After the audit of the said accounts the treasurer shall print an abstract thereof.

## PART XI.

## MISCELLANEOUS.

As to  
election of  
councillors  
by  
University.

**121.** Article XI. (Election of councillors by the University) of the City of Oxford Order 1889 shall be read and have effect as if the following subsection had been inserted therein in lieu of subsection (3) of that article :—

“(3) Every election of such councillors shall be made by the University in Convocation in

accordance with the statutes of the University from time to time in force and by the majority of the heads and senior resident bursars of all colleges and the heads of all the public halls respectively at a meeting summoned by the Vice-Chancellor of the University in such place as he may appoint and in the case of an equality of votes at an election by the heads and senior resident bursars the person presiding at the meeting shall have the casting vote :

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Provided that the day for the annual election of such councillors shall be the first day of November unless that date shall fall on a Sunday in which case the day for the election shall notwithstanding anything contained in any Act be the thirty-first day of October :

Provided also that if at the close of the time prescribed for the nomination of candidates for election by Convocation so many candidates only have been nominated or being nominated have not withdrawn as to leave no more than are sufficient to fill the vacancy (a) the meeting of Convocation summoned for the purpose of the election shall not be held unless the Vice-Chancellor shall think fit to hold it (b) the candidates so nominated shall be deemed to be duly elected from the date appointed for the election and (c) the election shall be announced by the Vice-Chancellor at the next ensuing meeting of Convocation."

**122.** In the application to any land forming part of a street in the city of section 68 (Power to provide parking places for vehicles) of the Public Health Act 1925 the word "byelaws" shall be substituted for the word "regulations."

Modifica-  
tion of  
section 68  
of Public  
Health Act  
1925.

**123.—(1)** Every person who negligently or wilfully breaks throws down or otherwise damages any public lamp or lamp-post street island or refuge or post thereon street danger signal or street orderly bin or other receptacle for the temporary deposit and collection of dust ashes and rubbish or street sand bin being the property of the Corporation shall make full compensation to the Corporation for the damage done and the amount

Compensa-  
tion for  
injuring  
lamps &c.

A.D. 1933. — of such compensation to an amount not exceeding twenty pounds shall be recoverable summarily as a civil debt.

(2) Section 41 (Compensation for injuring lamps &c.) of the Act of 1925 is hereby repealed.

Noise  
nuisance.

**124.**—(1) A noise nuisance shall be liable to be dealt with in accordance with the provisions relating to nuisances of the Public Health Act 1875 Provided that no complaint shall be made to a justice under section 105 of the said Act unless it is signed by not less than three householders or occupiers of premises within hearing of the noise nuisance complained of.

(2) For the purpose of this section a noise nuisance shall be deemed to exist where any person makes or continues or causes to be made or continued any excessive or unreasonable or unnecessary noise and where such noise (a) is injurious or dangerous to health and (b) is capable of being prevented or mitigated having due regard to all the circumstances of the case :

Provided that if the noise is occasioned in the course of any trade business or occupation it shall be a good defence that the best practicable means of preventing or mitigating it having regard to the cost have been adopted.

(3) Nothing contained in this section shall apply to a railway company or their servants exercising statutory powers.

Gifts and  
bequests.

**125.**—(1) Subject to the provisions of this section the Corporation may accept hold and administer any gift of property whether real or personal for any public purpose connected with the city and may execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers conferred by this section and where the purposes of the gift are purposes for which the Corporation are empowered to expend money raised from the general rate they may subject to any condition or restriction attaching to such power expend money so raised in the execution of such works in relation to the subject matter of the gift.

(2) This section shall not extend to property relating to affairs of the church within the meaning of the Local

Government Act 1894 or to an ecclesiastical charity within the meaning of that Act. A.D. 1933.

(3) Accounts of the income and expenditure of the Corporation under this section shall be kept by the treasurer and shall be made up and audited as part of the general accounts of the Corporation.

