

CROSBY CORPORATION

A BILL

To empower the mayor, aldermen and
burgesses of the borough of Crosby to
construct works and to acquire lands;
to confer further powers upon the
Corporation; and for other purposes.

SESSION 1967-68

HAROLD O. ROBERTS,
Town Hall,
Great Georges Road,
Waterloo,
Crosby,
Liverpool, 22,
Town Clerk.

DYSON, BELL & CO.,
15 Great College Street,
Westminster, S.W.1,
Parliamentary Agents.

PART III

WORKS

Section

13. Power to construct work.
14. Power to make seaside improvements.
15. Subsidiary works.
16. Power to deviate.
17. Power to take water from river Mersey or the sea.
18. Tidal works not to be executed without approval of Board of Trade.
19. Provision against danger to navigation.
20. Abatement of works abandoned or decayed.
21. Survey of tidal works.
22. Permanent lights on tidal works.
23. Lights on tidal works during construction.
24. Fine for obstructing works.
25. Period for completion of works.

PART IV

MISCELLANEOUS AND GENERAL

26. Power to borrow.
27. Confirming authority for byelaws.
28. Local inquiries.
29. As to powers of Board of Trade.
30. Arbitration.
31. Crown rights.
32. Saving for town and country planning.
33. Costs of Act.

Crosby Corporation

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title.
2. Division of Act into Parts.
3. Application of Act of 1965.
4. Interpretation.

PART II

LANDS

5. Power to acquire lands.
6. Correction of errors in deposited plan and book of reference.
7. Power to acquire easements only.
8. Disregard of recent improvements and interests.
9. Grant of easements by persons under disability.
10. Agreements with adjoining owners.
11. Extinction of rights affecting land.
12. Temporary stoppage of highways, etc.

A
B I L L

To empower the mayor, aldermen and burgesses of the A.D. 1967.
borough of Crosby to construct works and to acquire
lands; to confer further powers upon the Corporation;
and for other purposes.

WHEREAS the borough of Crosby in the county palatine
of Lancaster (hereinafter referred to as "the borough")
is a municipal borough under the government of the mayor,
aldermen and burgesses of the borough (hereinafter referred to as
5 "the Corporation") :

And whereas owing to certain proposed development in the
borough and the circumstances arising therefrom it is expedient
that the Corporation should be empowered to construct the works
and improvements authorised by this Act and to acquire and use
10 lands as in this Act provided:

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

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

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

Crosby Corporation

And whereas estimates have been prepared for and in connection with the purposes hereinafter mentioned and such estimates are as follows:—

The construction of the works authorised by Part III (Works) of this Act	£
	<u>400,000</u> 5

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

And whereas a plan and sections showing the line and level of the work by this Act authorised, such plan showing also the lands 10 which may be acquired or used compulsorily under the powers of this Act and for the purposes of this Act, together with a book of reference to the said plan containing the names of the owners or reputed owners, lessees or reputed lessees and of the occupiers of all such lands and describing the same, have been deposited in the 15 office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons, with the town clerk of the borough and with the clerk of the county council of the administrative county of the county palatine of Lancaster and such plan, sections and book of reference are respectively referred to in this 20 Act as the deposited plan, sections and book of reference:

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:

May it therefore please Your Majesty that it may be enacted, 25 and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say :—

PART I
PRELIMINARY

30

Short title.

1. This Act may be cited as the Crosby Corporation Act, 1968.

Division of
Act into
Parts.

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

Part I.—Preliminary.

Part II.—Lands.

Part III.—Works.

Part IV.—Miscellaneous and general.

35

3.—(1) Part I of the Act of 1965, other than the excepted provisions, in so far as it is applicable for the purposes of this Act and is not inconsistent with the provisions thereof, shall apply to any compulsory purchase under this Act.

PART I
—cont.
Application
of Act of
1965.

