



CHAPTER lxxxvi.

An Act to enable the mayor aldermen and burgesses of the County Borough of Leicester to construct additional tramways and street improvements in the borough and for other purposes. [15th August 1913.] A.D. 1913.

WHEREAS the borough of Leicester (in this Act called "the borough") is a county borough subject to the Acts relating to municipal corporations and the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the district thereof:

And whereas the several Acts and Orders specified in the First Schedule to this Act among other Acts and Orders are in force within the borough which Acts and Orders are in this Act referred to collectively as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made:

And whereas under and by virtue of the Act of 1897 and the Act of 1902 the Corporation are the owners of and are working by electrical traction a system of tramways within the borough and it is expedient that the Corporation should be authorised to make the extensions of their system in this Act described: 60 & 61 Vict. c. cxxviii. 2 Edw. VII. c. clxxvii.

And whereas it is expedient that the Corporation should be empowered to provide and run motor omnibuses along certain main roads under the jurisdiction of the Leicestershire County Council as herein-after mentioned:

And whereas it is expedient that the Corporation be empowered to construct the street works herein-after described and to acquire lands:

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41 & 42 Vict.

c. cxxxii.

54 & 55 Vict.

c. ccxi.

And whereas under and by virtue of the Leicester Corporation Gas and Water Transfer Act 1878 as altered by the Leicester Order (No. 2) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1891 the Corporation are authorised to apply the revenue of the gas undertaking in providing a reserve fund not exceeding fifty thousand pounds and it is expedient to increase the amount of such reserve fund as in this Act provided :

And whereas by the Leicester Electric Lighting Order 1890 the Corporation were empowered to supply electrical energy in the borough and have in pursuance of such powers established and now carry on an undertaking for the supply of electrical energy :

And whereas there is a demand for the supply of energy in certain areas adjoining the borough which are not supplied with electrical energy and it is expedient that the Corporation should be authorised to supply electrical energy within those areas :

And whereas it is expedient that further borrowing powers be conferred on the Corporation :

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

And whereas the objects aforesaid cannot be effected without the authority of Parliament :

And whereas estimates have been prepared by the Corporation of the cost of constructing the tramways and street works by this Act authorised (including the amount necessary for the purchase of such of the lands as are required to be purchased therefor) and such estimates are as follows:—

For the construction of the tramways sixty-nine thousand one hundred and thirty-eight pounds ;

For the general purposes of the Corporation tramways eleven thousand eight hundred and twelve pounds ;

For the purchase of lands for and the construction of street works fifty-nine thousand one hundred and forty-eight pounds :

And whereas estimates have been prepared by the Corporation of the sums which they will require to expend in connexion with their water undertaking and such estimates amount to the sum of one hundred thousand pounds :

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years : A.D. 1913.

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained :

And whereas plans and sections showing the lines situations and levels of the tramways and works by this Act authorised and the lands in or through which they will be made or which may be taken compulsorily under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the clerk of the peace for the county of Leicester and are in this Act referred to as the deposited plans sections and book of reference :

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Leicester Corporation Act 1913. Short title.

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

Act divided
into Parts.

Part I.—Preliminary.

Part II.—Tramways.

Part III.—Street Works.

Part IV.—General Provisions common to Tramways
and Works.

Part V.—Lands.

Part VI.—Electricity.

Part VII.—Finance.

Part VIII.—Miscellaneous.

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Incorporation of
general Acts.

3. The following Acts and parts of Acts (that is to say) :—

The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845 ;

Section 3 (Interpretation of terms) except the definition of "local rate" contained in that section section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 ;

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with this Act.

Interpretation.

4. In this Act unless the context otherwise requires—

Terms to which meanings are assigned by any Act wholly or partially incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction ;

"The council" means the town council of the borough ;

"The town clerk" means the town clerk of the borough ;

"The tramways" means the tramways authorised by this Act ;

"The Corporation tramways" means all tramways for the time being belonging or leased to the Corporation ;

"Tramway revenue" includes all revenue of the Corporation arising from the Corporation tramways.

In the Tramways Act 1870 for the purposes of this Act the expression "local rate" means the general district rate of the borough.

PART II.

TRAMWAYS.

Power to
make tram-
ways.

5. Subject to the provisions of this Act the Corporation may make lay down form and maintain wholly within the borough in the lines and situations shown on the deposited plans and according to the levels shown on the deposited sections and in all respects in accordance with those plans and sections the tramways herein-after described with all necessary and proper works and conveniences connected therewith respectively.

The following are the tramways herein-before referred to A.D. 1913.
and authorised by this Act:—

Tramway No. 1 (single line 4·35 chains in length) commencing in the Haymarket by a junction with the existing tramway at a point $1\frac{1}{2}$ chains or thereabouts north of the north side of the Memorial Clock Tower passing thence along the Haymarket to and terminating in Belgrave Gate by a junction with the existing tramway therein at a point $1\frac{1}{2}$ chains or thereabouts south of the south side of Bread Street:

Tramway No. 2 (interlacing line with passing places 2 furlongs 5·10 chains in length) commencing in Loughborough Road by a junction with the existing tramway therein at a point $4\frac{1}{2}$ chains or thereabouts north of the north side of Bath Street passing along that road and terminating therein at a point opposite the south side of Birstall Lane:

Tramway No. 2A (double line 2 furlongs 9·6 chains in length) commencing in Loughborough Road by a junction with Tramway No. 2 at the point of termination herein-before described passing thence along that road to and terminating in that road at the point where the borough boundary crosses that road:

Tramway No. 3 (interlacing line with passing places 1 furlong 9·2 chains in length) commencing in Humberstone Road by a junction with the existing tramway in that road opposite the western side of Cottesmore Road passing thence into and along Overton Road and Victoria Road East to and terminating in that road at a point $2\frac{1}{2}$ chains or thereabouts south-westward* from the south-western side of Hastings Road:

Tramway No. 3A (single line with passing places 1 furlong 7·02 chains in length) commencing in Victoria Road East at the point herein-before described as the termination of Tramway No. 3 passing thence along and terminating in that road at a point 4 chains or thereabouts north-eastward from the north-eastern side of Brighton Road:

