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UNIVERSITY LIBRARY CAMBRIDGE 8 AU 1932

CHAPTER xxxv.

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An Act to authorise the mayor aldermen and burgesses of the borough of Cambridge to acquire lands for the extension and improvement of the Guildhall to confer further powers upon the Corporation with regard to certain recreation grounds commons and open spaces in the borough and the health local government and improvement thereof to enlarge the powers of the conservators of the river Cam and for other purposes. [16th June 1932.]

WHEREAS the borough of Cambridge (in this Act called "the borough") is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") and the Corporation acting by the council are the urban sanitary authority for the borough:

And whereas the Corporation are the owners of the Guildhall in the borough and powers for the re-building and altering of the Guildhall were conferred upon them by the Cambridge Corporation Act 1850:

And whereas it is expedient to authorise the Corporation to acquire lands for the further alteration and enlargement of the Guildhall and to confer upon them in connection therewith the powers as to the erection of buildings which are contained in this Act:

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And whereas the Corporation were empowered by the Cambridge University and Corporation Act 1894 to enclose for certain purposes the commons known as Midsummer or Jesus Green and Butt Green and further powers were conferred upon them in regard to those and other commons by the Cambridge Corporation Act 1922 and it is expedient to empower the Corporation to exclude animals from the whole area of Butt Green Jesus Green and Midsummer Common :

And whereas the Corporation are or claim to be the owners in fee of the recreation grounds in the borough known as the Lammas Land Recreation Ground the Coleridge Road Recreation Ground the Romsey Recreation Ground the Alexandra Garden and the Old Chesterton Recreation Ground and it is expedient to make further provision with regard to such recreation grounds and to enable the Corporation to close any or all of them temporarily :

And whereas it is expedient to make further and better provision with regard to the local government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as is provided in this Act :

And whereas it is expedient to provide for the establishment of a consolidated loans fund by the Corporation and to make further provision with regard to the finances of the Corporation and the application of the revenues of their several undertakings :

And whereas the Corporation have adopted the Local Government and other Officers' Superannuation Act 1922 and it is expedient to enact such further provisions as are in this Act contained with regard to the manner in which superannuation allowances and other payments may be made to officers and servants of the Corporation and to the dependants of such officers and servants :

And whereas by the River Cam Conservancy Acts 1851 and 1922 provision was made for the appointment of conservators of the river Cam and powers were conferred upon such conservators to be exercised within the limits referred to in the said Acts of 1851 and 1922 :

And whereas by the River Cam Conservancy Act 1922 the Corporation were empowered to contribute to the revenue of the said conservators and it is

expedient to alter and amend the provisions of that Act with reference to such powers of contribution:

And whereas it is also expedient to enlarge the powers of the said conservators and to make further provision with reference to their meetings as is provided in this Act:

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 the Borough Funds Acts 1872 and 1903 have been observed:

And whereas plans showing the lands proposed to be acquired under this Act and a book of reference to those plans 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 county council of the administrative county of Cambridge and are hereinafter respectively referred to as the deposited plans and book of reference:

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Cambridge Corporation Act 1932.

Division of Act into Parts.

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

Part I.—Preliminary.
Part II.—Guildhall.
Part III.—Improvement provisions.
Part IV.—Sale of coke &c.
Part V.—River Cam Conservators.
Part VI.—Financial provisions.
Part VII.—Miscellaneous provisions.

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Incorporation of Acts.

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

(*a*) sections 127 to 132 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(*b*) the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be sufficient without the addition of the sureties mentioned in that section.