**126.** If the officer in charge of the fire brigade when engaged in the extinguishment of any fire has reason to believe that a supply of water is available on private lands or premises in the city which may or may not be in danger from such fire he or any fireman acting under his orders may enter upon such lands and premises with hose and other necessary apparatus for the purposes of utilising such water supply doing as little damage as may be Reasonable payment for any water so utilised and compensation for any damage done in exercise of the provisions of this section shall be paid by the Corporation and shall be chargeable as fire brigade expenses. Entry on lands to obtain water for extinguishing fires.

**127.**—(1) The Corporation may purchase or take on lease dwelling-houses and other buildings for persons employed by them for the purposes of their several undertakings and offices and other buildings for those purposes and may erect fit up maintain and let any such buildings upon any lands for the time being belonging to the Corporation for the purposes of the said undertakings and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for those purposes. Dwelling-houses for persons in Corporation's employment.

(2) Nothing contained in this section shall empower the Corporation to create or permit a nuisance.

**128.** The Corporation may declare any expenses incurred by them under the provisions of this Act which are recoverable from the owner or owners of any premises to be private improvement expenses and thenceforth those expenses may be recovered and shall be charged upon the premises in respect of which they were incurred in accordance with the provisions of section 257 of the Public Health Act 1875. Expenses may be declared private improvement expenses.

**129.** 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 Power to enter premises.

A.D. 1933. — shall extend and apply to the purposes of Part V (Streets buildings sewers drains &c.) Part VI (Infectious disease and sanitary matters) and Part VIII (Food) of this Act as if those purposes had been mentioned in the said section 102.

Penalty on occupier refusing execution of Act.

**130.** 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 V (Streets buildings sewers drains &c.) or Part VI (Infectious disease and sanitary matters) of this Act or under any byelaw made thereunder 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 work 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.

General provisions as to byelaws.

**131.** The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of this Act other than byelaws made under Part II (Electricity) of this Act.

Recovery of rate from persons removing.

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



**133.**—(1) The following sections of the local Acts shall with any necessary modifications extend and apply to the exercise of the powers of this Act in the same manner as if those sections had been re-enacted in this Act (namely) :—

A.D. 1933.

—  
Applica-  
tion and  
amend-  
ment of  
provisions  
of local  
Acts.

The Act of 1890—

Section 196 (Saving for indictments &c.) as amended by section 199 (Application of provisions of Act of 1890 to this Part of Act) of the Act of 1925;

Section 197 (Judges &c. not disqualified);

Section 198 (Saving rights &c. of university of Oxford and its colleges).

The Act of 1925—

Section 181 (In executing works in default of owner or occupier no liability for damages to be incurred except in case of negligence);

Section 184 (Evidence of appointments authority &c.);

Section 185 (Authentication and service of notices);

Section 186 (As to breach of conditions of consent of Corporation);

Section 187 (Consents of Corporation to be in writing);

Section 188 (Apportionment of expenses in case of joint owners);

Section 189 (Recovery of demands);

Section 190 (As to appeals);

Section 191 (Several sums in one summons);

Section 192 (Service of summons on members of council);

Section 193 (Informations by whom to be laid);

Section 194 (Recovery of penalties &c.);

Section 195 (Compensation how to be determined);

Section 196 (Powers of Act cumulative);

A.D. 1933.

Section 197 (Application of section 265 of Public Health Act 1875);

Section 198 (Inquiries by Minister of Health):

Provided that for the purposes of such extension and application the said section 190 of the Act of 1925 shall be read and have effect as if the provisions of Parts V (Streets buildings sewers drains &c.) VI (Infectious disease and sanitary matters) or VIII (Food) of this Act were therein referred to instead of the provisions of Parts III IV. or VI of the Act of 1925.

(2) The Act of 1925 shall be read and have effect as if the sanitary inspector had been mentioned therein instead of the inspector of nuisances.

Repeal.

**134.** In view of the provisions of the Local Government Act 1929 the several Acts mentioned in the Fifth Schedule to this Act are hereby repealed to the extent mentioned in the second column to that schedule.

