



## CHAPTER cxxxii.

An Act to empower the Corporation of Nottingham to make certain street improvements and for other purposes. A.D. 1900.  
[30th July 1900.]

**W**HEREAS it is expedient that the mayor aldermen and citizens of the city of Nottingham and county of the same city (in this Act referred to as "the Corporation") should be empowered to make the street works in this Act mentioned :

And whereas it is expedient that the further powers in this Act contained should be conferred upon the Corporation :

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

And whereas estimates have been prepared by the Corporation for the purchase of land for and the construction of the street widenings by this Act authorised and such estimates amount to the sum of one hundred and forty thousand five hundred pounds :

And whereas the works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the council at a meeting held on the fourth day of December one thousand eight hundred and ninety-nine after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Nottingham Daily Guardian a local newspaper published and circulating in the city such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate :

And whereas such resolution was published twice in the said Nottingham Daily Guardian and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of

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the council at a further special meeting held in pursuance of a similar notice on the fifth day of January one thousand nine hundred being not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the city by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of the city of Nottingham and with the clerk of the peace for the county of Nottingham and are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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) :—

Short title.

1. This Act may be cited as the Nottingham Corporation Act 1900.

Incorporation of Lands  
Clauses Acts.

2. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) are so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act hereby incorporated with this Act.

Interpretation.

3. In this Act words and expressions to which meanings are assigned by the Acts incorporated with this Act shall have the same respective meanings unless there is something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires—

“The Corporation” means the mayor aldermen and citizens of the city of Nottingham and county of the same city ;

“The city” means the city of Nottingham and county of the same city ;

“The council” means the council of the city ;

“The town clerk” means the town clerk of the city ;

“The district fund” and “general district rate” mean respectively the district fund and general district rate of the city ;

“The revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates leviable by or on the precept of the Corporation.



4. Subject to the provisions of this Act the Corporation may make and maintain in the line and situation shown on the deposited plans and according to the level shown on the deposited sections the street widenings hereinafter mentioned together with all necessary junctions approaches sewers drains culverts conveniences and works in connexion therewith (namely):—

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Power to  
make street  
widenings.

A widening of High Street on the east side thereof commencing on the south side of Pelham Street and terminating on the north side of High Street Place:

A widening of the west side of High Street and the north side of Cheapside commencing on the south side of Smithy Row and terminating on the north side of Cheapside:

A widening of Milton Street on the west side thereof commencing in upper Parliament Street and terminating in North Street.

5. If the street widenings authorised by this Act are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing those works or otherwise in relation thereto shall cease except as to so much thereof respectively as shall then be completed.

Period for  
completion  
of works.

6. In the construction of the street widenings authorised by this Act the Corporation may deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards or downwards and they may deviate laterally within the limits of deviation shown on the deposited plans.

Deviation.

7. Subject to the provisions and for the purposes of this Act (including the providing of space for the erection of buildings adjoining or near to the street widenings by this Act authorised) the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Power to  
acquire lands.

8. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for  
compulsory  
purchase of  
lands.

9. The Corporation in addition to any other lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold for the purposes of this Act any lands not exceeding in the whole one acre Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Power to  
purchase  
additional  
lands by  
agreement.

10.—(1) The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day

Restriction  
on taking

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houses of  
labouring  
class.

of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

(2) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the provisions of this section they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(3) For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any tenement separately occupied by any person or persons.

Power to  
borrow.

11.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums of money for the purposes hereinafter mentioned not exceeding the respective amounts following (that is to say):—

(A) For the purchase of lands for and the construction of the street widenings by this Act authorised the sum of one hundred and forty thousand five hundred pounds;

(B) For paying the costs and expenses of this Act as hereinafter provided the sum requisite for that purpose:

And with the sanction of the Local Government Board such further moneys as they may authorise.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Corporation may mortgage or charge the district fund and general district rate.

Periods for  
discharge of  
loans.

12. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed period") following (that is to say):—

As to money borrowed for the purpose (A) mentioned in the last preceding section within sixty years from the date or dates of the borrowing of the same;



As to moneys borrowed for the purpose (B) in the last preceding section mentioned within five years from the date or dates of the borrowing of the same; A.D. 1900.

As regards moneys borrowed with the sanction of the Local Government Board within such period as they may think fit to sanction.