Interpretation.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts 1875 to 1925 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

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

"The borough" means the borough of Cambridge;

"The Corporation" means the mayor aldermen and burgesses of the borough;

"The town clerk" and "the treasurer" mean respectively the town clerk and the treasurer of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

"The general rate fund" and "the general rate" mean respectively the general rate fund and the general rate of the borough;

"The Lands Clauses Acts" means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;

"Daily penalty" means a penalty for each day on which an offence is continued by a person after conviction thereof;

"The Minister" means the Minister of Health;

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed

authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

"Authorised security" means any mortgage stock bond or other security which the Corporation are for the time being authorised to grant create or issue or upon or by means of which the Corporation are for the time being authorised to raise money;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"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 the rates or contributions leviable by or on the order or precept of the Corporation;

"The Act of 1922" means the Cambridge Corporation Act 1922;

"The conservators" means the conservators for the time being of the river Cam.

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Part II.

Guildhall.

Power to acquire lands.

5. Subject to the provisions of this Act the Corporation may (in so far as they are not already possessed of the same) enter on take and use for the extension and improvement of the Guildhall of the Corporation and for the erection of buildings and premises required for the purpose of municipal offices or of carrying on the business of the Corporation the lands in the borough which are delineated on the deposited plans and described in the deposited book of reference.

Period for compulsory purchase of lands.

6. The powers of the Corporation for the compulsory purchase of lands under the provisions of this Part of this Act shall cease after the expiration of five years from the first day of October nineteen hundred and thirty-two.

Power to erect shops &c. as part of municipal buildings.

7. The Corporation may erect as part of the Guildhall or of any council chamber municipal offices fire brigade accommodation or other buildings or premises for carrying on the business or any undertaking of the Corporation belonging or which may hereafter belong to them shops offices and business or residential chambers and may apply for that purpose any moneys which they are authorised to borrow for the purpose of erecting any such buildings or premises.

Part III.

Improvement Provisions.

Power to close temporarily certain recreation grounds.

8.—(1) The Corporation may from time to time close to the public the whole or any part of the lands in the borough known as the Lammas Land Recreation Ground the Coleridge Road Recreation Ground the Romsey Recreation Ground the Alexandra Garden and the Old Chesterton Recreation Ground or any of them together with any footpaths thereover respectively for such period not exceeding six days as the Corporation may determine Provided that the said lands shall not be closed for more than a total of twelve days in any one year.

(2) During any period in which the said lands are closed to the public in accordance with the provisions of this section the Corporation may—

(*a*) let the said lands to or permit the use of the said lands by any association society or person for the purposes of any agricultural horticultural or other show or for any entertainment or for any other public purpose of a temporary nature and authorise such association society or person to make charges for the use thereof or for access thereto; or

(*b*) use the said lands for the purposes aforesaid and make such charges as they think fit for access thereto.

Prohibition of tents vans &c.

9.—(1) (*a*) No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land situate within the borough without the previous approval of the Corporation.

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

(*c*) Land furnished in compliance with this subsection with a separate supply of water shall be deemed to be a house for the purposes of the provisions relating to the supply of water for domestic purposes.

(2) Any person aggrieved by the withholding by the Corporation of any approval under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to a court of summary jurisdiction provided he give notice in writing of such appeal and of the grounds thereof to the town clerk before lodging the appeal and such court may make such order on such terms and conditions as to the court may seem just The costs of

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any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to (*a*) a tent van shed or similar structure which is not used or intended to be used as a means of habitation for a period of at least three months or (*b*) any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder not being a pedlar or hawker.

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

Provisions as to tents vans &c.

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

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

(3) Any person who offends against the provisions of subsection (2) of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Amendment of section 27 of Act of 1922.

11. Subsection (5) of section 27 (Power to define future line of existing streets) of the Act of 1922 shall be read and have effect as if the following words were inserted at the end thereof namely "and any court "of summary jurisdiction may upon the application of "the Corporation by order authorise the Corporation "to remove any building erection excavation or obstruc- "tion which shall have been made or placed by such "person nearer to the centre of the street or road than "the line hereinbefore referred to and the Corporation "may recover the reasonable cost incurred by them in "so doing from such person."

PART IV.

SALE OF COKE &c.

Application to sale of coke of Weights and Measures Act 1889.

