



CHAPTER xlviii

An Act to extend the boundaries of the city of Plymouth
and for other purposes. [28th July 1950.]

WHEREAS the city of Plymouth is a county borough under the government of the lord mayor aldermen and citizens of the city of Plymouth :

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 city :

And whereas the parishes of Bickleigh and Tamerton Foliot in the rural district of Plympton St. Mary are situated in the administrative county of Devon and adjoin the city :

And whereas it is expedient to alter and extend the boundaries of the city so as to include therein parts of the parishes of Bickleigh and Tamerton Foliot :

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) :—

PRELIMINARY

1.—(1) This Act may be cited as the Plymouth Extension Act 1950. Short and
collective
titles.

(2) The local Acts as defined in the next following section and this Act may together be cited as the Plymouth Corporation Acts 1914 to 1950.

Interpretation. 2.—(1) In this Act unless the subject or context otherwise requires—

- 19 & 20 Geo. 5.
c. 17.
- 1 & 2 Geo. 6.
c. xli.
- “The Act of 1929” and “the Act of 1933” mean respectively the Local Government Act 1929 and the Local Government Act 1933;
 - “The Act of 1938” means the Plymouth Extension Act 1938;
 - “The added areas” means the added parts of Bickleigh and Tamerton Foliot;
 - “The added part of Bickleigh” and “the added part of Tamerton Foliot” mean respectively the part of the parish of Bickleigh and the part of the parish of Tamerton Foliot which are respectively included within the inner edge of the red line on the city map and “the excluded part of Bickleigh” and “the excluded part of Tamerton Foliot” mean respectively the remaining parts of those parishes;
 - “The appointed day” means the first day of April nineteen hundred and fifty-one;
 - “The city” means before the appointed day the existing city of Plymouth and on and after the appointed day the city as extended by this Act;
 - “The city 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 lord mayor aldermen and citizens of the city of Plymouth acting by the council;
 - “The council” means the council of the city;
 - “The county” means the administrative county of Devon and “the county council” means the county council of the county;
 - “Existing” in relation to any area altered by this Act means existing immediately before the appointed day;
 - “The existing parishes” means the parishes of Bickleigh and Tamerton Foliot;
 - “The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the city;

“ 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 lord mayor ” “ the town clerk ” and “ the treasurer ” mean respectively the lord mayor the town clerk and the treasurer of the city ;

“ The Minister ” means the Minister of Health ;

“ The parish councils ” means the parish councils of the parishes of Bickleigh and Tamerton Foliot ;

“ The Plympton district ” and “ the Plympton Council ” mean respectively the rural district of Plympton St. Mary and the rural district council of that district ;

“ The Rating Act 1925 ” means the Rating and Valuation 15 & 16 Geo. 5.
Act 1925 ; c. 90.

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

(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 or by virtue of any subsequent enactment including this Act.

3.—(1) Copies of the city 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 Plympton 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 Ministers of Health Transport Agriculture and Fisheries Fuel and Power and Town and Country Planning respectively to the Postmaster-General and to the Boundary Commission for England. City map.

(2) Copies of or extracts from the city 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 city map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the city 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.

Commence-
ment of Act.

4. Save as otherwise expressly provided and except so far as there may be anything in the subject-matter or context inconsistent therewith 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 on or after the appointed day to the office of alderman or councillor of the city ;
- (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 precept or contribution order to be issued or made in respect of any period commencing on or after the appointed day ;

this Act shall operate from the date of its passing.

Extension of city

Extension
of city.

5.—(1) The boundary of the existing city the area whereof is included within the outer edge of the blue line on the city map shall be altered so as to include in addition to that area so much of the Plympton district as comprises the added parts of Bickleigh and Tamerton Foliot.

(2) The boundary of the city shall be that shown by the inner edge of the red line on the city map and the whole of the area within that boundary shall for all purposes be the city and the county borough of Plymouth.

Extension of
parish of
Plymouth.