Tramway No. 3B (interlacing line with passing places 3 furlongs 0·9 chain in length) commencing at the point herein-before described as the termination of Tramway No. 3A passing thence along Victoria Road East and

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terminating in that road at a point $\frac{1}{2}$ chain or thereabouts south of the southern side of Gipsy Lane:

Tramway No. 4 (double line 3 furlongs 0·2 chain in length) commencing in Evington Road by a junction with the existing tramway therein at a point 1 chain or thereabouts west of the western side of Dashwood Road passing thence along Evington Road and terminating in that road opposite the west side of Saint Philip's Road:

Tramway No. 4A (junction tramway double line 3·8 chains in length) commencing in Evington Road by a junction with Tramway No. 4 at a point therein $\frac{1}{2}$ chain or thereabouts east of the centre of the bridge over the Evington Brook passing thence along Evington Road and terminating in that road opposite the west side of Evington Valley Road:

Tramway No. 4B (junction tramway double line 1·36 chains in length) commencing in East Park Road by a junction with the existing tramway therein at a point $\frac{1}{2}$ chain or thereabouts north of the north side of Evington Road and terminating in Evington Road by a junction with Tramway No. 4 at a point therein $\frac{1}{2}$ chain or thereabouts east of the east side of East Park Road:

Tramway No. 5 (double line 2 furlongs 5·32 chains in length) commencing in Welford Road by a junction with the existing tramway therein at its termination passing thence along Welford Road and terminating in that road at a point 2 chains or thereabouts northward from the entrance to the Leicester Cattle Market:

Tramway No. 5A (interlacing line with passing places 1 furlong·1·03 chains in length) commencing by a junction with Tramway No. 5 at the point herein-before described as the termination of that tramway passing thence along Welford Road to and terminating in that road at a point opposite to the entrance to the Leicester Cemetery:

Tramway No. 5B (double line 3 furlongs 6·5 chains in length) commencing at the point herein-before described as the termination of Tramway No. 5A passing thence along Welford Road to and terminating by a junction with the existing tramway in that road at a point 1 chain or thereabouts north of the north side of Clarendon Park Road:

Tramway No. 6 (interlacing line with passing places 2 furlongs 6·04 chains in length) commencing in Welford Road at the termination near Wordsworth Road of the existing tramway therein passing thence along the said Welford Road and Knighton Fields Road East and terminating in the last-mentioned road at a point $1\frac{1}{2}$ chains or thereabouts east of the centre of the bridge carrying the Midland Railway over that road:

Tramway No. 7 (single line with passing places 2 furlongs 3·4 chains in length) commencing in Aylestone Road by a junction with the existing tramway in that road at a point $\frac{1}{2}$ chain or thereabouts north of the north side of Cavendish Road passing thence into and along Cavendish Road and terminating at the centre of Saffron Lane:

Tramway No. 7A (interlacing line with passing places 1 furlong 8·6 chains in length) commencing at a point herein-before described as the termination of Tramway No. 7 passing thence into and along Knighton Fields Road West and terminating at a point in that road 1·37 chains or thereabouts west of the centre of the bridge carrying the Midland Railway over that road:

Tramway No. 7B (junction tramway double line 1·12 chains in length) commencing in Aylestone Road by a junction with the existing tramway therein at a point $\frac{1}{2}$ chain or thereabouts north of the north side of Rutland Avenue and terminating in Cavendish Road at a point $\frac{1}{2}$ chain or thereabouts east of the east side of Aylestone Road:

Tramway No. 8 (double line 1 furlong 2·22 chains in length) commencing by a junction with the existing tramway in West Bridge at the centre of the said bridge passing thence into and along West Bridge Street and Saint Augustine Street to and terminating in King Richard's Road at a point opposite the west side of Leamington Street:

Tramway No. 8A (interlacing line with passing places 2 furlongs 2·96 chains in length) commencing at the point herein-before described as the termination of Tramway No. 8 passing thence along King Richard's Road to and along Fosse Road North and terminating in that road at a point opposite the north side of Glenfield Road:

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Tramway No. 8B (junction tramway double line 0·8 chain in length) commencing in King Richard's Road by a junction with Tramway No. 8A at a point therein $\frac{1}{2}$ chain or thereabouts east of the east side of Fosse Road and terminating in Fosse Road by a junction with Tramway No. 8c at a point $\frac{1}{2}$ chain or thereabouts south of the south side of King Richard's Road:

Tramway No. 8c (double line 5·18 chains in length) commencing in Fosse Road by a junction with the existing tramway therein at a point 1 chain or thereabouts south of the south side of King Richard's Road and passing thence into and along and terminating in Fosse Road North by a junction with the existing tramway in that road at a point opposite the south side of Noble Street.

All of the proposed tramways shall be constructed on a gauge of four feet eight and a half inches and there shall not be run thereon carriages or trucks adapted for use on railways.

Special provision as to construction of certain tramways.

6. No tramway shall be so constructed that for a distance of thirty feet or upwards in any street a less space than nine feet six inches shall intervene between the outside of the footpath and the nearest rail of the tramway except at those places where such tramway is shown on the deposited plans as to be so constructed.

Period for completion of tramways.

7. If the tramways be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing such tramways or otherwise in relation thereto shall cease except as to so much of the said tramways respectively as is then completed.

Inspection by Board of Trade.

8. No part of the tramways shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Tramways to be kept on level of surface of road.

9. If and whenever after the passing of this Act the Corporation alter the level of any road along or across which any part of any of the tramways is laid or authorised to be laid they may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered and any costs incurred in carrying out any such alteration of the tramway consequent upon the alteration of any

road shall in the first instance be defrayed out of the income derived from tramways. A.D. 1913.

10. The rails of the tramways shall be such as the Board of Trade may approve. As to rails of tramways.

11. In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation shall before they proceed to open or break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways (except for the purpose of making necessary repairs) lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down maintenance and renewal of any of the tramways or part of any of the tramways respectively (except for the purpose aforesaid) until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement. Further provisions as to construction of tramways.