12. The provisions of sections 20 to 29 inclusive 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.

Penalty on fraudulent sale.

13. If any seller of coke or any person in charge of any vehicle from which coke is being sold or offered or exposed for sale wilfully makes any false statement as to the weight of the coke or wilfully increases such weight by damping such coke or wilfully does any other act by which the purchaser of the coke shall be defrauded he 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.

Proceedings under Part IV of Act.

14. Any inspector of weights and measures may with the consent of the Corporation prosecute before a court of summary jurisdiction any proceedings under or in pursuance of this Part of this Act.

Application of Part IV of Act.

15. The provisions of this Part of this Act relating to coke shall apply to any solid fuel derived from coal or of which coal or coke is a constituent as if it were coke.

Notice to be given.

16.—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough.

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

PART V.

RIVER CAM CONSERVATORS.

Power to Corporation to contribute to revenue of conservators.

17.—(1) Section 34 (Power to Corporation to contribute to revenue of conservators) of the River Cam Conservancy Act 1922 is hereby repealed.

(2) If in any year the revenue of the conservators (including any balance in their hands on revenue account from the preceding year) has been insufficient

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to meet the expenses of the conservators during that year the Corporation may if they think fit pay to the conservators out of the general rate fund such sum as they may determine but not exceeding the amount required to meet such insufficiency Provided that except in pursuance of a resolution of an absolute majority of the whole number of the council of the borough the amount which the Corporation may pay to the conservators under the provisions of this section shall not in any year exceed the product of a rate of one penny in the pound calculated in accordance with the provisions of paragraph (*d*) of section 9 (2) of the Rating and Valuation Act 1925 but as if the words "if provision were not made by the said Part II of "the Second Schedule for any such relief as aforesaid "which operates only in an urban rating area" were omitted from that paragraph.

(3) The conservators shall on or before the thirty-first day of January in each year deliver to the Corporation an estimate of their expenditure both on capital and revenue account for the year commencing on the first day of April in that year.

Amendment of River Cam Navigation Act 1851.

18.—(1) The words "on the first Tuesday in the month of June" and "or within fourteen days from that day" in section VI (Time of holding first and annual meetings of conservators) of the River Cam Navigation Act 1851 are hereby repealed.

(2) Section VII (Conservators may hold quarterly meetings) section VIII (As to holding of special meetings) and section IX (Place for holding meetings of conservators) of the River Cam Navigation Act 1851 shall respectively be read and have effect as if the words "three clear days' notice" were therein inserted instead of "ten clear days' notice."

Extension of jurisdiction for certain purposes.

19.—(1) For the purposes of entering into and carrying out any agreement under subsection (4) of section 6 (Powers in relation to main river) of the Land Drainage Act 1930 the conservators shall be deemed to be a navigation authority in respect of so much of the river Cam and river Granta as lies between (*a*) Newnham Mill and (*b*) Kings Mill respectively on the one hand and (*c*) Byron's Pool and (*d*) Grantchester Mill respectively on the other hand (but not including the sluice

gates at either Byron's Pool or Grantchester Mill) together with all back waters connected with so much of the said rivers as aforesaid.

(2) For the purpose of carrying into effect any agreement entered into between the Great Ouse Catchment Board and the conservators under the provisions of the said subsection (4) the conservators may expend any moneys for the time being belonging to them on revenue account or any moneys paid to them by the Corporation under the provisions of the section of this Act of which the marginal note is "Power to Corporation to contribute to revenue of conservators."

PART VI.

FINANCIAL PROVISIONS.

Power to borrow.

20.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the payment of the costs charges and expenses of this Act the sum or sums requisite and in order to secure the repayment of the said sum or sums and the payment of interest thereon they may mortgage or charge the revenues of the Corporation and they shall pay off all moneys so borrowed within the period of five years from the passing of this Act (which for the purposes of this Act and of any enactment incorporated therewith or applied thereby shall be "the prescribed period").