6. The added areas shall be added to and form part of the parish of Plymouth.

Alteration
of parishes.

7. The excluded part of Bickleigh and the excluded part of Tamerton Foliot shall be amalgamated so as to form the parish of Bickleigh.

Existing
lord mayor
aldermen and
councillors.

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

Number of
councillors
and aldermen.

9. The number of councillors of the city shall be increased from fifty-seven to sixty and the number of aldermen shall be increased from nineteen to twenty.

10. 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:—

- (1) For the purposes of the election of councillors the city shall be divided into twenty wards and save as provided by this section the wards of the existing city shall remain unaltered and shall be wards of the city:
- (2) The added part of Bickleigh and so much of the existing Ernesettle Ward of the city as lies to the east of an imaginary line commencing at the junction of Ham Lane and Little Dock Lane thence in a northerly direction along the centre line of Little Dock Lane to its junction with Crownhill Road thence generally northward along the centre line of Ringmore Way to its junction with Woodland Wood and thence along the centre line of the existing footpath to the existing city boundary shall be included in the Crownhill Ward of the city and the councillors representing the Crownhill Ward immediately before the appointed day shall on and after that day represent the ward as altered by this section but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed:
- (3) The added part of Tamerton Foliot shall be constituted and form a new ward of the city to be called "the Tamerton Ward" and three councillors shall be assigned to that ward:
- (4) The remaining part of the Ernesettle Ward shall form a new ward to be called "the Ernesettle Ward" and the councillors representing the Ernesettle Ward immediately before the appointed day shall on and after that day represent the Ernesettle Ward but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed.

11.—(1) The first election of councillors for the Tamerton Ward of the city shall be held in the month of March nineteen hundred and fifty-one on or after the sixteenth day of that month and the councillors then elected shall come into office on the appointed day. Election of additional alderman and councillors.

(2) At that election the lord mayor and the town clerk or such other persons as the Secretary of State shall appoint shall perform the duties devolving upon a mayor and town clerk respectively under the Act of 1933 and the lord mayor or an alderman of the city appointed by him for the purpose shall be the returning officer.

(3) The first election of the additional alderman of the city shall be held at the first meeting of the council after the appointed day.

Retirement of
councillors
and alderman.

12.—(1) The councillors for the Tamerton Ward elected in the month of March nineteen hundred and fifty-one in pursuance of this Act shall retire as follows:—

- (a) the councillor who is elected by the smallest number of votes on the fourth day after the day of election in the year nineteen hundred and fifty-two;
- (b) the councillor who is elected by the largest number of votes on the fourth day after the day of election in the year nineteen hundred and fifty-four;
- (c) the other councillor on the fourth day after the day of election in the year nineteen hundred and fifty-three.

(2) If for any reason it is doubtful which of the councillors ought to retire on a date mentioned in this section the question shall be determined at the first or second meeting of the council held after the appointed day by lot conducted under the direction of the person presiding at that meeting.

(3) The additional alderman elected in pursuance of this Act shall retire on the day of the annual meeting of the council in the year nineteen hundred and fifty-two.

Qualification
for election
and office.

13. For the purposes of the application to the city of the provisions of paragraph (c) of section 57 of the Act of 1933 the added areas shall be deemed always to have formed part of the city.

County
electoral
divisions.

14.—(1) On the appointed day—

- (a) the Tamerton Foliot electoral division shall cease to exist and the county councillor for that division shall retire from office;
- (b) the number of county councillors of the county shall be reduced from eighty-four to eighty-three;
- (c) the excluded parts of Bickleigh and Tamerton Foliot shall be included in the Roborough county electoral division and the person who immediately before the appointed day was the county councillor representing that division shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the date on which he would have retired if this Act had not been passed.

(2) At the next election of aldermen for the county after the appointed day the number of aldermen shall be reduced from twenty-eight to twenty-seven and any casual vacancy in the office of alderman of the county which may occur between the passing of this Act and the next election of aldermen for the county after the appointed day shall not be filled unless the number of such casual vacancies exceeds one.