12. Where in any road in which a double line of tramway is laid under the powers of this Act there shall be a less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Corporation shall and they are hereby required to construct a passing place or places connecting the one tramway with the other and by means of such passing place or places the traffic shall when necessary be diverted from one tramway to the other. Passing places to be constructed where less than a certain width left between footway and tramway.

13. The tramways and works authorised by the foregoing provisions of this Act shall for all purposes including the demanding taking and recovery of tolls rates fares and charges form part of the tramway undertaking of the Corporation and the provisions of Part II. (Tramways) of the Act of 1902 and of the enactments incorporated with that Act and any byelaws and regulations made in pursuance thereof respectively so far as such provisions byelaws and regulations are not inconsistent with or varied by the provisions of this Act shall extend and apply to the tramways and works connected therewith as if they had been authorised by Part II. of the Act of 1902 and were Corporation tramways within the meaning of that Act: Application of existing provisions to tramways.

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Provided that the powers conferred upon the Corporation by section 17 (Power to make additional crossings) and section 20 (Power to lay down double or interlacing lines in place of single lines and vice versâ) of the Act of 1902 shall not be exercised by the Corporation in connexion with the tramways by this Act authorised otherwise than with the consent of the Board of Trade.

As to erection of posts &c. on carriageway.

14. No post or other apparatus for working the tramways shall be erected on the carriageway of any street or road except with the consent of the Board of Trade.

Use of tramway posts by Postmaster-General.

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

- (A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:
- (B) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as herein-after provided:
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of

the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :

- (D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as herein-after provided :
- (E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :
- (G) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants :
- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case

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may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as herein-after provided :

(I) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants :

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

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

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

(4) In this section—

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The expression “the Corporation” includes their lessees;

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

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

16. For the protection of the Midland Railway Company (herein-after in this section called “the Midland Company”) the following provisions shall apply and have effect unless otherwise agreed between the Corporation and the Midland Company:—

For protection of Midland Railway Company.

(1) The provisions of section 8 (For protection of Midland Railway Company) of the Act of 1902 shall apply to the tramways and shall have effect as if that section had been included in this Act with reference to the tramways:

(2) Where any tramway to be constructed under this Act will pass in front of the entrance to the West Bridge goods station of the Midland Company or in front of the approach roads to that station no additional crossing or passing place siding junction turnout or other work shall be made for or in connexion therewith for the distance thereon extending in front of the said entrance or approach roads to such station and for a length of ten yards at each end of such distance without the consent of the Midland Company and without such consent no carriage used on the tramways shall be stopped or permitted to be stopped within such distance and lengths except only for so long as shall be reasonably necessary for the purposes of discharging and taking up passengers.

17. The following provisions for the protection of the Great Northern Railway Company (in this section referred to as “the company”) shall unless otherwise agreed between the Corporation and the company in writing under their respective common seals apply and have effect (that is to say):—

For protection of Great Northern Railway Company.

(1) Notwithstanding anything contained in this Act or shown upon the deposited plans the Corporation shall not purchase or take any lands works or property of the company:

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- (2) Tramway No. 3 by this Act authorised where the same will pass under the bridge carrying the railway of the company over Overton Road shall be constructed and maintained so as not to interfere with the structure of such bridge and under the superintendence and to the reasonable satisfaction of the engineer of the company (herein-after called "the engineer") according to plans sections and specifications to be previously submitted to and reasonably approved by him or in case of difference between him and the engineer of the Corporation by an arbitrator to be appointed as herein-after provided and the Corporation shall pay the company the reasonable costs of such superintendence Provided that if the engineer does not signify his disapproval of such plans within twenty-eight days of their submission to him he shall be deemed to have approved thereof :
- (3) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company by or by reason of the construction execution or failure of Tramway No. 3 or the works by this Act authorised in connexion therewith or by or by reason of any act default or omission of the Corporation or their contractors (or any person in the employment of the Corporation or their contractors) with reference to such tramway and works and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such construction execution or failure or of any such act default or omission :
- (4) If and when the company shall require to reconstruct alter repair or paint the said bridge the Corporation shall (if any electric wire of the Corporation has been placed under the said bridge for the purpose of working the said Tramway No. 3 by electric traction) in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required by the engineer unless

the Corporation shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the engineer: A.D. 1913.

- (5) The Corporation shall not for the purposes of this Act make attachments to any part of the said bridge without the consent in writing of the engineer which consent shall not be unreasonably withheld and such attachments if allowed shall be in all respects subject to the approval of the engineer and shall be temporarily removed at any time when required by him in connexion with the maintenance reconstruction or alteration of the said bridge:
- (6) If any difference shall arise under this section between the Corporation and the company or their respective engineers the same shall be referred to and determined by an engineer as single arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of the Corporation or the company and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

18. The following provisions for the protection of the Great Central Railway Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company in writing under their respective common seals apply and have effect (that is to say):—

For protection of Great Central Railway Company.

- (1) Tramway No. 8 by this Act authorised where the same will pass under the bridge carrying the railway of the company over Saint Augustine Street shall be constructed and maintained so as not to interfere with the structure of such bridge and under the superintendence and to the reasonable satisfaction of the engineer of the company (herein-after called "the engineer") according to plans sections and specifications to be previously submitted to and reasonably approved by him or in case of difference between him and the engineer of the Corporation by an arbitrator to be appointed as herein-after provided and the Corporation shall pay the company the reasonable costs of such superintendence Provided that if the engineer does not signify his disapproval

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of such plans within twenty-eight days of their submission to him he shall be deemed to have approved thereof :

- (2) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company by or by reason of the construction execution or failure of Tramway No. 8 or the works by this Act authorised in connexion therewith or by or by reason of any act default or omission of the Corporation or their contractors (or any person in the employment of the Corporation or their contractors) with reference to such tramway and works and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such construction execution or failure or of any such act default or omission :
- (3) If and when the company shall require to reconstruct alter repair or paint the said bridge the Corporation shall (if any electric wire of the Corporation has been placed under the said bridge for the purpose of working the said Tramway No. 8 by electric traction) in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required by the engineer unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the engineer :
- (4) The Corporation shall not for the purposes of this Act make attachments to any part of the said bridge without the consent in writing of the engineer which consent shall not be unreasonably withheld and such attachments if allowed shall be in all respects subject to the approval of the engineer and shall be temporarily removed at any time when required by him in connexion with the maintenance reconstruction or alteration of the said bridge :
- (5) If any difference shall arise under this section between the Corporation and the company or their respective

engineers the same shall be referred to and determined by an engineer as single arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of the Corporation or the company and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference. A.D. 1913.