(2) (*a*) The Corporation may also borrow with the consent of the Minister such further moneys as may be necessary for the extension and improvement of the Guildhall of the Corporation and of buildings and premises for the purposes of municipal offices or of carrying on the business of the Corporation and also for any of the purposes of this Act.

(*b*) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

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

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All stock and loans to rank equally.

21. Subject to any priority existing at the passing of this Act all stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

As to mortgage of revenues of Corporation.

22.—(1) Any reference in any mortgage or charge granted by the Corporation to the revenue of any undertaking of the Corporation shall be deemed to be a reference to the revenues of the Corporation.

(2) In order to secure the repayment of any money hereafter borrowed by the Corporation under any statutory borrowing power and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

Consolidated loans fund.

23.—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or Order the Corporation may (if they think fit) on and after the thirty-first day of March nineteen hundred and thirty-three establish a fund to be called "the consolidated loans fund" to which shall be paid—

(*a*) all moneys borrowed by the Corporation whether by issue of bonds stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;

(*b*) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and

(*c*) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys so borrowed or received and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

(*a*) in the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation; and

(*b*) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation:

And the moneys of the consolidated loans fund not used or applied in these ways or about to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund including the accumulations arising from the investments thereof shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection.

(3) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet the interest charged and the financing and other revenue expenses connected with the management of that fund and separate account shall be kept of these sums and their application.

(4) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation contingent insurance superannuation or other similar fund (hereinafter referred to as "the lending fund") and not for the time being required and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of subsection (1) of this section and shall be used accordingly subject to the following conditions:—

(*a*) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(*b*) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to

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be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings.

(5) Subject to any priority existing at the passing of this Act all bonds stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(6) Save as in this section expressly provided all the obligations of the Corporation to the holders of bonds stock or other securities of the Corporation shall continue in force.

(7) Nothing in this section shall apply to moneys borrowed from the Public Works Loan Commissioners.

(8) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

Use of moneys forming part of sinking and other funds.

24. Notwithstanding anything contained in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exerciseable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingent superannuation insurance or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

(1) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be

made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power:

(2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:

(3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly:

(4) Section 92 (Power to use sinking fund instead of borrowing) of the Act of 1922 is hereby repealed.

Evidence of transfer or transmission of securities.

25. It shall not be obligatory on the Corporation to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (except securities issued under the Local Loans Act 1875 and except securities to which regulations made under section 52 (Issue of stock) of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the town clerk or registrar of stock of the Corporation of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited.

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Interest on mortgages held jointly.

26. Where more persons than one are registered as joint holders of any mortgage of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the town clerk or registrar of stock of the Corporation by any other of them.

Closing of registers.

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

Return to Minister with respect to repayment of debt.

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

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to

any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

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

Application of section 79 of Public Health Act 1925.

29. The provisions of section 79 of the Public Health Act 1925 shall apply in relation to any sums set apart as a sinking fund or a redemption fund for the purpose of paying off moneys borrowed by the Corporation in the exercise of any statutory borrowing power as if all such moneys had been borrowed by the Corporation in exercise of their powers under the Public Health Act 1875.

Scheme for fixing equated period and consolidating loans.

30.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers or the liability for which attaches to them under any enactment shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may apply to any such loans all or any of the provisions of this Act in regard to the borrowing and repayment of money with or without modification and may make provision in regard to all matters incidental to the objects aforesaid.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Minister who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

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(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister separate consolidations may be made of all or any of the loans included under such general headings.

(5) The Corporation may with the sanction of the Minister and on the security of the revenues funds or rates respectively on the security of which the moneys included in the scheme were respectively authorised to be borrowed borrow such sums as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of authorised securities for their consent thereto and any moneys so borrowed shall be repaid within such period as the Minister may sanction.

(6) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Capital reserve fund.