15.—(1) On the appointed day the number of councillors of District the Plympton Council shall be reduced by three and the persons councillors and who immediately before the appointed day are respectively rural continuance of district councillors for the existing parishes shall retire from rural council. office on that day.

(2) For the purpose of electing a rural district councillor for the parish of Bickleigh as altered by this Act the person holding the office of rural district councillor for the existing parish of Bickleigh immediately before the appointed day shall be deemed to have resigned and the clerk to the Plympton Council to have received notice of his resignation on the appointed day.

(3) Subject to the foregoing provisions of this section the Plympton Council shall continue and shall be deemed to have been elected for and shall be the rural district council for the Plympton district as altered by this Act.

16. Subject to the provisions of this Act the parish councils Parish of the existing parishes shall cease to exist but without prejudice councils. to the powers and duties of the county council to establish a parish council for the parish of Bickleigh as altered by this Act by an order under section 43 of the Act of 1933.

17.—(1) Any casual vacancy which may exist on the date of As to casual the passing of this Act or may occur after that date and before vacancies. the appointed day in the office of county councillor for the Tamerton Foliot electoral division of the county or in the office of rural district councillor or parish councillor for the parish of Bickleigh or the parish of Tamerton Foliot shall not be filled.

(2) Any casual vacancy which may exist on the appointed day in the office of councillor for any electoral division ward or parish which is altered by the provisions of this Act shall be deemed to exist in the office of councillor for that electoral division ward or parish as altered by this Act.

Powers property and liabilities of existing authorities

18. The county council the standing joint committee of the Powers of county and the Plympton Council (except as provided by sec- county and tion 51 (Contribution orders precepts and arrears of rates) of district councils. the Act of 1938 as applied by this Act) shall cease to exercise any powers or discharge any duties within any part of the added areas and any powers and duties of the parish councils or either of them so far as they relate to or affect the added areas shall be vested in the Corporation.

19.—(1) The parish councils shall liquidate so far as prac- Liquidation ticable before the appointed day all current debts and liabilities of current incurred by them. debts and liabilities.

(2) If default is made by either of the parish councils in complying with the requirements of subsection (1) of this section—

(a) The Corporation may in accordance with subsection (5) of section 2 of the Rating Act 1925 make and levy over the area of such portion of the city as is coterminous with the area of the council in default as an additional item of the general rate such amount in the pound as will be sufficient to defray the liability of that area in respect of the current debts and liabilities of the council in default ;

(b) Any such additional item of the general rate may be made retrospectively to raise money for the payment of charges and expenses incurred by the council in default at any time before the appointed day.

Audit of
accounts
of parish
councils.

20.—(1) The accounts of the parish councils shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not been passed.

(2) Any sum certified by the district auditor to be due from any person at the audit of the accounts to which this section applies shall be paid to the treasurer and shall if necessary be a matter for adjustment under this Act.

(3) This section shall apply to the accounts of any committee or officer of either of the parish councils as it applies to the accounts of that council.

Jurisdiction
of city
justices
coroner etc.
extended.

21.—(1) The powers and duties of the quarter sessions recorder clerk of the peace coroner and justices of the peace for the existing city and of the clerk to those justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city:

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 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 any petty sessional division or coroner's division of the county or of any probation area comprised in the county.

(3) (a) 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. 11 & 12 Geo. 6.
c. 58.

(b) 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 city as the supervising court from dealing with the probationer in pursuance of any power conferred on them by the said Act of 1948.

22.—(1) On the appointed day such members (if any) of the police force of the county as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the Corporation or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the city: County police.

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the police force of the county who is transferred in accordance with the provisions of subsection (1) of this section shall be deemed to have been duly appointed as a member of the police force of the city under section 191 of the Municipal Corporations Act 1882 and to have been duly attested as such and shall hold in that force the same rank as he held immediately before the appointed day in the police force of the county. 45 & 46 Vict.
c. 50.