19. Section 60 (For protection of railway companies) of the Act of 1902 shall extend and apply to and in respect of the tramways by this Act authorised as if those tramways had been authorised by the Act of 1902. For protection of railway companies.

20. On the occasion of race meetings and on any other special occasion the Corporation may appropriate sufficient cars on the Corporation tramways for the purpose of carrying passengers to and from such race meetings or for the purposes of such other occasions as aforesaid and the Corporation may charge such special fares on such occasions not exceeding a maximum fare for conveyance by such cars of sixpence for every person conveyed either way as they may determine. Provisions for dealing with tramway traffic on race meetings and other special occasions.

21.—(1) The powers contained in section 58 (Power to run omnibuses) of the Act of 1902 including the power to demand and recover fares and charges for the use of omnibuses shall extend and apply to the provision and use of motor omnibuses and in addition to the powers exerciseable by the Corporation under that section the Corporation may provide and run motor omnibuses between the following places (that is to say):— Extension of powers as to omnibuses.

(A) The terminus of the existing tramway in Melton Road along that road to the farthest point of the village of Thurmaston on that road;

(B) The terminus of the existing tramway in the Groby Road along that road and the road known as Gynsills Lane to the village of Anstey; and

(C) The terminus of the existing tramway in London Road along that road to the farthest point of the village of Oadby on that road.

(2) If and so long as the Corporation run motor omnibuses under the powers of this section along so much of the said routes as may be within the county of Leicester they shall

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- (A) In each of the first three years during which such omnibuses shall so run a sum equal to three-eighths of a penny per car mile run thereon respectively;
- (B) In each year after such three years such a sum as may be agreed upon or failing agreement be determined by arbitration as herein-after provided to be equal to one third of the extra expense annually incurred by the county council as aforesaid and attributable to the running of such motor omnibuses upon such roads respectively during such three years:

And if any difference shall arise as to how much of such extra cost is attributable to the running of such motor omnibuses such difference shall be settled by arbitration under the provisions of the Arbitration Act 1889.

(3) The payments made by the Corporation under the provisions of subsection (2) (A) of this section shall on the determination of the sum referred to in subsection (2) (B) of this section be adjusted between the Corporation and the county council on the basis of the sum so determined or agreed and the Corporation shall pay to the county council or that council shall repay to the Corporation (as the case may require) such amount as may be necessary for the purpose of such adjustment.

(4) The Corporation shall keep proper records of the car miles run by such omnibuses and the county council shall have access thereto at all reasonable times and be at liberty to take copies thereof and extracts therefrom.

Conveyance
of mails.

22. The Corporation shall subject to the provisions and conditions of the Conveyance of Mails Act 1893 perform in respect of the motor omnibuses provided under the preceding section of this Act all the services in regard to the conveyance of mails which are prescribed by the said Act of 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

Provision as
to general
Tramway
Acts.

23. Nothing in this Act contained shall exempt the Corporation or the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future Session of Parliament or from

any future revision or alteration under the authority of Parliament of the maximum rates or charges authorised in respect of any of the tramways. A.D. 1913.

PART III.

STREET WORKS.

24. Subject to the provisions of this Act the Corporation in the lines and situations and upon the lands in that behalf delineated on the deposited plans and described in the deposited book of reference may if they think fit wholly in the borough make and maintain the following street works (that is to say) :—

Power to
execute
street works.

Street Widening (No. 1) A widening of the Haymarket and Belgrave Gate on the east side thereof between the north side of the George Hotel in the Haymarket and a point in Belgrave Gate 2 chains or thereabouts north of the northern side of the said hotel :

Street and Bridge Widening (No. 2) The reconstruction and widening of the bridge carrying Frog Island over the River Soar and known as North Bridge and the approaches thereto commencing on the southern side of the said river at a point about one quarter of a chain or thereabouts southward from the southern bank of the said river and terminating at a point 1 chain or thereabouts northward of the northern bank of the said river :

Street Widening (No. 3) A widening of Loughborough Road on the east side thereof from a point $4\frac{1}{2}$ chains or thereabouts north of the north side of Birstall Lane to a point $1\frac{1}{2}$ chains or thereabouts south of the south side of Hermitage Road :

Street Widening (No. 4) A widening of Loughborough Road on the east side thereof between the north side of Hermitage Road and the borough boundary :

Street Widening (No. 5) A widening on the west side of Welford Road and the north side of Knighton Fields Road East commencing in Welford Road at a point 3 chains or thereabouts south of the south side of Wordsworth Road and terminating in Knighton Fields Road East at a point $2\frac{1}{2}$ chains or thereabouts east of the east side of Lord Byron Street :

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Street Widening (No. 7) A widening of Cavendish Road on the south side thereof commencing at the junction of Cavendish Road and Aylestone Road and terminating in Cavendish Road at a point 3 chains or thereabouts east of the east side of Aylestone Road:

Street Widening (No. 8) A widening of Saint Augustine Street on the north side thereof from the western extremity of the West Bridge to a point 1 chain or thereabouts east of the centre of Bow Bridge:

Street and Bridge Widening (No. 9) The widening and reconstruction of Bow Bridge between points respectively 1 chain or thereabouts east and $\frac{1}{2}$ chain or thereabouts west of the centre of that bridge:

Street Widening (No. 10) A widening of King Richard's Road on the south side thereof from the western extremity of Bow Bridge to the eastern side of Leamington Street:

Street Widening (No. 11) A widening of Aylestone Road on the east side and Cavendish Road on the north side commencing in Aylestone Road at a point $\frac{1}{4}$ chain or thereabouts north of the north side of Cavendish Road and terminating in Cavendish Road at a point $\frac{1}{4}$ chain or thereabouts east of the east side of Aylestone Road:

Street Widening (No. 12) A widening of King Richard's Road on the north side and of Fosse Road North on the east side commencing in King Richard's Road at a point $\frac{1}{4}$ chain or thereabouts east of the east side of Fosse Road North and terminating in Fosse Road North at a point $\frac{1}{4}$ chain or thereabouts north of the north side of King Richard's Road.