For protection of Oxford and District Gas Company and Oxford Electric Company Limited.

**135.** For the protection of the Oxford and District Gas Company and the Oxford Electric Company Limited (each of whom is respectively referred to in this section as "the company") the following provisions shall notwithstanding anything in this Act contained and unless otherwise agreed in writing between the company and the Corporation apply and have effect (that is to say):—

(1) In this section "apparatus" means and includes all or any mains cables pipes syphons tubes meters fittings or other apparatus belonging to the company:

(2) (a) Not less than twenty-eight days before commencing to construct any of the works authorised by the section of this Act of which the marginal note is "Power to construct electricity sub-stations under streets" (other than works to which section 18 of the schedule to the Electric Lighting (Clauses) Act 1899 apply) in or under any street in which any apparatus is situate the Corporation shall deliver to the company plans sections and particulars of such work and the company may within twenty-one days after the receipt of such

plans sections and particulars give notice to the Corporation of any objections which they may have to the construction of the work or to the proposed position thereof or of any conditions which should apply in regard to the construction of such work whether by reference to the effect of such work upon any existing apparatus or upon any apparatus which it may be necessary for the company to lay within a reasonable time after the delivery of such plans sections and particulars;

(b) Unless an agreement shall be arrived at between the Corporation and the company with reference to the matters to which any such notice by the company relates a difference shall be deemed to have arisen between them which shall be determined by arbitration as hereinafter in this section provided;

(c) The Corporation shall not construct any such work (other than as aforesaid) in any such street otherwise than as may be agreed between the Corporation and the company or determined by arbitration as aforesaid :

- (3) (a) Whenever by virtue of an order made under the section of this Act of which the marginal note is "Stopping up and diversion of highways" any public highway or part of a public highway in which any apparatus is for the time being laid or placed is stopped up or diverted the company shall be at liberty to remove such apparatus to and relay the same in the highway (if any) substituted for the highway or part of a highway so stopped up or diverted or in such other situation as the company may reasonably determine or to provide and lay in such substituted highway or other situation similar apparatus equally suitable in lieu of such existing apparatus and the Corporation shall on demand repay to the company the cost reasonably incurred by them in so doing;

(b) Whenever by reason of the stopping up or diversion of a highway authorised by an

A.D. 1933.  
—

order made under the said section any apparatus (other than apparatus for which new apparatus has been substituted at the expense of the Corporation under the provisions of this subsection) is rendered derelict useless or unnecessary the Corporation shall forthwith pay to the company such a sum as may be agreed between the Corporation and the company or as failing such agreement may be determined by arbitration as hereinafter in this section provided to be the value of such apparatus and such apparatus shall upon such payment become the property of the Corporation;

(c) The Corporation shall pay to the company the reasonable cost of and incidental to the cutting off of any apparatus from any other apparatus of the company and of and incidental to any other works or things rendered necessary or expedient in consequence of any such alteration as is referred to in paragraph (a) of this subsection of the position of such apparatus or in consequence of such apparatus being rendered derelict useless or unnecessary :

(4) If any call box or fire alarm (each of which is in this subsection included in the term "structure") erected or fixed by the Corporation under the powers of the section of this Act of which the marginal note is "Provision of telephone call boxes &c." is situate over any apparatus laid or placed before the erection or fixing of such structure and the company give to the Corporation notice in writing of their desire to obtain access to such apparatus the Corporation shall either remove such structure or so much thereof as shall be required to be moved in order to afford such access or (if the Corporation determine not to remove such structure or any part thereof) bear any additional expense due to the existence of such structure which may be reasonably incurred by the company in obtaining such access :

(5) (a) If any difference shall arise between the Corporation and the company under this section

(other than a difference as to the meaning or construction of this section) such difference shall except where otherwise provided in this section be referred to and determined by an arbitrator to be agreed upon between the parties or failing agreement to be appointed upon the application of either party (after notice in writing to the other) 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 and determination;

A.D. 1933.  
—

(b) In settling any difference under this section the arbitrator shall have regard to any duties or obligations which the company may be under in respect of their apparatus and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid as far as may be reasonably possible interference with any purpose for which the apparatus of the company is used.