(3) Where a member of the police force of the county is so transferred he shall be deemed for the purposes of any regulations made under the Police Act 1919 and the Police Pensions Act 1948 to have left the police force of the county with the written consent of the chief constable of the county for the purpose of joining the police force of the city. 9 & 10 Geo. 5.
c. 46.
11 & 12 Geo. 6.
c. 24.

23.—(1) All property (including any furniture fittings books and apparatus supplied in respect of a voluntary school) held immediately before the appointed day by the county council as local education authority and situated within the added areas and all rights and liabilities whether vested or contingent to which the county council were entitled or subject immediately before the appointed day by reason of the exercise in any part of the added areas of their functions as local education authority shall by virtue of this Act be transferred to the Corporation as local education authority. As to schools
in added areas.

(2) All teachers and other officers who immediately before the appointed day were employed by the county council for the purpose of the exercise exclusively in any part of the added areas of their functions as local education authority shall by virtue of this Act be transferred to and become teachers or other officers as the case may be employed by the Corporation as local education authority and shall be employed by the Corporation upon the terms and conditions upon which they were employed by the county council immediately before the appointed day.

(3) Subject to the provisions of the Education Acts 1944 to 1948 every school in the added areas which immediately before the appointed day was maintained by the county council as local education authority shall be maintained by the Corporation as local education authority in like manner as they were maintained immediately before the appointed day.

(4) An adjustment shall be made for the purposes of this section under and in accordance with the provisions of this Act.

(5) Every governor or manager of any school in the added areas who was appointed by the county council or by either of the parish councils shall vacate office on the appointed day.

As to
divisional
administration
schemes.
7 & 8 Geo. 6.
c. 31.

24. Any scheme of divisional administration made by the county council as local education authority and approved by the Minister of Education under Part III of the First Schedule to the Education Act 1944 shall cease to have effect in the added areas.

Transfer of
duties under
section 1 of
Children
Act 1948.
11 & 12 Geo. 6.
c. 43.

25. In relation to any child who is on the appointed day in the care of the county council under section 1 of the Children Act 1948 and who when he was received into their care was ordinarily resident in the added areas subsection (4) of the said section 1 shall without prejudice to the powers of the Secretary of State to determine any questions arising under the subsection as to ordinary residence have effect as if the child being on the appointed day resident in the city had on that day been received into the care of the county council under the said section 1.

Recovery of
cost of
provision of
accommoda-
tion under
Part III of
National
Assistance
Act 1948.
11 & 12 Geo. 6.
c. 29.

26.—(1) The provisions of this section shall apply to a person who on the appointed day is being provided with accommodation under section 21 of the National Assistance Act 1948 and who immediately before that accommodation was provided—

(a) was ordinarily resident in the added areas ; or

(b) not being ordinarily resident in those areas was a person who being therein was in urgent need of residential or temporary accommodation.

(2) Any expenditure incurred by the county council under Part III of the said Act after the appointed day in continuing to provide such accommodation as aforesaid for a person to whom

this section applies shall be recoverable from the Corporation as if it were expenditure to which section 32 of the said Act applies.

(3) If a person to whom this section applies by virtue of paragraph (a) of subsection (1) thereof ceases to be provided with such accommodation as aforesaid and it is necessary at any time thereafter to ascertain whether the county council or the Corporation is liable under section 24 of the said Act to provide him with further such accommodation as aforesaid he shall be treated for the purposes of subsection (5) of that section as having been ordinarily resident in the city immediately before such first-mentioned accommodation was provided for him.

Adoptive Acts byelaws and regulations

27.—(1) Subject to the provisions of this Act the provisions of any public general Act in force throughout the existing city by virtue of an adoption by the council or their predecessors and any order in force under such Act throughout the existing city shall apply to the city as extended by this Act. Adoptive Acts.