5 (2) The provisions of the Act of 1965 as so applied shall have effect as if—

- (a) this Act were the special Act and the Corporation were the acquiring authority;
- 10 (b) references to the compulsory purchase order were references to this Act;
- (c) in section 4 of the Act of 1965 the reference to the date on which the compulsory purchase order becomes operative were a reference to the 31st December following the passing of this Act;
- 15 (d) in subsection (1) of section 11 of the Act of 1965 for the words “fourteen days” there were substituted the words “three months”;
- 20 (e) in subsection (3) of the said section 11 for the words “not less than three nor more than fourteen days’ notice” there were substituted the words “not less than seven days’ notice in the case of the first entry and not less than twenty-four hours’ notice in the case of a subsequent entry”.

(3) In this section “the excepted provisions” means the following provisions of the Act of 1965, namely, subsection (5) of section 24, section 27 and paragraph 3 (3) of Schedule 3.

4.—(1) In this Act the following words and expressions have Interpretation.
the several meanings assigned to them respectively unless there be something in the subject or context repugnant to such construction, that is to say:—

“the Act of 1933” means the Local Government Act, 1933; 1933 c. 51.

“the Act of 1965” means the Compulsory Purchase Act, 1965; 1965 c. 56.

35 “the borough” means the borough of Crosby;

“the Corporation” means the mayor, aldermen and burgesses of the borough;

40 “enactment” includes an enactment in this Act or in any general or local Act and any order, byelaw, scheme or regulation made under an Act;

PART I
—*cont.*

1878 c. 76.

- “land” includes land covered by water, any interest in land and any easement or right in, to or over land;
- “the limits of deviation” means the limits of deviation authorised by **section 16** (Power to deviate) of this Act; 5
- “seashore” means so much of the seashore, foreshore and sands of the estuary of the river Mersey or the sea within the borough as is shown on the deposited plan as intended to be used for the seaside improvements;
- “the seaside improvements” means the works, facilities 10 and improvements authorised by **section 14** (Power to make seaside improvements) of this Act;
- “telegraphic line” has the same meaning as in the Telegraph Act, 1878;
- “tidal work” means so much of any work as is on, under 15 or over tidal waters or tidal lands below the level of mean high-water springs;
- “the Trinity House” means the master, wardens and assistants of the guild, fraternity or brotherhood of the Most Glorious and Undivided Trinity and of St. Clement in 20 the parish of Deptford Strond in the county of Kent commonly called the Corporation of the Trinity House of Deptford Strond;
- “the works” means the work authorised by **section 13** (Power to construct work) of this Act, the seaside 25 improvements and any works constructed under **section 15** (Subsidiary works) of this Act and includes any of those works as extended, enlarged, altered, replaced or relaid under subsection (2) of the said **section 13** and “work” shall be construed accordingly. 30

(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.

PART II

35

LANDS

Power to
acquire lands.

5. Subject to the provisions of this Act, the Corporation may enter upon, take and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for or in connection with the construction and 40 maintenance of the works and for other purposes of this Act or for any of those purposes.

PART II
—cont.Correction of
errors in
deposited
plan and
book of
reference.

6.—(1) If the deposited plan or the deposited book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Corporation after giving not less than ten days' notice to the owner, lessee and occupier of the land in question, may apply to two justices having jurisdiction in the borough for the correction thereof.

(2) If on any such application it appears to the justices that the misstatement or wrong description arose from mistake, the justices shall certify the fact accordingly and shall in their certificate state in what respect any matter is misstated or wrongly described.

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments, and a copy thereof in the Private Bill Office, House of Commons, with the clerk of the county council of the administrative county of the county palatine of Lancaster and with the town clerk of the borough and thereupon the deposited plan and the deposited book of reference shall be deemed to be corrected according to the certificate, and it shall be lawful for the Corporation to take the land and execute the works in accordance with the certificate.