**136.** For the further protection of the Oxford and District Gas Company (in this section referred to as "the company") the following provisions shall notwithstanding anything in this Act contained and unless otherwise agreed in writing between the company and the Corporation apply and have effect (that is to say):—

For further protection of Oxford and District Gas Company.

- (1) In this section "apparatus" means and includes all or any mains pipes syphons tubes meters fittings or other apparatus belonging to the company:
- (2) The Corporation in executing any work under the provisions of this Act shall make good all damage done by them to any apparatus and shall make full compensation to the company for any loss damage costs or expenses which they may sustain by reason of any interference with any apparatus or the access thereto or with the private communication or service pipe of any person supplied by the company with gas:

A.D. 1933.  
—

(3) The provisions of the sections of this Act of which the marginal notes are respectively—

“ Extension of section 157 of Public Health Act 1875 ”;

“ Further extension of section 157 of Public Health Act 1875 ”;

“ Power to order alteration of chimneys ”;

shall not extend or apply to any structure building or erection (not being a dwelling-house office or showroom) chimney ground or land belonging to the company and used or intended to be used exclusively for the purposes of their undertaking under the provisions of any Act of Parliament or Order :

(4) Nothing in the section of this Act of which the marginal note is “ Further powers as to future line of streets ” shall apply to or affect any land specifically authorised by any Act or Order to be used by the company for the manufacture or storage of gas without the consent of the company but such consent shall not be unreasonably withheld Any question as to whether any such consent is unreasonably withheld shall be determined by the Minister :

(5) (a) If any difference shall arise between the Corporation and the company under this section (other than a difference as to the meaning or construction of this section) such difference shall except where otherwise provided in this section be referred to and determined by an arbitrator to be agreed upon between the parties or failing agreement to be appointed upon the application of either party (after notice in writing to the other) 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 and determination ;

(b) In settling any difference under this section the arbitrator shall have regard to any duties or obligations which the company

may be under in respect of their apparatus and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid as far as may be reasonably possible interference with any purpose for which the apparatus of the company is used.

A.D. 1933.  
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**137.** For the further protection of the Oxford Electric Company Limited (in this section referred to as "the company") the following provisions shall notwithstanding anything in this Act contained and unless otherwise agreed in writing between the company and the Corporation apply and have effect (that is to say):—

For further protection of Oxford Electric Company Limited.

- (1) In this section "apparatus" means and includes all or any mains cables pipes syphons tubes meters fittings or other apparatus belonging to the company :
- (2) The Corporation in executing any work under the provisions of this Act shall make good all damage done by them to any apparatus and shall make full compensation to the company for any loss damage costs or expenses which they may sustain by reason of any interference with any apparatus or the access thereto :
- (3) The provisions of the sections of this Act of which the marginal notes are respectively—  
" Extension of section 157 of Public Health Act 1875 " ;  
" Further extension of section 157 of Public Health Act 1875 " ;  
shall not extend or apply to any structure building or erection (not being a dwelling-house office or showroom) ground or land belonging to the company and used or intended to be used exclusively for the purposes of their undertaking under the provisions of any Act of Parliament or Order :
- (4) Nothing in the section of this Act of which the marginal note is " Further powers as to future line of streets " shall apply to or affect any land specifically authorised by any Act or Order to be used by the company for the

A.D. 1933.  
—

generation of electricity without the consent of the company but such consent shall not be unreasonably withheld Any question as to whether any such consent is unreasonably withheld shall be determined by the Minister :

- (5) (a) If any difference shall arise between the Corporation and the company under this section (other than a difference as to the meaning or construction of this section) such difference shall except where otherwise provided in this section be referred to and determined by an arbitrator to be agreed upon between the parties or failing agreement to be appointed upon the application of either party (after notice in writing to the other) 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 and determination ;

(b) In settling any difference under this section the arbitrator shall have regard to any duties or obligations which the company may be under in respect of their apparatus and may if he thinks fit require the Corporation to execute any temporary or other works so as to avoid as far as may be reasonably possible interference with any purpose for which the apparatus of the company is used.