(2) Subject to the provisions of subsection (1) of this section the provisions of any public general Act in force in the added areas by virtue of an adoption by the Plympton 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.

28. The Sunday Entertainments Act 1932 shall from the appointed day apply to the city as before that day it applied to the existing city. Sunday
Entertainments
Act 1932.
22 & 23 Geo. 5.
c. 51.

29.—(1) All local government byelaws in force within the existing city or within any part of the added areas immediately before the appointed day shall— Byelaws
regulations
and scales
of charges.

(a) if made before the first day of January nineteen hundred and forty continue to apply to the existing city or to such part of the added areas (as the case may be) for one year after the appointed day unless previously repealed or altered by the Corporation but shall on the expiration of that period cease to be in force within any part of the city ;

(b) if made on or after the first day of January nineteen hundred and forty continue to apply to the existing city or to such part of the added areas (as the case may be) until repealed or altered by the Corporation.

(2) Notwithstanding the foregoing provisions of this section any local government byelaw in force in the existing city may by a byelaw be extended with or without modification to the added areas.

26 Geo. 5. &
1 Edw. 8. c. 49. (3) Subject to the provisions of section 68 (Temporary operation of building byelaws) of the Public Health Act 1936 and any order made thereunder all building byelaws in force within the existing city or within any part of the added areas immediately before the appointed day shall continue to apply to the existing city or to such part of the added areas (as the case may be) until repealed or altered by the Corporation.

(4) 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.

(5) All byelaws other than local government byelaws and building byelaws made by the Corporation or by the watch committee of the existing city and in force immediately before the appointed day shall apply to the city until repealed or altered and any such byelaw made by the county council or the standing joint committee of the county or by the Plympton Council shall on that day cease to apply within the added areas.

(6) Any proceedings which if this Act had not been passed might have been taken for any offence against any byelaw committed 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 or table of fees or payments;

“building byelaws” has the meaning assigned thereto by section 343 of the Public Health Act 1936; and

“local government byelaws” means byelaws (other than building byelaws) which if they had been made immediately before the appointed day would have required to be confirmed by the Minister.

Supplementary provisions

Rating area
and valuation
lists.

30.—(1) The added areas shall be deemed to form part of the rating area of the city.

(2) The valuation list of the existing city and the portions of the valuation list of the Plympton district which relates to hereditaments within the added areas (modified as may be

necessary to give effect to the provisions of section 53 (Deduction in ascertaining rateable value of tithes railways &c.) of the Act of 1938 as applied by this Act) shall together form the valuation list of the city as from the appointed day.

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

31.—(1) Every existing officer who suffers loss of employment or diminution of emoluments which is attributable to the passing of this Act shall be entitled to have his case considered for the payment of compensation by the Corporation such compensation to be determined in accordance with the provisions of the schedule to the Local Government (Compensation) Regulations 1948 and subject to the provisions of this section those regulations shall apply accordingly with any modifications which the Minister may by order consider it necessary or expedient to make for the purpose of the application of the said regulations to compensation under this Act. Compensation to existing officers.

(2) For the purposes of this section and the said regulations as applied thereby the expression “existing officer” means a person who immediately before the passing of this Act devoted the whole of his time and had devoted the whole of his time for a period of not less than eight years previously after attaining the age of eighteen years without a break of more than twelve months at any one time either—

(a) to any of the following employments or to two or more or to any combination of such employments (namely):—

(i) employment under the Crown or in the local government service in Great Britain; or

(ii) employment by any authority or body for the purposes of the Crown or of local government service in Great Britain; or

(iii) employment under any officer engaged in any such employment as aforesaid for the purposes of the functions of the employing authority or body; or

(b) partly to any such employment as aforesaid or to two or more or to any combination of such employments and partly to—

(i) employment as a superintendent registrar or registrar of births and deaths or as a registrar of marriages or as a person designated by a local authority to act as a deputy superintendent registrar or registrar of births and deaths; or

(ii) war service as defined by the said regulations undertaken on ceasing to follow any of the employments mentioned in paragraph (a) of this subsection or any combination thereof.

