



## CHAPTER xxxvii

An Act to extend the boundaries of the borough of Dover to make provision with respect to the sale of coke coal and wood fuel and for other purposes.  
[28th July 1950.]

**W**HEREAS the borough of Dover (hereinafter referred to as "the borough") in the county of Kent is a municipal borough under the local government of the mayor, aldermen and burgesses of the borough:

And whereas the unrepealed provisions of the local Acts specified in Part I of the schedule to this Act and of the Orders specified in Part II of that schedule are in force in the borough:

And whereas the parishes of Guston and River Without in the rural district of Dover are respectively situated in the administrative county of Kent and adjoin the borough:

And whereas it is expedient to alter and extend the boundaries of the borough so as to include therein parts of the said parishes of Guston and River Without:

And whereas it is expedient to make provision with respect to the sale of coke coal and wood fuel:

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

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

23 & 24 Geo. 5.  
c. 51.

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

Short and  
collective  
titles.

1.—(1) This Act may be cited as the Dover Corporation Act 1950.

(2) The local Acts as defined in section 3 (Interpretation) of this Act and this Act may be jointly cited as the Dover Corporation Acts 1778 to 1950.

Division of  
Act into  
Parts.

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

Part I—Preliminary.

Part II—Extension of borough.

Part III—Sale of coke coal wood fuel etc.

Part IV—Finance and miscellaneous.

Interpretation.

3.—(1) In this Act unless the subject or context otherwise requires—

19 Geo. 5.  
c. 17.

“The Act of 1929” and “the Act of 1933” mean respectively the Local Government Act 1929 and the Local Government Act 1933;

“The added areas” means the added parts of Guston and River Without;

“The added part of Guston” and “the added part of River Without” mean respectively the part of the parish of Guston and the part of the parish of River Without which are respectively included within the inner edge of the blue line on the borough map and “the excluded part of Guston” and “the excluded part of River Without” mean respectively the remaining parts of those parishes;

“The appointed day” means the first day of April nineteen hundred and fifty-one;

“The borough” means before the appointed day the existing borough of Dover and on and after the appointed day the existing borough as extended by this Act;

“The borough map” means the map signed in triplicate by the Right Honourable The Earl of Drogheda the chairman of the committee of the House of Lords to which the Bill for this Act was referred one copy of

which map has been deposited in the office of the Clerk of the Parliaments House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office ;

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

“The council” means the council of the borough ;

“The county” means the administrative county of Kent and “the county council” means the county council of the county ;

“Enactment” includes this Act and any general or local Act order byelaw or regulation for the time being in force ;

“Existing” in relation to any area altered by this Act means existing immediately before the appointed day ;

“The existing parishes” means the existing parishes of Guston and River Without both in the rural district ;

“The general rate fund” means the general rate fund of the borough ;

“The local Acts” means the local Acts specified in Part I of the schedule to this Act and 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 ;

“The Minister” means the Minister of Health ;

“The parish councils” means the parish councils of the existing parishes ;

“Revenues of the Corporation” includes all such funds rates contributions and other revenues receivable by the Corporation as are mentioned in section 218 of the Act of 1933 ;

“The rural district” and “the rural council” mean respectively the rural district of Dover and the rural district council of that district ;

“The town clerk” means the town clerk of the borough.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by virtue of any subsequent enactment including this Act.

## PART II

### EXTENSION OF BOROUGH

#### *Alteration of boundaries*

4. Save as otherwise expressly provided and except so far as there may be anything in the subject-matter or context inconsistent with the commencement of Part II of Act.

PART II  
—cont.

therewith this Part of this Act shall come into operation on the appointed day:

Provided that for the purposes of—

- (a) the compilation alteration or rearrangement of any register of electors made under the Representation of the People Acts;
- (b) the qualification of candidates for election to the office of councillor of the borough;
- (c) any election to be held on or after the appointed day for any area affected by this Act and all proceedings preliminary or relating thereto; and
- (d) the preparation of any contribution order or precept to be made or issued in respect of any period commencing on or after the appointed day;

this Part of this Act shall operate from the date of its passing.

## Borough map.

5.—(1) Copies of the borough map certified by the town clerk to be true shall be sent by him as soon as may be after the passing of this Act to the clerk of the county council to the clerk of the rural council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Postmaster-General to the Ministers of Health Transport Agriculture and Fisheries Fuel and Power and Town and Country Planning respectively and to the Boundary Commission for England.