(4) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

7.—(1) The Corporation may, instead of acquiring any land that they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights over or in the land as they may require for the purpose of constructing, using, maintaining, renewing or removing the works or for the purpose of obtaining access to the works or for the purpose of doing any other thing necessary in connection with the works. **Power to acquire easements only.**

(2) Accordingly the Corporation may give notice to treat in respect of any such easement or right describing the nature thereof and "land" in Part I of the Act of 1965, as applied by this Act includes such easements and rights as aforesaid.

(3) Where the Corporation have acquired an easement or right only over or in any land under this section—

- (a) they shall not be required or, except by agreement or during the execution of the works, entitled to fence off or sever that land from the adjoining land;
- (b) the owner or occupier of the land for the time being shall, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

PART-II —cont.	8. In determining any question of disputed compensation under the Act of 1965 the Lands Tribunal shall not take into account—	
Disregard of recent improvements and interests.	(a) any works executed, improvement or alteration made, or building erected after 5th December, 1967; or (b) any interest in the land created after the said date;	5
	which in the opinion of the Lands Tribunal was not reasonably necessary and was executed, made, erected or created with a view to obtaining or increasing the compensation or purchase money.	10
Grant of easements by persons under disability.	9.—(1) Any person empowered by the Act of 1965, as applied by this Act, to sell and convey or release lands may if he thinks fit, subject to the provisions of the Act of 1965, grant to the Corporation any easement or right required for the purposes of this Act over or in the lands not being an easement or right of water in which some person other than the grantor has an interest. (2) The provisions of the Act of 1965 with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.	15
Agreements with adjoining owners.	10.—(1) The Corporation may enter into and carry into effect agreements with any person being the owner of, or interested in, any land abutting on any portion of land that may be acquired under this Act with respect to the sale by the Corporation to him of any land. (2) The Corporation may accept as satisfaction of the whole or any part of the consideration for any such sale the grant by the purchaser of any land required by the Corporation for the purposes of this Act or any easement or right so required.	25
Extinction of rights affecting land.	11.—(1) All rights over any land within the limits of deviation or forming part of the seashore shall be extinguished, in the case of any land vested in the Corporation at the date of the passing of this Act, as from that date or, in the case of any other land, as from the acquisition of the land by the Corporation, whether compulsorily or by agreement. (2) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Corporation compensation to be determined in case of dispute under and in accordance with the Land Compensation Act, 1961.	35
1961 c. 33.		40
Temporary stoppage of highways, etc.	12.—(1) The Corporation during and for the purpose of the execution of the works may temporarily stop up, alter, divert or otherwise interfere with any highway or any private right	

of way and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or from any land, house or building abutting on the highway or right of way from passing along and using the same.

PART II
—cont.

5 (2) The Corporation shall provide reasonable access for foot passengers bona fide going to or from any such land, house or building.

(3) The Corporation shall not exercise the powers of this section in relation to a highway without the consent of the
10 highway authority, but such consent shall not be unreasonably withheld and any question whether such consent has been unreasonably withheld shall be determined by the Minister of Transport.

PART III

15

WORKS

13.—(1) Subject to the provisions of this Act, the Corporation may make and maintain in the line and situation and upon the lands delineated on the deposited plan and described in the deposited book of reference and according to the level shown on
20 the deposited sections the following work in the borough, that is to say, a retaining wall or embankment commencing at the seaward end of Mariners Road and extending in a westerly direction for a distance of 100 feet or thereabouts, thence curving to and proceeding in a south-easterly direction for a distance of
25 5,500 feet or thereabouts and there terminating.

Power to
construct
work.

(2) The Corporation may within the limits of deviation for the said work extend, enlarge, alter, replace or relay the same.

(3) Subject to the provisions of this Act, the Corporation may by means of the said work enclose and reclaim from the foreshore
30 or bed of the river Mersey or of the sea so much of the foreshore or bed of the river Mersey or of the sea as is included within the limits of deviation.

14.—(1) Subject to the provisions of this Act, the Corporation may, on the seashore carry out works for the purpose of levelling
35 up the lands enclosed by the retaining wall or embankment authorised by section 13 (Power to construct work) of this Act and provide a pleasure ground comprising a boating lake and such other works and facilities for public recreation or for preserving and improving amenity as they may think fit.