(3) Nothing in this section or the regulations thereby applied shall entitle a person to have his case considered for compensation unless—

- (a) the cause of the claim arises not later than ten years after the passing of this Act ;
- (b) the claim is made not later than two years after the date on which the cause of claim arises ; and
- (c) the other conditions prescribed by paragraph (b) of regulation 5 of the said regulations are fulfilled.

(4) In this section the expression “ officer ” includes a servant.

Provisions as
to register
of electors.

32.—(1) For the purposes of the register of local government electors of the city prepared in the year nineteen hundred and fifty-one and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the city as from the qualifying date for elections for which that register is to be used.

(2) If the register of local government electors for any electoral area affected by this Act is not so framed as to show the persons entitled to vote at an election to be held for an electoral area—

- (a) the town clerk in the case of an election for any electoral area within the city ; and
- (b) the registration officer of the constituency or registration area in the case of an election for any electoral area outside the city ;

shall make such alteration or rearrangement of the register as may be necessary for the purposes of such election.

(3) The additional expense incurred by the town clerk or a 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.

(4) Where in the opinion of the Secretary of State the circumstances so require he may make such order as appears to him to be necessary or desirable to give effect to the provisions of this section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

33.—(1) The Minister may by order made before the appointed Executive day make such provision as seems to him expedient for all or councils. any of the following matters:—

- (a) for providing that the names of medical practitioners who immediately before the appointed day are providing general medical services in the added areas under the National Health Service Act 1946 shall be included in the medical list of the executive council of the city ; 9 & 10 Geo. 6. c. 81.
- (b) for providing that any services under Part IV of the said Act of 1946 commenced before the appointed day shall or may be completed as if this Act had not been passed ;
- (c) for providing for the transfer to the executive council of the city of any property rights or liabilities of the executive council of the county which relate exclusively to the added areas ;
- (d) for the making of financial adjustments between the said executive councils ;
- (e) for providing that the executive council of the county shall continue to act as the executive council for the added areas until such date as may be specified in the order not being later than the thirty-first day of December nineteen hundred and fifty-one ; and
- (f) for any supplementary or incidental matters.

(2) Any order made under this section may be revoked or varied by a subsequent order of the Minister made before or after the appointed day.

(3) Subject to any order made under this section the persons who immediately before the appointed day are members of the respective executive councils of the county and the city shall be deemed to have been appointed as and shall be members of the respective executive councils of the county and the city as altered by this Act.

34. The licensing planning area of the city 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. Extension of licensing planning area. 8 & 9 Geo. 6. c. 15. 9 & 10 Geo. 6. c. 53.

35.—(1) As from the passing of this Act the Corporation shall be entitled at all reasonable times to inspect and take copies of all plans or documents relating to any land within the added areas which are in the possession or under the control of the county council or the Plympton Council for the purposes of or in connection with the Town and Country Planning Act 1947 and the county council and the Plympton Council shall supply Town planning. 10 & 11 Geo. 6. c. 51.

to the Corporation such information and shall afford to them such assistance for the purposes of or in connection with the said Act as the Corporation may reasonably require.

(2) An office copy of every entry in the register relating to any land within the added areas kept by the county council under section 14 of the said Act of 1947 shall within one month after the appointed day be supplied to the town clerk by the clerk of the county council or the clerk of the Plympton Council having the custody of that part of the register in which the entry appears as the case may be.

(3) The town clerk shall within one month after the receipt of the office copy mentioned in subsection (2) of this section enter the same with any necessary modifications in the register kept by the Corporation under section 14 of the said Act of 1947.

(4) Any application for planning permission or for any consent or approval under the said Act of 1947 or for a determination under section 17 of that Act made to the county council or the Plympton Council on their behalf before the appointed day and not determined before that day shall so far as it relates to land within the added areas be treated as a like application made to the Corporation and shall be treated as having been so made on the appointed day:

Provided that it shall not be necessary for the Corporation to consult with any authority person or body with whom consultation has already taken place in relation to that application.