(2) Copies of or extracts from the borough map certified by the town clerk to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of such map so far as it relates to the boundary of any area altered by this Act.

(3) The borough map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(4) All fees so received shall be carried to the general rate fund.

Extension of  
borough.

6.—(1) The boundary of the existing borough the area whereof is included within the outer edge of the red line on the borough map shall be altered so as to include the added areas.

(2) The boundary of the borough shall be that shown by the inner edge of the blue line on the borough map and the whole of the area within that boundary shall be the borough of Dover.

7.—(1) The added areas shall be added to and form part of the parish of Dover.

PART II

—cont.

Alteration of  
parishes.

(2) The excluded part of Guston and the excluded part of River Without shall respectively form the parishes of Guston and River Without.

*Councillors and other members of local authorities*

8. The persons who hold office immediately before the appointed day as mayor aldermen and councillors of the existing borough shall on and from the appointed day continue to be the mayor aldermen and councillors of the borough but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed.

Existing mayor  
aldermen and  
councillors.

9. Subject to the provisions of the Act of 1933 with respect to the alteration of the boundaries of wards the following provisions shall have effect:—

Municipal  
wards  
aldermen and  
councillors.

(1) The number of aldermen and councillors of the borough shall remain unaltered:

(2) For the purposes of the election of councillors the borough shall continue to be divided into six wards:

(3) The river ward shall be altered to include the added areas:

(4) The councillors representing the river ward immediately before the appointed day shall be deemed on and after that day to have been elected to represent that ward as altered by this section and shall continue in office until they would have gone out of office if this Act had not been passed.

10. For the purposes of the application to the borough of the provisions of paragraph (c) of section 57 of the Act of 1933 the added areas shall be deemed to have formed part of the borough during the whole of the twelve months preceding the day of an election to which that section relates.

Qualification  
for election  
and office.

11. Subject to the provisions of the Act of 1933 with respect to the alteration of electoral divisions of the county the following provisions shall have effect:—

County  
electoral  
divisions.

(1) The added areas shall be separated from the existing Dover Rural electoral division of the county and shall be included in the Dover North electoral division of the county;

(2) The persons who immediately before the appointed day are the county councillors representing respectively the existing Dover Rural and Dover North electoral divisions of the county shall continue in office and be

PART II  
—cont.

deemed to have been elected for the same respective divisions as altered by this Act and shall retire on the day on which they would have retired from office if this Act had not been passed.

District  
councillors and  
continuance of  
rural council.

**12.** Subject to the provisions of any order which may be made by the county council under the Act of 1933 with respect to rural district councils and rural district councillors—

(a) the persons who immediately before the appointed day are the rural district councillors for the existing parishes shall be deemed to have been elected to represent those parishes respectively as altered by this Act on the rural council and shall retire on the day on which they would have retired from office if this Act had not been passed ;

(b) the rural council shall continue and shall be deemed to have been elected for and shall be the rural district council for the rural district as altered by this Act.

Parish  
councils  
and parish  
councillors.

**13.** Subject to the provisions of any order which may be made by the county council under the Act of 1933 with respect to parish councils and parish councillors—

(a) the persons immediately before the appointed day in office as parish councillors for the existing parishes respectively shall on the appointed day become parish councillors for those parishes respectively as altered by this Act but shall retire from office on the day on which they would have retired from office if this Act had not been passed ;

(b) the parish councils of the existing parishes shall be the parish councils of those parishes as altered by this Act.

Casual  
vacancies.

**14.** Any casual vacancy which may exist on the appointed day in the office of borough councillor county councillor rural district councillor or parish councillor for any ward electoral division or parish which by virtue of this Act is altered shall be deemed to exist in the office of councillor for the altered area.

*Administrative provisions*Powers of  
rural and  
parish councils.

**15.** The rural council (except as provided by section 30 (Contribution orders precepts and arrears of rates) of this Act) and the parish councils shall cease to exercise any powers or discharge any duties in respect of any part of the added areas.

Rating area  
and valuation  
lists.

**16.—(1)** The added areas shall be deemed to form part of the rating area of the borough.

(2) The valuation list of the existing borough and the portions of the valuation list of the rural district which relate to hereditaments within the added areas shall together form the valuation list of the borough as from the appointed day.