For further protection of Midland Railway Company.

25. For the purpose of executing the works of Street Widening No. 8 by this Act authorised the Corporation shall not without the consent of the Midland Railway Company in writing under their common seal enter upon take and use compulsorily any greater quantity of the land and property of the Midland Railway Company than the strip thereof situate between the north side of Saint Augustine Street and the line shown on the deposited plan and marked "Intended frontage line of street when widened."

26. For the protection of the Great Central Railway Company (in this section called "the company") the following provisions shall (unless otherwise agreed between the company and the Corporation) apply and have effect:—

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—
For further protection of Great Central Railway Company.

- (1) Before commencing Street Widening No. 8 by this Act authorised under the bridge and viaduct carrying the railway of the company over Saint Augustine Street and the property adjacent thereto the Corporation shall deliver to the company for the reasonable approval of their engineer plans drawings and specifications showing the manner in which the said widening so far as it affects the railway of the company (herein-after called "the widening") is intended to be carried out. The widening shall be executed according to the plans drawings and specifications so approved and under the superintendence and to the satisfaction of the company:
- (2) The Corporation shall not in the execution of the widening in any way alter or interfere with the structure of the said bridge and viaduct:
- (3) The Corporation shall indemnify the company against all claims and compensate them for any damage or injury occasioned to the railway of the company or to any persons using such railway in consequence of or arising from the execution of the said widening:
- (4) The Corporation shall bear and on demand pay to the company all reasonable costs of the superintendence by them of the execution of the widening and all reasonable costs of watching and lighting and the protection of the railway of the company with reference to and during such execution but such superintendence shall not relieve the Corporation from liability for any accident which may be occasioned by the execution of the said widening by the Corporation:
- (5) Any difference arising between the Corporation and the company under this section shall be determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers at the request of either party and the provisions of the Arbitration Act 1889 or of any statutory modification thereof shall apply to any such arbitration.

A.D. 1913.

PART IV.

GENERAL PROVISIONS COMMON TO TRAMWAYS AND WORKS.

Subsidiary works.

27. Subject to the provisions of this Act the Corporation may within the limits of deviation shown on the deposited plans make and maintain all such approaches retaining walls piers abutments embankments girders piling caissons dams cantilevers bridges arches sewers drains goits culverts excavations and other works and conveniences as may be necessary or expedient in connexion with or for the purposes of the foregoing tramways and works or any of them.

Power of deviation.

28. In constructing any of the street works herein-before described the Corporation may deviate from the centre line shown on the deposited plans to the extent of the limits of deviation marked thereon and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards or three feet downwards.

Power to make junctions with existing streets &c.

29. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connexion with the street works or any of them and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or any of them and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said street works or any of them or of crossing under or over the same or any of them or otherwise Provided always that the Corporation shall make to the owners and occupiers of and all other parties interested in any lands or houses injuriously affected by the exercise of the powers of this section full compensation for all damage sustained by them or any of them.

Temporary stoppage of streets.

30. The Corporation may during the execution and for the purposes of any work by this Act authorised stop up any street and prevent for any reasonable time all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same The Corporation shall provide reasonable access for all persons so bonâ fide going to or returning from any such house.

PART V.

A.D. 1913.

LANDS.

31. Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they require for the purposes of this Act including in the case of the widening or improving of any existing street the provision of space for the erection of buildings adjoining or near to any such street.

Power to take lands.

32. If there be any omission misstatement 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 lands in question may apply to two justices not being members of the council for the correction thereof and if it appear to the justices that the omission misstatement 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 misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Leicester and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates 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.

Correction of errors &c. in deposited plans and book of reference.

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

Limitation of time for compulsory purchase of lands.

34. The Corporation may for the purposes of this Act in addition to the lands they are authorised to acquire and hold under the powers of the former Acts and under the other powers of this Act from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any lands not exceeding in the whole five acres or any easement right or privilege therein thereunder thereover or thereupon (not being an easement right or privilege of water in which persons other than the grantors have an interest) which shall be deemed

Power to acquire additional lands by agreement.

A.D. 1913. necessary by the Corporation but the Corporation shall not deal with any such lands so as to create or permit a nuisance.

Consideration for such acquisition.

35. The consideration for any such acquisition may be either money or land or a mixed consideration of money and land and on any exchange the Corporation may give or take any money for equality of exchange.

Power to grant easements &c. by agreement.

36. 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 said 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.

Owners may be required to sell parts only of certain lands and buildings.

37. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans may be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are herein-after included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation

such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the inquiry shall be borne and paid by the owner:
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat

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cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:

- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Corporation empowered or may be required to underpin or otherwise strengthen houses near works.

38. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of the works it may be necessary to underpin or otherwise strengthen the same Therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as herein-after provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or

- building so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk at the town hall:
 - (3) If any owner lessee or occupier of any such house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade:
 - (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building:
 - (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment:
 - (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall

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have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :

- (7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :
- (8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts :
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

Consent of
Local
Government
Board to
disposition
of land.

39. This Act shall not be taken to dispense with the consent of the Local Government Board to any disposition of land in any case in which such consent would have been required if this Act had not been passed.

PART VI.

ELECTRICITY.

Extension of
area of
supply of
electricity.

40.—(1) It shall be lawful for the Corporation to supply electrical energy for public and private purposes within the parish of Birstall in the rural district of Barrow-upon-Soar the parishes of Humberstone and Evington in the rural district of Billesdon and the parishes of Oadby and New Parks in the rural district of Blaby all in the county of Leicester and those parishes shall be added to the area of supply for the purposes of the Leicester Electric Lighting Order 1890.