(5) Any order agreement permission approval determination consent notice proceeding or decision made taken or given by the county council as local planning authority under the said Act of 1947 or having effect as if so made taken or given and in force immediately before the appointed day shall so far as it relates to any land within the added areas have effect as if it had been made taken or given by the Corporation as such authority in respect of that land.

(6) Any direction approval consent or decision given by the Minister of Town and Country Planning or the Minister of Transport under or in pursuance of the said Act of 1947 or any enactment thereby repealed affecting the county council as local planning authority and in force immediately before the appointed day shall so far as it relates to any land within the added areas have effect as if the same had been given to the Corporation as local planning authority.

36.—(1) The clerk of the county council and the clerk of the Plympton Council shall as soon as may be after the passing of this Act and in any case before the appointed day send to the town clerk a copy of every entry in any register or list of the

Entries in
registers.

county council or of the Plympton Council (as the case may be) under any enactment rule order or regulation for the time being in force which relates to any property matter or thing in or which otherwise affects the added areas and the town clerk shall include in the appropriate register or list of the Corporation the particulars sent to him under this section.

(2) Any exemption in force immediately before the appointed day from the operation of any such enactment rule order or regulation which may have been granted by the county council or by the Plympton Council in respect of any such property matter or thing shall continue in force until the exemption shall expire.

(3) This section shall not extend to any matter for which provision is made in section 35 (Town planning) of this Act or in section 66 (Local land charges registers) of the Act of 1938 as applied by this Act.

37. Where in consequence of any alteration of areas or authorities made by this Act any adjustment of any property income debts liabilities or expenses so far as they are affected by the alteration or of any financial relations is required an adjustment shall be made between the councils or other authorities affected under and in accordance with sections 151 and 152 of the Act of 1933. Financial adjustments.

38. 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 registration districts.

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

40. Nothing in this Act shall—

- (i) 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; Other saving provisions.
- (ii) alter the area of any constituency or affect the powers of the Corporation or the county council under section 11 of the Representation of the People Act 1949; 12 & 13 Geo. 6. c. 68.
- (iii) 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;
- (iv) (save as in this Act expressly provided) affect the provisions of the Rating and Valuation Acts 1925 to 1940 or of Parts III and IV of the Local Government Act 1948; or 11 & 12 Geo. 6. c. 26.
- (v) affect land tax.

Power to
borrow.

41.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums requisite for those purposes and shall repay all moneys so borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the second column of the said table (namely): —

1	2
Purpose	Period for repayment
(a) The payment of any sums to the county council or to any other authority or body under or in pursuance of this Act.	Forty-five years from the date or dates of borrowing.
(b) The payment of any capital sums under the provisions of section 31 (Compensation to existing officers) of this Act.	Twenty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	Five years from the passing of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX 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 purposes of the said Part IX.

Saving for
powers of
Treasury.
8 & 9 Geo. 6.
c. 18.
9 & 10 Geo. 6.
c. 58.

42. It shall not be lawful to exercise the powers of borrowing conferred by this Act (except the power of borrowing to pay the costs charges and expenses of this Act) otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945 or of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Application of
provisions of
Act of 1938.

43.—(1) The following provisions of the Act of 1938 so far as they are applicable in that behalf shall with any necessary modifications extend and apply to the purposes of this Act in the same manner as if those provisions were re-enacted in this Act (namely):—

- Section 18 (Corporation property liabilities &c.) ;
- Section 19 (Mortgage debts of Corporation) ;
- Section 20 (Mortgage debts of county and rural councils) ;
- Section 23 (Property &c. of rural council and parish councils) ;