(3) The remaining portions of the valuation list of the rural district shall be the valuation list of that district as from the appointed day.

PART II  
—cont.

17.—(1) The local registrar for the rural district under the Land Charges Act 1925 and the rules made thereunder shall within one month after the appointed day supply to the local registrar for the borough an office copy of every entry in the local land charges register relating to any land situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

Local land  
charges  
registers.  
15 Geo. 5.  
c. 22.

(2) The local registrar for the borough shall within one month after the receipt of the office copy mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the borough.

(3) Until the entries are made as aforesaid or until the expiration of two months from the appointed day whichever be the earlier day the following provisions shall have effect in respect of all land within the added areas:—

(a) The local registrar for the borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the rural district;

(b) Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the rural district the application received by him together with the fees paid in respect thereof;

(c) The local registrar for the rural district shall permit and make such searches and furnish such office copies and certificates as he would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;

(d) Where an entry of a local land charge which has been duly made in the local land charges register of the rural district is required by this section to be transferred from the register of such district to the register of the borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the borough.

18.—(1) If the register of local government electors for any electoral area affected by this Act is not so framed as to show the

Provisions as  
to register of  
electors.

PART II  
—cont.

persons entitled to vote at an election to be held for an electoral area as altered by this Act the appropriate registration officer shall make such alteration or rearrangement of the register as may be necessary for the purposes of such election.

(2) The additional expense incurred by the appropriate registration officer which may be solely attributable to an alteration or rearrangement of the register of electors under this section shall be defrayed by the Corporation.

## Jury service.

**19.** For the purpose of summoning jurors and of jury service any parish affected by this Act shall be deemed to continue unaltered until a new jurors' book for the parish as altered comes into force.

As to  
registration  
districts.

**20.** Nothing in this Act shall affect the area of any existing registration district or sub-district without prejudice however to the exercise of the powers contained in sections 24 and 131 of the Act of 1929 as to the alteration thereof.

## Burial board.

**21.—(1)** The area of the Corporation as burial board for the existing borough shall be altered by the inclusion in such area of the added areas and the Corporation shall have within such area as so altered to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906.

(2) Any table of fees and charges in force in respect of any existing burial ground maintained by the Corporation shall extend and apply to inhabitants of the burial area of the Corporation as altered by this section as such table applies to inhabitants of the existing burial area of the Corporation.

(3) Except as by this Act expressly provided nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired before the appointed day or prejudicially affect any right privilege or authority which immediately before the appointed day is exercisable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

*Local Acts adoptive Acts byelaws &c.*

## Local Acts.

**22.—(1)** Subject to the provisions of this Part of this Act the unrepealed provisions of the local Acts or any other local Act or Provisional Order duly confirmed by Parliament affecting the existing borough or the Corporation thereof as the same respectively are in force within the existing borough on the appointed day shall extend and apply to the borough and any reference in any such Act or Order to the existing borough and the Corporation thereof shall be deemed to refer to the borough and the Corporation thereof.



(2) The provisions of any protective section for the benefit of the rural council or of either of the parish councils or the predecessors of any such councils contained in any enactment by whomsoever obtained so far as they relate to or affect any part of the added areas shall enure on and after the appointed day to the benefit of the Corporation and shall be construed as if in relation to the added areas a reference to the Corporation were substituted for any reference to any of such councils or their predecessors as the case may be.

**23.**—(1) Subject to the provisions of subsection (3) of this section the provisions of any public general Act in force throughout the existing borough by virtue of an adoption by the council of the existing borough and any order in force under such Act throughout the existing borough shall apply to the borough as extended by this Act. Adoptive Acts.

(2) Subject to the provisions of this section the provisions of any public general Act in force in the added areas by virtue of an adoption by the rural council or their predecessors and any order in force under such Act in the added areas shall cease to have effect in relation to such areas.

(3) This section shall not apply to any order made under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925. 7 Edw. 7. c. 53.  
15 & 16 Geo. 5.  
c. 71.

**24.** Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925:— Orders under Public Health Acts Amendment Act 1907 or Public Health Act 1925.