**13.** The following sections of the Nottingham Improvement Act 1897 are incorporated with this Act and shall extend and apply in regard to the works and lands authorised to be executed and taken and moneys borrowed under this Act as if those sections with the necessary modifications were set out in this Act (namely):—

Incorporation of sections of Act of 1897.

Section 6 Correction of errors &c. in deposited plans and book of reference.

Section 8 Persons under disability may grant easements &c.

Section 9 Power to appropriate lands for purposes of Act.

Section 12 Power to retain sell &c. lands.

Section 13 Proceeds of sale of surplus lands.

Section 21 Power to make subsidiary works.

Section 23 Temporary stoppage of streets.

Section 25 Certain regulations of Public Health Act as to borrowing not to apply.

Section 26 Mode of raising money.

Section 27 Provisions of Public Health Act as to mortgages to apply.

Section 29 Mode of payment off of money borrowed.

Section 30 Sinking fund.

Section 31 Protection of lender from inquiry.

Section 32 Corporation not to regard trusts.

Section 33 Appointment of receiver.

Section 34 Power to re-borrow.

Section 35 Annual return to Local Government Board.

Section 36 Application of money borrowed.

Section 37 Inquiries by Local Government Board.

**14.** Instead of raising for any purposes by the creation and issue of stock or of mortgages money which they are authorised to raise by either of those methods (whether under this Act or any other Act of Parliament or otherwise howsoever) the Corporation may if they see fit raise for those purposes such money by means of bills subject to and in accordance with the following provisions:—

Provisions as to raising money by bills.

(1) Bills issued by the Corporation shall be called "Nottingham Corporation bills":

(2) A Nottingham Corporation bill shall be a bill in the form prescribed by regulations made in pursuance of this Act for the payment of the sum named therein in the manner and at

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the date therein mentioned so that the date be not less than three or more than twelve months from the date of the bill :

- (3) Such bills may be offered for purchase by tender in such manner on such conditions and after public advertisement in such manner as the Corporation determine :
- (4) The bills shall be issued under the authority of a warrant sealed by the Corporation :
- (5) Each bill shall be for the amount directed by the Corporation not being less than five hundred pounds :
- (6) Each bill shall be under the seal of the Corporation :
- (7) A register of the bills issued and renewed by the Corporation shall be kept by the city accountant or such other person as may be appointed by the Corporation and such register shall show the amount of each bill the principal money raised by such bill the statutory borrowing power in respect of which the bill is issued the date of issue the date when the same falls due and the date of payment thereof Such register shall at all reasonable times be open to inspection without payment of any fee by any creditor of the Corporation :
- (8) The Corporation shall not issue bills payable to bearer :
- (9) The Corporation shall before issuing any bill under this Act from time to time make regulations with respect to bills subject to and in accordance with this Act and shall furnish to the Local Government Board a copy of any regulations so made Such regulations shall provide—
  - (a) For regulating the preparation form mode of issue mode of payment and cancellation of bills ;
  - (b) For regulating the issue of a new bill in lieu of one defaced lost or destroyed ;
  - (c) For preventing by the use of counterfoils or of a special description of paper or otherwise fraud in relation to bills ;
  - (d) For the proper discharge to be given upon the payment of a bill :
- (10) The Corporation may enter into such arrangements with any bank for carrying into effect the provisions of this Act with respect to the issue of bills and to the payment of the principal sum named therein and to all matters relating thereto and for the proper remuneration of such bank with reference thereto as they may think proper Such remuneration shall be paid out of the district fund and general district rate :
- (11) The amount of money received by the Corporation in respect of a bill shall be deemed to be principal money raised by means of such bill and the difference between the amount



payable in respect of a bill and the amount received in respect thereof shall be deemed to be interest on the principal money so raised :