(2) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Act and the undertaking authorised by the Leicester Electric Lighting Order 1890 and the undertakers in respect thereof shall be subject to those provisions as if those provisions

were substituted by this Act for the corresponding provisions of the said Order of 1890 and so much of that Order as is inconsistent with those provisions is hereby repealed without prejudice to anything done or suffered thereunder. A.D. 1913 .

(3) The period within which the respective local authorities within whose jurisdiction the said parishes are situate may under section 2 of the Electric Lighting Act 1888 require the Corporation to sell to them so much of the undertaking as is within their respective jurisdictions shall be six months after the expiration of forty-two years from the passing of this Act, and within six months after the expiration of every subsequent period of ten years.

(4) If at the expiration of three years from the passing of this Act or within such extended period as the Board of Trade by order under the hand of an assistant secretary may allow the Corporation shall not have laid down distributing mains in any of the parishes aforesaid the powers by this Act conferred upon the Corporation in respect of any such parish shall cease as from such date as the Board of Trade may by order as aforesaid prescribe.

(5) Nothing in this section shall confer upon the Corporation any exclusive right as against the Leicestershire and Warwickshire Electric Power Company of supplying energy in the areas aforesaid.

41.—(1) Nothing in this Part of this Act shall in any way limit or affect the powers of the Leicestershire County Council (in this section referred to as “the county council”) to rebuild alter widen or repair the structure of any bridge upon which any work authorised by this Part of this Act shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the passing of this Act.

For pro-
tection of
Leicester-
shire County
Council.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking authorised by this Part of this Act they shall prior to the commencement of such works give the Corporation one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Corporation of electrical energy it is in the opinion of the county council necessary to temporarily remove the mains and other electrical appliances belonging to the Corporation from such bridge then

A.D. 1913. — the Corporation shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Corporation shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and the Corporation with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

PART VII.

FINANCE.

Power to
borrow.

42. The Corporation may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest the following sums:—

- (A) For paying the costs charges and expenses of and in relation to this Act as herein-after defined the sum requisite for the purpose;
- (B) For and in connexion with the construction of the tramways any sums not exceeding in the whole sixty-nine thousand one hundred and thirty-eight pounds;
- (C) For the general purposes of the Corporation tramways eleven thousand eight hundred and twelve pounds;
- (D) For and in relation to the provision of motor omnibuses such sums as the Local Government Board may from time to time sanction;
- (E) For the purchase of lands for and for street works purposes any sums not exceeding in the whole fifty-nine thousand one hundred and forty-eight pounds;
- (F) For waterworks purposes any sum not exceeding in the whole one hundred thousand pounds;

(G) For any purposes of the section of this Act of which the marginal note is "Power to maintain golf course and bowling greens &c." such sums as the Local Government Board may from time to time sanction: A.D. 1913.

And in calculating the sums which the Corporation may borrow under the provisions of any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing under and for the purposes of this Act shall not be restricted by any of the provisions of the Public Health Acts.

Moneys required for the payment of interest on and for the repayment of moneys borrowed under this section shall be provided as follows:—

For the purposes in subsections—

- (A) As to one third out of the tramway revenue as to one third equally between the gas revenue and the water revenue and as to the remaining one third out of the district fund and general district rate;
- (B) (C) (D) and (E) Out of the tramway revenue;
- (F) Out of the revenue of the water undertaking; and
- (G) Out of the district fund and general district rate.

43. The provisions of the following sections of the Act of 1902 (that is to say):—

- Section 85 (Provision as to mortgages);
- Section 86 (Security for principal moneys);
- Section 87 (Saving for power to sell lands &c.);
- Section 88 (Interest fund);
- Section 89 (Application of interest fund);
- Section 90 (Account of interest fund);
- Section 93 (Method of repayment of principal moneys);
- Section 94 (Moneys arising from sale of land to be paid to sinking fund);
- Section 96 (Application of sinking fund);
- Section 97 (Investment of sinking fund);
- Section 98 (Account of sinking fund);
- Section 99 (Payments to interest and sinking funds how to be provided);

Incorporation of certain provisions of Act of 1902.

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Section 100 (Determination as to charge of moneys);

Section 101 (Power to re-borrow);

Section 102 (Application of money borrowed);

Section 104 (Return respecting sinking fund to Local Government Board) as amended by section 54 of the Act of 1908;

Section 106 (Corporation not to regard trusts);

Section 107 (Protection of lender from inquiry);

shall extend and apply to and in respect of the moneys to be borrowed under the provisions of this Act.

Prescribed periods for repayment of money borrowed under this Act.

44.—(1) The prescribed periods for the repayment of moneys borrowed under the powers of this Act for the following purposes shall be as follows (that is to say):—

For the purpose in subsection (A) five years from the date of the passing of this Act;

For the purpose in subsection (B) thirty years;

For the purposes in subsection (C) such period or periods as the Board of Trade may sanction;

For the purposes in subsection (D) such period as the Local Government Board may sanction;

For the purposes in subsection (E) fifty years;

For the purposes in subsection (F) thirty-five years; and

For the purposes in subsection (G) such period as the Local Government Board may sanction.

(2) The first payment by instalments or to a sinking fund shall be made within twelve months after the date of the borrowing of the money in respect of which such payment is to be made.

Expenses of executing Act.

45. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such of those expenses as are to be paid out of borrowed moneys) shall so far as they relate to tramways be paid out of the tramway revenue and subject thereto out of the district fund and general district rate and so far as they relate to the water undertaking out of the water revenue and subject thereto out of the district fund and general district rate and so far as they relate to other purposes shall be paid out of the district fund and general district rate:

Provided that when any expenditure is incurred or any money is received for purposes common to two or more accounts the Corporation may apportion the same between those accounts in such manner as they deem equitable. A.D 1913.
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46.—(1) The Corporation may from time to time for the purpose of providing temporarily for any current expenses that may be incurred by them in the execution of any Act of Parliament or Provisional Order confirmed by or under any Act of Parliament borrow by way of temporary loan or overdraft from any bank or on temporary loan on deposit receipt from any person and in either case at such rate of interest as they may determine such sum as they may from time to time resolve not exceeding in the aggregate at any time an amount equal to one fourth of the total aggregate amount of the before-mentioned expenses for the immediately preceding financial year. As to temporary borrowing.