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing borough any parts or sections of either of those Acts shall have effect as if any reference in that order to the existing borough extended and applied to the borough and as if such parts or sections were accordingly declared to be in force within the borough:
- (2) The provisions of any other order made under either of those Acts which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added areas:
- (3) The provisions of any order made before the appointed day and declaring to be in force within any part of the added areas any parts or sections of either of those Acts shall cease to apply to any such part of the added areas and the parts or sections declared by any such order to be in force shall (save as in this section provided) cease to be in force within any such part of the

PART II.  
—cont.

added areas but this section shall not prejudice or affect any proceedings which are pending on the appointed day.

Orders under  
Shop Hours  
Act 1904  
and Shops  
Acts 1912 to  
1936.  
4 Edw. 7.  
c. 31.

**25.** Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1936 and any enactments relating thereto which is in force immediately before the appointed day in the existing borough shall extend to the added areas and any order under those Acts which is then in force elsewhere in the county shall cease to extend to the added areas.

Powers under  
section 33 of  
Local  
Government  
Act 1894.

56 & 57 Vict.  
c. 73.

**26.** Subject to the provisions of any order which the Minister may make after the passing of this Act the provisions of any order made before the passing of this Act by the Local Government Board or the Minister and conferring upon the council of the existing borough any of the powers relating to the matters mentioned in section 33 of the Local Government Act 1894 or in section 271 of the Act of 1933 and in that order so far as such powers are still in force or still have effect shall be deemed to have effect as if any reference in those provisions to the existing borough the council of the existing borough and the existing parish of Dover extended and applied respectively to the borough the council and the parish of Dover as extended by this Act.

Sunday Enter-  
tainments  
Act 1932.  
22 & 23 Geo. 5.  
c. 51.

**27.** The Sunday Entertainments Act 1932 shall from the appointed day apply to the borough as before that day it applied to the existing borough.

Byelaws  
regulations  
and scales  
of charges.

**28.—(1) (a)** All local government byelaws made by the Corporation in force within the existing borough immediately before the appointed day shall continue to apply to the existing borough until repealed or altered.

*(b)* Any such byelaw may by a byelaw be extended with or without modification to the added areas.

**(2)** All local government byelaws other than those made by the county council in force within any part of the added areas immediately before the appointed day shall continue to apply to such part for one year after the appointed day (unless previously repealed or altered by the Corporation) but shall on the expiry of one year after the appointed day cease to be in force within the added areas.

**(3)** In their application to the added areas any byelaws continued in force by the foregoing provisions of this section shall have effect as if they had been made by the Corporation and as if the added areas or the part thereof to which such byelaws apply were referred to therein instead of the area to which they originally applied.

(4) All byelaws other than local government byelaws made by the Corporation and in force in the existing borough immediately before the appointed day shall apply to the borough until repealed or altered.

(5) (a) All byelaws made by the county council and in force within both the existing borough and the added areas shall apply to the borough until repealed or altered.

(b) All other byelaws made by the county council and in force immediately before the appointed day within the added areas shall cease to be in force within the added areas.

(6) Any proceedings which if this Act had not been passed might have been taken for any offence alleged to have been committed against any byelaw (other than a byelaw made by the county council and continued in force by the foregoing provisions of this section) before the appointed day within the added areas may be taken by the Corporation.

(7) In this section "byelaws" includes any regulation scale of charges list of tolls table of fees or payments and the phrase "local government byelaws" means byelaws which if they had been made immediately before the appointed day would have required to be confirmed by the Minister.

#### *Property liabilities etc. and debts*

29. Subject to the provisions of this Part of this Act all property immediately before the appointed day vested in the Corporation for the benefit of the existing borough (not being property held on any charitable trust) shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which immediately before that day are exercisable by or vested in the Corporation for the benefit of the existing borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing borough shall on that day attach to them in respect of the borough.

30.—(1) Notwithstanding the alteration of areas effected by this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

(2) All rates in respect of any period prior to the appointed day and not collected before the appointed day in respect of hereditaments within the added areas shall be collected and recovered as if this Act had not been passed.

## PART II

—cont.

Jurisdiction  
of borough  
justices  
coroner etc.  
extended.

*Supplementary provisions*

**31.**—(1) The powers and duties of the quarter sessions recorder clerk of the peace coroner and justices of the peace for the existing borough and of the clerk to those justices shall extend to and apply throughout the borough:

Provided that—

- (a) every person alleged to have committed an offence in any part of the added areas before the appointed day shall be tried and dealt with as if this Act had not been passed;
- (b) any proceeding which before the appointed day has been begun by or is pending before any quarter sessions any coroner or any justice in relation to any matter arising in or concerning the added areas or any part thereof may be carried on continued and completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added areas shall cease to form part of the Wingham petty sessional division and the East Kent coroner's district of the county.