- (12) The Corporation shall provide from the same source and pay at the appropriate times into a sinking fund or sinking funds the same sums for repayment of the principal money so raised as they would have done if mortgages of the same amount had been issued and such fund or funds shall be dealt with in the same manner as if the same were a mortgage sinking fund and the Corporation shall pay the interest on the principal money out of the fund or rate to which the principal money so raised is charged :
- (13) The aggregate amount payable on bills current at any one time shall not exceed the sum of two hundred thousand pounds except by the amount payable on bills issued shortly before any other bills fall due in order to pay off those bills :
- (14) The Corporation may subject to the provisions of the preceding subsection renew bills at maturity :
- (15) Money raised by the issue of bills shall be employed by the Corporation for the purposes of the several statutory borrowing powers in respect of which the bills are respectively issued :
- (16) For the repayment of the principal money raised by bills the Corporation may raise money by the creation of stock or issue of mortgages or further bills but save as aforesaid the powers given to the Corporation to raise moneys by the creation of stock or mortgages shall be suspended to the extent to which moneys have been raised by the issue of bills :
- (17) A Nottingham Corporation bill shall entitle the holder to payment at maturity of the sum expressed in such bill to be payable and shall be charged on all the revenues of the Corporation :
- (18) The town clerk shall within twenty-one days after the thirty-first day of March in any year during which any bills have been issued paid off or are outstanding under this section transmit to the Local Government Board a return in such form as the Board may prescribe and containing all such particulars as they may require in regard to the issue and payment of bills by the Corporation.

**15.** In addition to the securities upon which the Corporation are authorised to invest any moneys belonging to them standing to the credit of any sinking fund or loans fund they may invest any such moneys on mortgage of any lands held on lease from the Corporation provided that the loan does not exceed two equal third parts of the value of the leasehold interest at the time of investment.

Power to  
lend loans  
or sinking  
funds on  
mortgage of  
freehold or  
leasehold  
heredita-  
ments.

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Attachment  
of brackets  
to buildings.

**16.** The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required for the working of their tramways by mechanical power :

Provided that—

(1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable in the circumstances or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

(2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after the owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1) :

(3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building.

For the purposes of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rackrent shall be deemed to be the owner.

Widths and  
levels of new  
streets.

**17.** All new streets which shall be laid out and formed within the city after the passing of this Act shall be of such width and at such level as the Corporation shall in each case determine.

Extension  
of section 32  
of Act of  
1874 as to  
flood lands.

**18.** In addition to the provisions of section 32 (Flood level of Trent to be observed) of the Nottingham Improvement Act 1874 the following provisions shall apply (that is to say) :—

After the passing of this Act all land to be used for the erection of any building and the yard and open spaces appurtenant thereto shall be filled up with suitable material so as to raise the level of such land to the flood level of the River Trent as determined by the Corporation and shall be maintained at such level.



**19.** Section 8 (Regulation as to committees of council) of the Nottingham Improvement Act 1874 is hereby repealed and in lieu thereof be it enacted as follows:—

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Amendment  
of Act of  
1874 as to  
committees.

The council may appoint out of their own body any committee for the execution of any of the purposes of the Nottingham Improvement Act 1874 or of this Act or of the Public Health Acts or of any Acts relating to the gas undertaking water undertaking tramway undertaking or electric lighting undertaking of the Corporation and may delegate to each such committee such of the powers and duties of the Corporation under those Acts as the council think fit and the acts and proceedings of every such committee within the limits of their delegation shall be deemed the acts and proceedings of the council and the quorum of any committee in this section provided for shall be such as the council direct and the council may from time to time make such regulations as they think fit for the guidance of a committee and the council may from time to time remove any members of a committee and appoint in the stead of them or any of them other members of the council and a committee may appoint any of its members to be a sub-committee to execute and discharge any of the powers and duties of the committee but the acts of a sub-committee shall unless the council on the appointment of the committee otherwise direct be submitted for approval to the committee by which such sub-committee was appointed. Provided that the powers of this section shall not be exercised by any committee consisting of less than nine members of the council or by any sub-committee consisting of less than six such members. Provided further that no committee shall under the powers of this Act be entitled to borrow money or to make or levy any rate or order any rate to be made or levied.

**20.** All inclosure awards and maps therein referred to relating to the city or any parish therein shall be deposited in the Guildhall in the city or at some office or place appointed by the Corporation and be there kept and preserved by the town clerk or some person to be appointed by the Corporation and the citizens and parishioners shall at all times have the same right of inspection and making extracts from such documents as they would have had if such documents had continued to be in the custody or power of the person in whose custody they were at the time of passing of this Act.

Custody of  
public  
documents.

**21.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of

Costs of  
Act.

[Ch. cxxxii.] *Nottingham Corporation Act*, 1900. [63 & 64 VICT.]

A.D. 1900. — 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 and general district rate and ultimately out of moneys to be borrowed under this Act.

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