(2) Any amount borrowed under this section together with the interest thereon shall form a charge upon all the funds properties rates and revenues of the Corporation *pari passu* with all other mortgages stock or other securities affecting the same.

(3) It shall also be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have on hand crediting the said sinking funds with such fair rate of interest not being less than three per centum per annum as they may resolve.

(4) All sums borrowed by the Corporation under this section in respect of the current expenses of any financial year shall be repaid out of the revenue received by the Corporation in respect of such year.

(5) When the Corporation borrow money under this section—

(A) The treasurer shall within forty-two days after the end of each financial year furnish to the Local Government Board a special report showing precisely the operation of the powers of this section during such year and such report shall be in such form and shall contain such information as that Board shall approve or require :

(B) The Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this section have been complied with and if it appear to the Local

A.D. 1913.

Government Board by the said report or by such investigation that the Corporation have failed to comply with the requirements of this section that Board may by order suspend the operation of the powers of this section for such period as they may think fit.

(6) The provisions of this section limiting the amount of the sums which the Corporation may borrow and the provisions of subsection (4) of this section requiring the repayment thereof out of the revenue referred to in that subsection shall not affect any lender or his security for the loan or overdraft and the interest thereon respectively or his right to obtain payment thereof from the Corporation.

(7) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March nineteen hundred and fourteen unless they shall have been continued by Act of Parliament or Provisional Order made by the Local Government Board and confirmed by Parliament which Order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875 and in the event of that Board making any such Order they are hereby empowered to make such modifications or amendments in the provisions of this section as may appear to them to be necessary.

Reserve
fund for gas
undertaking.

47. The Corporation may increase the amount of the reserve fund established in respect of the gas undertaking and authorised by the provisions of section 36 of the Act of 1878 as amended by Article IX. of the Leicester Order (No. 2) of 1891 provided that such fund shall not exceed a total amount of one hundred and fifty thousand pounds.

PART VIII.

MISCELLANEOUS.

Power to
maintain
golf course
and bowling
greens &c.

48.—(1) The Corporation may hold and use and appropriate for the purposes of a municipal golf course such part of the Western Park and lands acquired or held in connexion therewith as may be necessary or expedient for that purpose and may upon any such lands maintain alter regulate manage and use a golf course with all proper and convenient houses pavilions

works buildings and conveniences and may in connexion therewith appoint and pay officers and servants and the Corporation may make charges for the use of such golf course and may permit the use thereof by any club or other body and may close the same against the public for such number of days in the year not exceeding twelve as the Corporation may think fit. A.D. 1913.

(2) The Corporation may in any park or recreation ground vested in them lay out and maintain bowling greens lawn tennis courts and croquet lawns and provide the necessary apparatus for the use of the same and may do all such acts and employ such persons as may be required for that purpose and may make such reasonable charges for the use of such bowling greens lawn tennis courts and croquet lawns and the apparatus in connexion therewith respectively as they may from time to time prescribe.

(3) The Corporation shall apply all moneys from time to time received by them under and in pursuance of the exercise of the powers of this section other than moneys (if any) received on capital account as follows (that is to say):—

First In payment of the working and establishment expenses and cost of maintenance of such golf course bowling greens lawn tennis courts and croquet lawns if maintained by them ;

Secondly In payment of the interest on moneys borrowed by the Corporation for the purposes of this section ;

Thirdly In providing the requisite instalments or payments in respect of moneys borrowed by the Corporation for the purposes of this section ;

Fourthly In altering and improving such golf course bowling greens lawn tennis courts and croquet lawns :

And the Corporation shall carry to the credit of the general district rate so much of any balance remaining in any year as may in the opinion of the Corporation not be required for carrying on the said golf course bowling greens lawn tennis courts and croquet lawns and for paying the current expenses of the Corporation in connexion therewith under this section Any deficiency in the revenue or receipts of the Corporation on account of such golf course bowling greens lawn tennis courts and croquet lawns shall be made good out of the general district rate.

A.D. 1913.

(4) The Corporation shall keep accounts of the receipts and expenditure under this section separate from all other accounts and distinguish therein capital from revenue.

(5) The Corporation may make and enforce byelaws with respect to such golf course bowling greens tennis courts and croquet lawns and for regulating the use thereof respectively :

The provisions of sections 182 to 185 of the Public Health Act 1875 shall apply to any byelaws made by the Corporation under this subsection.

Charges and regulations &c. in connexion with concerts and band performances.

49.—(1) The Corporation may in any public park recreation ground or building for the time being vested in them make such charges as they think fit for the use of seats or chairs provided by them in connexion with any concert or performance therein and may make regulations for securing good and orderly conduct during any such concert or performance.

(2) The Corporation may provide and sell or authorise any person or persons to provide and sell programmes of any such concert or performance.

(3) The Corporation may pay or contribute towards the cost of providing and maintaining at public places in the district and inserting in newspapers published in the district advertisements of any such concerts or performances Provided that such payments or contributions shall not in any year exceed the amount of the surplus revenue from the said concerts and performances (including the sale of programmes) in the previous year.

(4) After payment of any expenses incurred by the Corporation under this section the balance of any moneys received by the Corporation in pursuance of this section shall be credited to the district fund.

Extending limits of byelaws as to hackney carriages.

50. For the purpose of the provisions of the former Acts and of the Town Police Clauses Acts 1847 and 1889 with respect to hackney carriages the borough shall be the prescribed distance except with respect to any hiring taking place within the borough in which case ten miles from the town hall shall be the prescribed distance :

Provided that it shall not be obligatory on the drivers of hackney carriages to contract to carry persons for hire a longer distance than such ten miles and in the case of any such hiring

within the borough any offence against any byelaw of the Corporation with respect to hackney carriages whether such offence shall have been committed within the borough or not may be brought before and determined by any justice or justices of the peace having jurisdiction in the borough. A.D. 1913.