11 & 12 Geo. 6.  
c. 58.

(3) Where immediately before the appointed day a probation order made or having effect as if made under section 3 of the Criminal Justice Act 1948 is in force and the probationer is residing in any part of the added areas the supervising court may if a petty sessional division of the county is named in the order amend the order under paragraph 2 of the First Schedule to that Act as if the probationer had changed his residence and nothing in the proviso to subsection (1) of this section shall be construed in relation to any probation order whenever made as preventing the justices of the peace for the borough as the supervising court from dealing with the probationer in pursuance of any power conferred upon them by the said Act of 1948.

Unclassified  
roads.

**32.**—(1) As from the appointed day all unclassified roads in the added areas shall vest in the Corporation and for the purpose of the maintenance repair and improvement of and other dealing with any such road the Corporation shall have the same powers and duties as respects that road as they have as respects unclassified roads vested in them prior to the appointed day.

(2) In this section the expression "unclassified roads" means highways repairable by the inhabitants at large which are not classified roads as defined in the Act of 1929.

Extension of  
licensing  
planning area.  
8 & 9 Geo. 6.  
c. 15.  
9 & 10 Geo. 6.  
c. 53.

**33.** The licensing planning area of the borough constituted by order of the Secretary of State in pursuance of the Licensing Planning (Temporary Provisions) Acts 1945 and 1946 is hereby extended to include the added areas.

**34.** The town clerk and all other officers and servants of the Corporation of the existing borough who hold office immediately before the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the borough and shall hold their offices by the same tenure as before that day.

PART II  
—cont.  
Officers of  
Corporation  
continued.

**35.**—(1) All public books writings and papers of either of the existing parishes relating exclusively to any part of the added areas and all documents relating exclusively to any part of the added areas and directed by law to be kept with the public books writings and papers of such parish (except any book or document relating to the affairs of the church or to ecclesiastical charities or to a parochial non-ecclesiastical charity) and all plans papers and writings of the rural council relating exclusively to any part of the added areas shall be deposited in such custody as the Corporation may direct.

Parish books  
and  
documents.

(2) Any ratepayer of any area of which either of the existing parishes forms part shall at all times have the same right of inspection and of making extracts from the public books writings papers and documents referred to in this section as he would have had if this Act had not been passed.

**36.**—(1) Where in consequence of any alteration of authorities made by this Act any adjustment of any property income debts liabilities or expenses so far as they are affected by the alteration is required an adjustment shall be made between the councils or other authorities affected under and in accordance with section 151 and paragraph (a) of subsection (1) of section 152 of the Act of 1933 in all respects as if this Act were an order under Part VI of the Act of 1933.

Financial  
adjustments

(2) This section shall not extend to any matter for the adjustment of which provision is made in any other Act.

**37.**—(1) No alteration effected by this Act in the area of any local or other authority shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any such authority or their predecessors:

Savings for  
actions  
contracts etc.

Provided that—

(a) any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added areas may be continued prosecuted and enforced by or against the Corporation; and

PART II  
—cont.

(b) all contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by any such authority (or their predecessors) in relation exclusively to any part of the added areas shall continue in force as fully and effectually as if instead of such authority (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

Saving for  
qualification of  
councillors.

38. Any member of a local authority who is to continue in office after the appointed day shall not during his term of office current immediately before that day be deemed to lose his qualification for being a member by reason of the alterations of area made by this Act.

Other saving  
provisions.

39.—(1) Nothing in this Act shall—

(a) be construed as restricting any power under the Act of 1929 or the Act of 1933 of altering any of the areas or the constitution of any authority or committee ;

(b) alter the area of any constituency ;

(c) alter the area of any ecclesiastical parish or prejudice vary or affect any power right interest or jurisdiction in over or in connection with any charitable endowment ;

(d) (save as in this Act expressly provided) affect the provisions of the Rating and Valuation Acts 1925 to 1940 or Parts III IV and V of the Local Government Act 1948 ;

(e) affect land tax ; or

(f) affect any limitation imposed on the duration of any byelaw by the Public Health Act 1936.

11 & 12 Geo. 6.  
c. 26.