For pro-  
tection of  
Wessex  
Electricity  
Company.

**138.**—(1) If any call box or fire alarm (each of which is in this section included in the term “ structure ”) erected or fixed by the Corporation under the powers of the section of this Act of which the marginal note is “ Provision of telephone call boxes &c.” is situate over any apparatus of the Wessex Electricity Company (in this section referred to as “ the company ”) laid or placed before the erection or fixing of such structure and the company give to the Corporation notice in writing of their desire to obtain access to such apparatus the Corporation shall either remove such structure or so much thereof as shall be required to be moved in order to afford such access or (if the Corporation determine not to remove such structure or any part thereof) bear any additional expense due to the existence



of such structure which may be reasonably incurred by the company in obtaining such access. A.D. 1933.

(2) If any difference shall arise between the Corporation and the company under this section such difference shall be referred to and determined by an arbitrator to be agreed upon between the parties or failing agreement 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 such reference.

**139.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

**140.** 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 general rate fund and the general rate or out of moneys to be borrowed under this Act for that purpose. Costs of Act.

A.D. 1933.

The SCHEDULES referred to in the  
foregoing Act.

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**FIRST SCHEDULE.**

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**PART I.****LOCAL ACTS.**

Session and chapter.	Short title.
11 Geo. 3. c. 19	An Act for amending certain of the Mile Ways leading to Oxford for making a commodious entrance through the parish of Saint Clement for rebuilding or repairing Magdalen Bridge for making commodious roads from the said bridge through the University and city and the avenues leading thereto for cleansing and lighting the streets lanes and places within the said University and city and the suburbs thereof and the said parish of Saint Clement for removing nuisances and annoyances therefrom and preventing the like for the future for empowering colleges and corporations to alienate their estates there for removing holding and regulating markets within the said city and for other purposes.
21 Geo. 3. c. 47	An Act to amend and enlarge the powers of an Act passed in the eleventh year of His present Majesty's reign for performing several works and making improvements within the university and city of Oxford and the suburbs thereof and in the adjoining parish of Saint Clement.
5 & 6 Will. 4. c. lxxix.	An Act for continuing the term and amending and enlarging the powers of three Acts of His Majesty King George the Third for amending certain mileways leading to Oxford and making improvements in the university and city of Oxford the suburbs thereof and adjoining parish of Saint Clement and for other purposes in the said Acts mentioned.

Session and chapter.	Short title.
38 Vict. c. xli.	Oxford (Corporation) Waterworks Act 1875.
44 Vict.c.xxxix.	Oxford Police Act 1881.
48 Vict.c.xxiv.	Oxford (Corporation) Waterworks Act 1885.
53 & 54 Vict. c. ccxxiii.	Oxford Corporation Act 1890.
15 & 16 Geo. 5. c. xxviii.	Oxford Corporation Act 1925.
18 & 19 Geo. 5. c. xxix.	Oxford Corporation (Water &c.) Act 1928.
18 & 19 Geo. 5. c. lxxxiv.	Oxford Extension Act 1928.

PART II.

PROVISIONAL ORDERS AND CONFIRMATION ACTS.