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

Provided that—

(*a*) any sum so appropriated to the capital reserve fund from the general rate fund shall not exceed in any year the equivalent of a rate of twopence in the pound calculated

according to the rules made pursuant to section 9 of the Rating and Valuation Act 1925;

(*b*) appropriations to and payments into the capital reserve fund shall cease to be made whenever the said fund amounts to the sum of fifty thousand pounds.

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

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

Renewal and repairs fund.

32.—(1) The Corporation may if they think fit in any year apply from the general rate fund or from the proceeds of the general rate to a fund to be called "the renewal and repairs fund" any sum not exceeding five thousand pounds.

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

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for the maintenance and renewal of horses carts mechanically propelled vehicles stables depots boilers and equipment and apparatus in connection therewith and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses.

(4) The existing renewal and repairs fund of the Corporation shall be deemed to have been formed under this section and any moneys standing to the credit of that existing fund at the date of this Act shall be carried to and form part of the fund authorised by this section.

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As to operation of section 11 of Rating and Valuation Act 1925.

33. The Corporation may at any time by resolution determine with respect to any hereditament for the time being belonging to them the rent of which is payable or is collected at intervals of less than a quarter of a year to do any of the things which owners may do by agreement with the rating authority under subsection (2) of section 11 of the Rating and Valuation Act 1925 with the like conditions and consequences (other than the condition as to agreement in writing with the rating authority) as are applicable to owners under that section.

Appointed auditors.

34.—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors or of the London Association of Accountants Limited or of the Corporation of Accountants Limited to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors elected and appointed under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as "the appointed auditor."

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 (Borough auditors) of the Municipal Corporations Act 1882 shall not apply within the borough.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(4) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditors and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(5) The appointed auditor shall include in or append to any certificate given by him with reference

to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

Subscriptions to local government associations and other expenses.

35. The Corporation may pay out of the general rate fund as expenses incurred by them under the Municipal Corporations Act 1882—

(*a*) reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings;

(*b*) the reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connection with any public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the borough.

Application of revenue and payment of expenses of undertakings.

36.—(1) All money received by the Corporation on account of the revenue of any undertaking of the Corporation existing at the date of this Act from which revenue is derived shall be carried to and shall form part of the general rate fund and all payments and expenses made and incurred in respect of any such undertaking shall be paid out of that fund.

(2) The Corporation may (if they think fit) apply money received by them on account of the revenue of any of the undertakings referred to in subsection (1) of this section in the construction renewal extension and improvement of the works and conveniences for the purposes of such undertakings respectively.

Separate accounts to be kept.

37.—(1) The Corporation shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or

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division in respect of each of the undertakings of the Corporation referred to in the last preceding section of this Act (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

(*a*) The working and establishment expenses and cost of maintenance of the undertaking;

(*b*) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;

(*c*) The requisite appropriations instalments or sinking fund payments in respect of the said stock and moneys borrowed for the purposes of the undertaking;

(*d*) All other expenses (if any) of the undertaking properly chargeable to revenue;

(*e*) The amount (if any) paid to any reserve fund which the Corporation may from time to time be authorised to maintain.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate undertakings or purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Part VII.

Miscellaneous Provisions.

As to election of aldermen.

38.—(1) Article VII (Number of aldermen) of the Borough of Cambridge Order 1889 shall be read and have effect as if the words "or from the aldermen

" whose term of office expires on the date of election " and who were elected from among councillors elected " to represent the University " were therein inserted after the word " University."

(2) Article VII (Number of councillors and aldermen) of the Cambridge (Extension) Order 1911 shall be read and have effect as if the words " continue as heretofore to " were omitted therefrom and as if the words " or from the aldermen whose term of office " expires on the date of election and who were " elected from among councillors elected to represent " the University " were therein inserted at the end thereof.

Extension of section 20 of Act of 1922.

39. Notwithstanding anything contained in the proviso to section 20 (Powers as to parks commons &c.) of the Act of 1922 the Corporation shall in addition to any powers conferred upon them under the provisions of any general or local Act (including the Act of 1922) have power to exclude animals from the whole area of Butt Green Jesus Green and Midsummer Common.