26 Geo. 5. &  
1 Edw. 8.  
c. 49.

(2) (a) Nothing in this Act shall alter the respective areas for the supply of water by the Corporation or the East Kent District Water Company (in this section called “the company”) or prejudice or affect the existing powers or the rates and charges of the Corporation or the company for the supply of water under any enactment or agreement.

(b) For the purposes of section 40 (Agreements between Corporation and East Kent District Water Company) of the Dover Corporation Act 1912 and of section 77 (Agreements between East Kent Company and Dover Corporation) of the Mid and East Kent District Water Act 1913 the added areas shall be deemed to have been at the respective dates of the passing of those Acts within that part of the borough included within the statutory limits of supply of the company.

2 & 3 Geo. 5.  
c. lxxii.

3 & 4 Geo. 5.  
c. xxxvi.

## PART III

## SALE OF COKE COAL WOOD FUEL ETC.

**40.** In this Part of this Act the expression "coke" includes coke and any solid fuel derived from coal or of which coal or coke is a constituent. Definition of coke.

**41.** The provisions of sections 20 to 29 of the Weights and Measures Act 1889 and of any byelaws made by the Corporation thereunder (which provisions and byelaws relate to the sale of coal) shall also apply to the sale of coke within the borough and those provisions (except section 28 and the byelaws made thereunder) shall apply to the sale within the borough of wood fuel in quantities not less than fourteen pounds. Application of Weights and Measures Act 1889.  
52 & 53 Vict. c. 21.

**42.—(1)** The Corporation may make byelaws—

- (i) regulating for the purposes of this Part of this Act and of the Weights and Measures Act 1889 the sale of wood fuel within the borough in quantities not less than fourteen pounds but not exceeding two hundredweights ;
- (ii) requiring either generally or in specified classes of cases a weighing instrument of a form approved by the Corporation to be carried with any vehicle in which wood fuel is carried within the borough for sale or delivery to a purchaser ; and
- (iii) prescribing the distance beyond which wood fuel is not to be required to be carried within the borough for the purpose of being weighed or re-weighed in pursuance of section 27 of the Weights and Measures Act 1889 as applied by this Act.

Byelaws relating to wood fuel.

(2) As respects byelaws made under this section the confirming authority for the purposes of section 250 of the Act of 1933 shall be the Board of Trade.

**43.** If any seller of coke or wood fuel or any person in charge of any vehicle from which coke or wood fuel is being sold delivered or offered or exposed for sale within the borough wilfully makes any false statement as to the weight of the coke or wood fuel or any part thereof or wilfully increases such weight by damping such coke or wood fuel or wilfully does any other act by which the purchaser may be defrauded such seller or person in charge shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds. Penalty on fraudulent sale.

PART III  
—cont.  
Requirements  
as to vehicles  
carrying fuel  
for sale or  
delivery  
on sale.

**44.**—(1) Every vehicle carrying coal coke or wood fuel for sale or for delivery on sale within the borough shall have the seller's name and place of business clearly marked on or attached to such vehicle in a visible position.

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

(3) This section shall not apply to a vehicle while in use by the National Coal Board or the South Eastern Gas Board.

As to sale of  
fuel otherwise  
than in sacks  
from a  
vehicle.

**45.**—(1) Any person selling or intending to sell or exposing for sale coal coke or wood fuel from or on a vehicle within the borough otherwise than in sacks bags or other receptacles and not carrying on such vehicle a weighing instrument of a type approved by the Corporation and stamped by an inspector of weights and measures shall sell at one time only the whole load of such coal coke or wood fuel on such vehicle and shall before leaving the place at which the coal coke or wood fuel was loaded be furnished with a ticket or note stating the gross tare and nett weight of such load and shall produce such ticket or note to any inspector of weights and measures or other officer appointed for the purpose by the Corporation on demand and shall deliver such ticket to the purchaser or his servant before any part of the coal coke or wood fuel is unloaded.

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

Amendment  
of section 27  
of Weights  
and Measures  
Act 1889.

**46.** Proviso (a) to section 27 of the Weights and Measures Act 1889 in its application to the borough shall be read and have effect as if in that proviso the words "two miles" were substituted for the words "half a mile".

Notice of  
this Part  
of Act.

**47.**—(1) The Corporation shall forthwith after the passing of this Act cause public notice to be given of the effect of this Part of this Act by advertisement in two or more newspapers circulating in the borough and otherwise in such manner as the Corporation think sufficient.