51. The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage plying for hire within the borough to be tested and inspected before being first used and at such reasonable intervals of time thereafter as the Corporation may require and no such taximeter or other similar apparatus shall be used or be continued in use unless the same be certified to register correctly Any person using a taximeter or other similar apparatus which is not so certified or failing to submit the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable upon conviction to a penalty not exceeding forty shillings. Power to inspect and certify taximeters.

52. The provisions of the Municipal Corporations Acts relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under those Acts shall extend and apply to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act. Audit of accounts.

53. The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in addition to the auditors appointed under the Municipal Corporations Acts. Paid auditors.

54. The Corporation may pay out of the district fund as expenses incurred by them under the Municipal Corporations Act 1882— Power to Corporation to apply funds towards associations institutions &c.

Reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such

A.D. 1913.

associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings.

Inquiries by
and expenses
of Local
Government
Board.

55.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in relation to any of the duties imposed on that Board under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

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

Costs of Act.

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

The SCHEDULES referred to in the foregoing Act. A.D. 1913

THE FIRST SCHEDULE.

Session and Chapter.	Description or Short Title.
9 Vict. cap. xxix. - - -	An Act for improving the Borough of Leicester.
10 & 11 Vict. cap. cclxxxii. - -	The Leicester Waterworks Act 1847.
11 Vict. cap. ii. - - -	The Leicester Cemetery Act 1848.
14 Vict. cap. ii. - - -	The Leicester Sewerage Act 1851.
14 Vict. cap. xxxiii. - - -	The Leicester Waterworks Amendment Act 1851.
23 Vict. cap. v. - - -	The Leicester Gas Act 1860.
23 Vict. cap. xxii. - - -	The Leicester Cemetery Amendment Act 1860.
28 Vict. cap. vii. - - -	The Leicester Lunatic Asylum and Improvement Act 1865.
29 Vict. cap. xxvi. - - -	The Leicester Cattle Market Town Hall and Improvement Act 1866.
29 Vict. cap. xxvii. - - -	The Leicester Waterworks Act 1866.
31 Vict. cap. xxiv. - - -	The Leicester Improvement Drainage and Markets Act 1868.
33 Vict. cap. iv. - - -	The Leicester Lunatic Asylum Act 1870.
36 Vict. cap. xi. - - -	The Leicester Gas Act 1873.
37 & 38 Vict. cap. lxxii. - - -	The Leicester Improvement Act 1874.
37 & 38 Vict. cap. clxxxii. - - -	A Provisional Order relating to the Borough of Leicester confirmed by the Local Government Board's Provisional Orders Confirmation Act 1874 (No. 5).
38 & 39 Vict. cap. xcii. - - -	The Leicester Waterworks Act 1875.
39 & 40 Vict. cap. xxvi. - - -	The Leicester Improvement Act 1876.
40 & 41 Vict. cap. cl. - - -	The Leicester Gas Act 1877.
41 & 42 Vict. cap. cxxxii. - - -	Leicester Corporation Gas and Water Transfer Act 1878.
42 & 43 Vict. cap. cc. - - -	The Leicester Corporation Act 1879.
44 & 45 Vict. cap. lxxii. - - -	The Leicester Improvement Act 1881.
47 & 48 Vict. cap. xxxii. - - -	The Leicester Corporation Act 1884.
53 & 54 Vict. cap. xxxvi. - - -	The Leicester Corporation Waterworks Act 1890.
53 & 54 Vict. cap. lxxxiv. - - -	Provisional Order for altering the Leicester Corporation Act 1884 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890.
53 & 54 Vict. cap. excii. - - -	The Leicester Electric Lighting Order 1890 confirmed by the Electric Lighting Orders Confirmation (No. 7) Act 1890.
54 & 55 Vict. cap. e. - - -	The Leicester Extension Act 1891.
54 & 55 Vict. cap. cexi. - - -	Provisional Order [Leicester Order] for altering the Leicester Improvement Drainage and Markets Act 1868 and a Provisional Order [Leicester Order (No. 2)] for altering the Leicester Corporation Gas and Water Transfer Act 1878 both of which Orders were confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1891.

[Ch. lxxxvi.] *Leicester Corporation Act, 1913.* [3 & 4 GEO. 5.]

A.D. 1913.

Session and Chapter.	Description or Short Title.
56 & 57 Vict. cap. cxx. - -	Provisional Order for altering the Leicester Corporation Act 1884 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1893.
57 Vict. cap. xxii. - - -	The Leicester Order 1894.
58 & 59 Vict. cap. xl. - - -	The Leicester Order 1895.
59 & 60 Vict. cap. cxi. - - -	The Leicester Order 1896.
60 & 61 Vict. cap. cexviii. - -	The Leicester Corporation Act 1897.
62 & 63 Vict. cap. cxlv. - - -	{ The Leicester Order (No. 1) 1899.
	{ The Leicester Order (No. 2) 1899.
	{ The Leicester Order (No. 3) 1899.
62 & 63 Vict. cap. cclxix. - -	The Derwent Valley Water Act 1899.
63 & 64 Vict. cap. clxxvi. - -	The Leicester Order 1900.
1 Edw. VII. cap. xli. - - -	{ The Leicester Order 1901.
	{ The Leicester Order (Sewage Lands) 1901.
1 Edw. VII. cap. lxxx. - - -	The Derwent Valley Water Act 1901.
2 Edw. VII. cap. clxxvii. - -	The Leicester Corporation Act 1902.
4 Edw. VII. cap. cxevi. - - -	The Derwent Valley Water Act 1904.
5 Edw. VII. cap. cvi. - - -	The Leicester Order 1905.
8 Edw. VII. cap. lvi. - - -	The Leicester Corporation Act 1908.
9 Edw. VII. cap. lxiii. - - -	The Derwent Valley Water Act 1909.
2 & 3 Geo. V. cap. cxxvii. - -	The Leicester Order 1912.

THE SECOND SCHEDULE.

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