Superannuation allowance to widows of pensioners.

40.—(1) If within one month before becoming entitled to a superannuation allowance under paragraph (*b*) or (*c*) of subsection (1) of section 6 of the Local Government and other Officers' Superannuation Act 1922 an officer or servant of the Corporation has given notice in writing to the treasurer requiring that the provisions of this section shall apply to him and to any wife to whom he is married on the date on which he becomes entitled to a superannuation allowance then unless the Corporation (being of opinion that the state of health of such person is not reasonably satisfactory having regard to his age) decide not to comply with his requirement the following provisions shall have effect :—

(*a*) The amount of every payment in respect of the superannuation allowance payable to such person shall in all cases be reduced by six per centum and if the age of the wife of such person is less than the age of such person such reduced amount shall during their joint married lives be further reduced by the amount by which the annuity payable to his wife if

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she survives him will be diminished under the provisions of subsection (2) of this section;

(*b*) If the wife in respect of whom the said notice was given survives the person who gave the notice and does not cease until the date of his death to be his wife she shall be entitled after his death to receive for life out of the appropriate superannuation fund an annuity equal to one-third of the annual amount of his superannuation allowance reduced as aforesaid by six per centum Provided that if the age of such wife was less than the age of such person such annuity shall be subject to a diminution calculated under the provisions of subsection (2) of this section;

(*c*) If the said wife shall die in the lifetime of the said person who gave the notice and shall not before the date of her death have ceased to be the wife of such person then as from the date of her death the annual amount of the superannuation allowance of the person who gave the notice shall be diminished to two-thirds of his superannuation allowance reduced as aforesaid by six per centum.

(2) The diminution referred to in paragraph (*b*) of subsection (1) of this section shall (i) where the husband has at the time of his retirement attained the age of sixty-five years and the case falls within the table set out in the schedule to this Act be calculated in accordance with that table and (ii) in any other case be of such an amount as shall be certified by an actuary to be just.

(3) As soon as practicable after the receipt of any such notice as is referred to in subsection (1) of this section the Corporation shall intimate in writing to the person giving the same their decision as to the acceptance or refusal (on grounds of the state of health of such person) of the requirement of such notice and within one month of the intimation by the Corporation of the acceptance of any such requirement the treasurer shall notify in writing to the person to whom such intimation was given the amount of the annuity which will in accordance with the provisions of this section

be payable to his wife so surviving him as aforesaid and by which his superannuation allowance will be reduced. A.D. 1932.

(4) An annuity under this section shall not be capable of assignment or transfer.

As to salary pension &c. payable to persons mentally disabled.

41. When any sum in respect of salary wages pension superannuation or other allowance or annuity is payable by the Corporation to any person being or having been an employee or pensioner of the Corporation or to any widow or child of a deceased employee or pensioner and the person to whom such sum is payable is certified by a justice or minister of religion and by a medical practitioner to be unable by reason of mental disability to manage his or her affairs the Corporation may pay the whole or so much as they may think fit of the said sum to the institution or person having the care of the disabled person and may pay the surplus (if any) or such part thereof as the Corporation may think fit for or towards the maintenance and benefit of the wife or husband and relatives of the disabled person The Corporation shall be discharged from all liability in respect of any sums paid in accordance with the provisions of this section whether before or after the passing of this Act.

As to payments due to deceased employees.

42.—(1) On the death of an employee to whom a sum not exceeding one hundred pounds is due on account of salary wages superannuation allowance or grant if probate of the will of the employee or letters of administration of his estate are not produced within such time (not being less than one month after his death) as the Corporation may think reasonable then at the expiration of that time the Corporation shall pay the sum to the person or persons entitled in distribution to the residuary estate of the employee in accordance with the provisions of paragraphs (i) to (v) inclusive of section 46 (1) of the Administration of Estates Act 1925 and section 9 of the Legitimacy Act 1926 and in default of any such person to the Solicitor for the Affairs of His Majesty's Treasury Provided that the Corporation may if they think fit pay to any person who has paid the funeral expenses of the deceased employee such amount (not exceeding the total amount of such expenses) as the Corporation shall deem it reasonable to allow.