(2) No evidence shall be required in any proceedings that the provisions of this section have been complied with.

## PART IV

### FINANCE AND MISCELLANEOUS

Power to  
borrow.

**48.**—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 to borrow without the consent of any sanctioning authority



the sum requisite for the payment of the costs charges and expenses of this Act and they shall pay off all moneys so borrowed within such period as the Corporation may determine not exceeding five years from the passing of this Act.

PART IV  
—cont.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

49. The sections of the Public Health Act 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

Application of  
provisions  
of Public  
Health Act  
1936.

Section 296 (Summary proceedings for offences);

Section 299 (Inclusion of several sums in one complaint &c.);

Section 304 (Judges and justices not to be disqualified by liability to rates);

Section 328 (Powers of Act to be cumulative).

50. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of the Commissioners of Crown Lands on behalf of His Majesty first had and obtained for that purpose.

Crown rights.

51. 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.

Costs of Act.

## THE SCHEDULE

## PART I. LOCAL ACTS

Session and chapter	Title or short title
18 Geo. 3. c. 76 ...	An Act for better paving cleansing lighting and watching the streets and lanes in the town of Dover in the county of Kent and in the several parishes of Saint Mary the Virgin and Saint James the Apostle in the same town and county and for removing and preventing nuisances and annoyances therein.
50 Geo. 3. c. xxvi ...	An Act to amend an Act made in the eighteenth year of His present Majesty for paving cleansing lighting and watching the town of Dover and for removing and preventing nuisances and annoyances therein.
7 Geo. 4. c. v ...	An Act for enlarging the present market and establishing fish markets in the town and port of Dover in the county of Kent and for removing the elections of members and of mayors of the said town from the church of Saint Mary the Virgin in Dover.
11 Geo. 4. c. cxvii ...	An Act to amend two Acts of His late Majesty for paving cleansing lighting and watching the town of Dover and for removing and preventing nuisances and annoyances therein.
5 & 6 Will. 4. c. xlvii ...	An Act to alter and amend three several Acts for paving cleansing and improving the town of Dover and for making further improvements in the said town.
40 & 41 Vict. c. cxiii ...	The Dover Corporation (Sea Defences) Act 1877.
1 Edw. 7. c. ccxliii ...	The Dover Corporation Act 1901.
3 Edw. 7. c. ccxlvii ...	The Dover Corporation Act 1903.
6 Edw. 7. c. lxxii ...	The Dover Corporation Act 1906.
1 & 2 Geo. 5. c. xxi ...	The Dover Corporation Act 1911.
2 & 3 Geo. 5. c. lxxii ...	The Dover Corporation Act 1912.
26 Geo. 5 & 1 Edw. 8. c. cxix.	The Dover Corporation Act 1936.

## PART II. ORDERS

Session and chapter	Short title	Order thereby confirmed
13 & 14 Vict. c. xxxii.	The Public Health Supplemental Act 1850.	The Order relating to Dover dated 23rd May 1850.
52 & 53 Vict. c. cxv.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1889.	The Order relating to Dover dated 31st May 1889.

Session and chapter	Short title	Order thereby confirmed
55 & 56 Vict. c. lxxii.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1892.	The Order relating to Dover dated 26th April 1892.
57 Vict. c. xxi.	The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1894.	The Order relating to Dover dated 21st March 1894.
59 Vict. c. ix...	The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1895 Session 2.	The Dover Order 1895.
59 Vict. c. x ...	The Local Government Board's Provisional Orders Confirmation (No. 16) Act 1895 Session 2.	The Borough of Dover (Extension) Order 1895.
59 & 60 Vict. c. cxx.	The Tramways Orders Confirmation (No. 1) Act 1896.	The Dover Corporation Tramways Order 1896.
60 & 61 Vict. c. cxli.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1897.	The Dover Order 1897.
1 Edw. 7. c. cl.	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1901.	The Dover Order 1901.
2 Edw. 7. c. lxxix.	The Electric Lighting Orders Confirmation (No. 4) Act 1902.	The Dover Electric Lighting Order 1902.
3 Edw. 7. c. cxxxvii.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1903.	The Dover (Extension) Order 1903.
5 Edw. 7. c. lxxxviii.	The Electric Lighting Orders Confirmation (No. 7) Act 1905.	The Dover Electric Lighting Order 1905.
6 & 7 Geo. 5. c. xxix.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1916.	The Dover Order 1916.
11 & 12 Geo. 5. c. lvii.	The Ministry of Health Provisional Order Confirmation (Dover Extension) Act 1921.	The Dover (Extension) Order 1921.