Session and chapter.	Confirmation Act.	Order thereby confirmed.
28 & 29 Vict. c. cviii.	Local Government Supplemental Act 1865 (No. 5).	Order dated the 31st day of May 1865 relating to the Oxford district.
52 Vict. c. xv.	Local Government Board's Provisional Orders Confirmation Act 1889.	City of Oxford Order 1889.
59 & 60 Vict. c. cv.	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1896.	Oxford Order 1896.
62 & 63 Vict. c. cxii.	Local Government Board's Provisional Orders Confirmation (No. 8) Act 1899.	Oxford Order 1899.
10 Edw. 7 and 1. Geo. 5. c. lxxxv.	Local Government Board's Provisional Orders (No. 8) Act 1910.	Oxford Water Order 1910.
16 & 17 Geo.5. c. xxi.	Ministry of Health Provisional Orders Confirmation (No. 3) Act 1926.	Oxford Order 1926.
17 & 18 Geo.5. c. cxi.	Ministry of Health Provisional Orders Confirmation (No. 10) Act 1927.	Oxford Order 1927.
22 & 23 Geo.5. c. lv.	Ministry of Health Provisional Order Confirmation (Oxford) Act 1932.	Oxford (Water) Order 1932.

A.D. 1933.

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**SECOND SCHEDULE.****ELECTRICITY LIMITS.**

That portion of the city which comprised the urban sanitary district of Oxford as the same was constituted at the 4th day of August 1890.

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**THIRD SCHEDULE.****GENERATING STATION LANDS.**

Certain lands containing 0·85 acre or thereabouts situate in the city belonging or reputed to belong to the Greater London and Counties Trust Limited and leased to the Corporation and bounded on the north by Russell Street on the south by the premises known as Nos. 13 15 17 19 21 23 and 25 Barrett Street on the east by Arthur Street and on the west by the river Thames on which lands the existing generating station works and cottages of the Corporation are situate.

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**FOURTH SCHEDULE.****PRICES FOR ELECTRICITY.**

In this schedule the expression "unit" shall mean the energy contained in a current of one thousand amperes flowing under an electro-motive force of one volt during one hour.

**SECTION I.**

Where the Corporation charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—

- (a) In respect of the quarters ending 31st March and 31st December—

For any amount up to fifteen units ten shillings and for each unit over fifteen units eightpence;

- (b) In respect of the quarters ending 30th June and 30th September—

For any amount up to ten units six shillings and eightpence and for each unit over ten units eightpence.

SECTION II.

A.D. 1933.

Where the Corporation charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in Section I of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Corporation under the regulations of the Electricity Commissioners.

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FIFTH SCHEDULE.

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ENACTMENTS REPEALED BY THIS ACT.

Short title of Act.	Extent of repeal by this Act.
Oxford Poor Rate Act 1854	The whole Act so far as not heretofore repealed.
Local Government Act (1858) Amendment Act 1864.	The whole Act.
Local Government Board's Provisional Orders Confirmation Act 1874 (No.2).	The whole of the City of Oxford Order set forth in the Second Schedule to that Act.
Local Government Board's Poor Law Provisional Orders Confirmation (Oxford &c.) Act 1875.	Subsections (2) and (3) of section 2 (Special provision in reference to the city of Oxford) of that Act and the whole of the City of Oxford Order set forth in the schedule thereto so far as not heretofore repealed.
Local Government Board's Provisional Orders Confirmation Act 1889.	Article 27 (Alteration of Oxford Poor Act) of the City of Oxford Order set forth in the schedule to that Act.
Local Government Board's Provisional Order Confirmation (No. 4) Act 1891.	The whole of the City of Oxford Order set forth in the schedule to that Act.
Local Government Board's Provisional Orders Confirmation (Poor Law) (No. 2) Act 1896.	The whole of the City of Oxford Order set forth in the schedule to that Act.

[Ch. xxi.] *Oxford Corporation* [23 & 24 GEO. 5.]  
Act, 1933.

A.D. 1933.	Short title of Act.	Extent of repeal by this Act.
	Local Government Board's Provisional Orders Confirmation (Poor Law) Act 1903.	The whole Act.
	Oxford Corporation Act 1925.	Subsections (3) and (10) of section 119 (Consolidation of parishes) so far as not heretofore repealed. Section 120 (Guardians of Abingdon Union). Section 121 (Guardians of Headington Union). Section 129 (Saving for contribution orders).
	Oxford Extension Act 1928	Section 44 (Guardians of Headington Union). Section 45 (Division of parishes in city into areas for election of guardians).

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

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