- Section 29 (County police stations);
- Section 37 (Local Acts);
- Section 42 (Orders under Cran Measures Act 1908); 8 Edw. 7. c. 17.
- Section 43 (Powers under section 33 of Local Government Act 1894); 56 & 57 Vict. c. 73.
- Section 44 (Orders under Shop Hours Act 1904 and Shops Acts 1912 to 1936); 4 Edw. 7. c. 31.
- Section 45 (Orders under Wild Birds Protection Acts);
- Section 46 (Orders under Public Health Acts Amendment Act 1907 or Public Health Act 1925);
- Section 49 (Burial board);
- Section 50 (Apportionment of balances and sums received under precepts);
- Section 51 (Contribution orders precepts and arrears of rates);
- Section 53 (Deduction in ascertaining rateable value of tithes railways &c.);
- Section 57 (Meaning of "officer" in certain sections of this Act);
- Section 58 (Officers of Corporation continued);
- Section 60 (Existing officers);
- Section 62 (Parish books and documents);
- Section 65 (Jury service);
- Section 66 (Local land charges registers);
- Section 71 (Saving for private street works);
- Section 72 (Saving for qualification of aldermen and councillors);
- Section 73 (Savings for actions contracts &c.);
- Section 77 (Inquiries by Minister):

Provided that in the application to the purposes of this Act of the said section 60 that section shall have effect by the substitution for subsection (4) thereof of the following subsection:—

“(4) Where any officer so transferred is a person to whom paragraph 6 or 7 of Part I of the Second Schedule of the Local Government Superannuation Act 1937 applies he shall be treated as being subject to those paragraphs so long as he remains in the employment of the Corporation”. 1 Edw. 8. & 1 Geo. 6. c. 68.

(2) In the application to the purposes of this Act of the provisions referred to in subsection (1) of this section expressions to which meanings are assigned by this Act have those meanings.

44. 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.**

SCHEDULE

PART I

LOCAL ACTS

Session and chapter	Short title
5 & 6 Geo. 5. c. <i>lxix</i> ...	The Plymouth Corporation Act 1915 (including the parts and sections of Acts of Parliament which are set forth in the Second Schedule to that Act).
13 & 14 Geo. 5. c. <i>lxxviii</i> ...	The Plymouth Corporation Act 1923.
1 & 2 Geo. 6. c. <i>xli</i> ...	The Plymouth Extension Act 1938.

PART II

ORDERS

Session and chapter	Short title of confirmation Act	Order thereby confirmed
4 & 5 Geo. 5. c. <i>clxxxiii</i>	The Local Government Board's Provisional Order Confirmation (No. 18) Act 1914.	The Borough of Plymouth Order 1914.
—	—	The Plymouth Corporation Light Railways Order 1922.
17 & 18 Geo. 5. c. <i>xli</i>	The Pier and Harbour Orders Confirmation (No. 1) Act 1927.	The Plymouth Piers Order 1927.
1 & 2 Geo. 6. c. <i>lxx</i>	The Pier and Harbour Order (Plymouth) Confirmation Act 1938.	Plymouth (Tamar Wharf) Landing Stage Order 1938.

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ARRANGEMENT OF SECTIONS

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PRELIMINARY

Section

1. Short and collective titles.
2. Interpretation.

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5. Appointed members.
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8. Casual vacancies.
9. Disqualification for membership of Board.
10. Member interested in a contract.
11. Validity of proceedings.
12. Expenses of elections etc.
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14. Extensions of time.
15. Power to owners and lessees to give notice as to purchase of land.

PART IV

FINANCIAL AND MISCELLANEOUS PROVISIONS

16. Payments by Metropolitan Water Board.
17. Stamp duty.
18. Contributions of local authorities.
19. Superannuation.
20. Audit of accounts.

Section

- 21. Definition of tributary.
- 22. Costs.

Schedules :

First Schedule—

- Part I—Local authorities in Hertfordshire.
- Part II—Local authorities in Essex.
- Part III—Local authorities in Middlesex.
- Part IV—Local authorities in London.

Second Schedule—Election of members of the Board
by groups of local authorities.