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## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

Section

1. Short title.
2. Division of Act into Parts.
3. Interpretation.

### PART II

#### STREETS

4. Interpretation of Part II.

#### *Improvement of streets*

5. Trees grass verges and gardens.
6. Variation of width of carriageways and footways.
7. Adjustment of boundaries of streets.
8. Enforcement of improvement line.
9. Shelters etc. for passengers on public vehicles.
10. Direction signs.
11. Illumination of street names etc.

#### *Protection and repair of streets*

12. Erection of structures at street corners.
13. Application of building line to walls etc.
14. Crossings over footways.
15. Fencing of forecourts and removal of goods.
16. Forecourts injurious to amenities of street.
17. Awnings over footways.

#### *Miscellaneous*

18. Stopping up and diversion of highways.
19. Pavement lights and ventilators.
20. Provisions as to tents vans etc.
21. Application of Act of 1892 to parts of public streets.
22. Restriction on buildings under footways.
23. Removal of trees etc. from streets.
24. Removal of furniture from streets.
25. Mixing of mortar in streets.
26. For protection of Postmaster-General.

## PART III

## SANITATION AND BUILDINGS

*Sewers drains and sanitary conveniences*

## Section

27. Delegation of power to examine and test drains etc.
28. Summary power to remedy stopped-up drains etc.
29. Power to repair drains and private sewers.
30. Closet accommodation for separate dwellings.
31. Power to cleanse drains etc.
32. Sanitary conveniences for persons employed on construction work.
33. As to renewal of private sewers or drains.
34. Sealing of drains and sewers.

*Buildings and structures*

35. Ruinous and dilapidated buildings and neglected sites.
36. Demolition of buildings.
37. Recovery of expenses of watching dangerous and dilapidated buildings.
38. As to defective roofs.
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40. Height of new chimneys.
41. Power to order alteration of domestic chimneys.
42. Cellars and rooms below subsoil water level.
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44. Provision of bathrooms.
45. Extension of powers under section 9 of Housing Act 1936.

*Filthy or verminous premises or articles*

46. Cleansing of filthy or verminous premises.
47. Prohibition of sale of verminous articles.

*Hairdressers and barbers*

48. Hairdressers and barbers.

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50. Prevention of smoke from industrial furnaces.
51. Byelaws as to burning of refuse.
52. Noise nuisance.
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## Section

- 54. Definition of notifiable disease.
- 55. Information to be furnished in case of disease.
- 56. Restriction on attendance of children at schools and places of assembly etc.
- 57. Exclusion of children from entertainments.
- 58. Compensation to persons for ceasing employment to prevent spread of disease.
- 59. Entry into premises in case of disease.

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- 60. Notice of slaughter of animal unfit for food.
- 61. Animals slaughtered outside slaughter-houses.
- 62. Registration of hawkers of food and their premises.
- 63. Registration of vendors of shell-fish and their premises.
- 64. Restriction on taking inedible fats into premises where food is prepared.

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FINANCE

- 65. Power to borrow.
- 66. Closing of registers.
- 67. Power to borrow by issue of bonds.
- 68. Dividend warrants by post.
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- 74. Recovery of rates from persons removing.
- 75. Recovery of rates from certain owners.
- 76. Receipts in case of minors.
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- 79. Power to grant allowances or gratuities in certain cases.
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- 82. Apportionment of expenses in case of joint owners.
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- 84. Breach of conditions of consent of Corporation.
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## Section

86. As to byelaws.
87. Restriction on right to prosecute.
88. Damages and charges to be settled by court.
89. Application of Arbitration Acts.
90. Determination of compensation.
91. Inquiries by Ministers.
92. Commencement of certain provisions of this Act.
93. As to appeals.
94. Application of provisions of Act of 1936.
95. Repeals etc.
96. For protection of Metropolitan Water Board.
97. For protection of electricity and gas undertakers.
98. For further protection of electricity undertakers.
99. Saving for town and country planning.
100. Costs of Act.

SCHEDULE—Provisions as to Corporation bonds.