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(2) The Corporation before paying or distributing any moneys under this section to or among any person or persons other than the legal personal representative of the deceased employee shall require—

(*a*) where the total estate of the deceased employee including the amount of such moneys does not after deduction of debts and funeral expenses exceed one hundred pounds a declaration to that effect by the person or one of the persons to or among whom the Corporation propose to pay or distribute such moneys; and

(*b*) where the total estate of the deceased employee including the amount of such moneys but after deduction of debts and funeral expenses exceeds one hundred pounds the production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the legacy or succession duty payable in respect of such moneys or of a certificate stating that no legacy or succession duty is payable.

Further powers for acquisition of land.

43.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any money so borrowed shall be repaid within such period as may be prescribed by the Minister.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the general rate fund and general rate.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

(*a*) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister; or

(*b*) in such other manner as may be approved by the Minister.

Recovery of rate from persons removing.

44. If a justice is satisfied on complaint by any rate collector that any person is quitting or about to quit any premises in the borough and has failed to pay on demand any general rate which may be due from him and intends to evade payment of the same by departing from the borough the justice may in addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the said rate collector to seize forthwith and detain the goods and chattels of such person until the complaint is determined upon the return of the summons.

Application of provisions of Act of 1922.

45. Subject to the provisions of this Act the following provisions of the Act of 1922 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely):—

Section 10 (Compensation in case of recently acquired interest);

Section 11 (Correction of errors in deposited plans and book of reference);

Section 13 (Persons under disability may grant easements &c.);

Section 14 (Extinction of private rights of way);

Section 16 (Proceeds of sale of surplus lands);

Section 76 (Application of money borrowed);

Section 79 (Mode of raising money);

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Section 80 (Provisions of Public Health Act 1875 as to mortgages to apply);

Section 81 (Mode of payment off of money borrowed);

Section 83 (Sinking fund);

Section 86 (Appointment of receiver);

Section 90 (Expenses of execution of Act);

Section 94 (Audit of accounts);

Section 103 (Power to enter premises);

Section 106 (General provisions as to byelaws);

Section 110 (Application of section 265 of Public Health Act 1875);

Section 112 (Informations by whom to be laid);

Section 113 (Recovery of penalties &c.);

Section 114 (Damages and charges to be settled by court);

Section 115 (Recovery of demands);

Section 116 (As to appeal);

Section 117 (Inquiries by Minister of Health);

Section 120 (Powers of Act cumulative);

Section 121 (Saving for indictment &c.);

Section 122 (Judges not disqualified);

Section 123 (Crown rights):

Provided that for the purposes of such extension and application—

(*a*) the said section 10 shall be read and have effect as if the sixteenth day of November nineteen hundred and thirty-one were therein referred to instead of the sixteenth day of November nineteen hundred and twenty-one;

(*b*) the said section 103 shall be read and have effect as if Part III of this Act were therein referred to instead of Parts V and VI of the Act of 1922;

(*c*) the said section 116 shall be read and have effect as if Part III of this Act were referred to therein instead of Parts IV V and VI of the Act of 1922.

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Costs of Act.

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

The SCHEDULE referred to in the foregoing Act.

REDUCTION OF PROPORTION OF SUPERANNUATION ALLOWANCE ALLOCATED TO WIFE.

Age of wife at husband's age of 65.	Rate per centum of reduction.
64	$3\frac{1}{2}$
63	$6\frac{1}{2}$
62	$9\frac{1}{4}$
61	12
60	$14\frac{1}{4}$
59	$16\frac{1}{2}$
58	$18\frac{1}{2}$
57	$20\frac{1}{2}$
56	$22\frac{1}{4}$
55	24

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