Power to
make seaside
improvements.

Handwritten notes:
£47,000 p.a. as 5 1/2 d. rate
money from 100,000 fee - return 100 days

PART III
—cont.

1936 c. 49.

- (2) The Corporation may provide such buildings, conveniences and appurtenances and execute such work as may be necessary or expedient in connection with the provision of a boating lake under this section and references in the following provisions of this section to a boating lake so provided shall include references to any buildings, conveniences or appurtenances or works executed under this section and to anything with which any such building, convenience or appurtenance is equipped by virtue of section 271 of the Public Health Act, 1936, as applied by this section. 5
- (3) The Corporation may either— 10
- (a) themselves manage any boating lake provided under this section, making such reasonable charges for the use thereof, or admission thereto, as they think fit; or
 - (b) let it, or any part thereof, for such consideration and on such terms and conditions, as they think fit. 15
- (4) The Corporation may either themselves provide and let for hire or may license any person to let for hire any pleasure boats on a boating lake provided under this section.
- (5) The Corporation may—
- (a) in connection with any boating lake or other works and facilities provided under this section, provide and sell refreshments of all kinds, subject to the provisions of all enactments relating thereto; 20
 - (b) enter into any agreement or arrangement for the provision and sale of refreshments as aforesaid; 25
 - (c) grant, upon such terms and conditions, and for such period, as they think fit, the right so to provide and sell refreshments;
 - (d) by themselves, or any person appointed by them in that behalf, apply for, and hold, licences for the sale of intoxicating liquor. 30
- (6) The Corporation may make byelaws for regulating—
- (a) the use of any boating lake provided under this section including (without prejudice to the generality of the foregoing) the class or classes of boats which may be permitted to use any such boating lake; 35
 - (b) the conduct of persons using or resorting to any such boating lake;
 - (c) the numbering and naming of boats using any such boating lake, the number of persons to be carried therein and the boathouses, boat parks and mooring places for the same; 40
 - (d) the rates at which boats are let for hire;

(e) the qualifications of boatmen.

PART III
—cont.

(7) For the purposes of subsections (1) and (2) of this section, section 271 of the Public Health Act, 1936, shall apply as if 1936 c. 49. references therein to that Act included references to this section.

5 15.—(1) Subject to the provisions of this Act, the Corporation Subsidiary for the purposes of or in connection with the work authorised by works.
section 13 (Power to construct work) of this Act, the enclosing and
reclaiming of the foreshore or bed of the river Mersey or the sea
authorised by the said section 13 and the seaside improvements
10 may from time to time within the limits of deviation or on the
seashore in addition to such works and improvements—

(a) construct or place and maintain and use all such sluices,
culverts, sewers, drains, mains, pipes, cables, tanks,
15 valves and valve chambers, banks, walls, piles, caissons,
lights, engines, pumps, machinery, roadways, ramps,
slipways, landing-places, entrances, parking places,
approaches, pipeways, stairs, works and appliances as
may be necessary or convenient for or in connection with
or subsidiary to the said authorised works and improve-
20 ments;

(b) make junctions with, and may alter the line or level of,
any street or way interfered with by, or contiguous to,
the works or improvements and may alter and interfere
with any steps, walls, gateways, railings, passages, pipes
25 and pavements and may execute any works for the
protection of any adjoining land or building;

(c) temporarily or permanently use, strengthen, widen,
improve, alter or otherwise interfere with drains, sewers,
submarine cables, telegraphic, telephonic, electric, gas,
30 water and other pipes, lines, wires, works and apparatus
(all of which are hereinafter in this section referred to as
“apparatus”) providing where possible a proper sub-
stitute before interrupting the passage of sewage,
electricity, gas or water in or through any apparatus.

35 (2) Any paving, metalling or materials in, on or under any
street altered or otherwise interfered with by the Corporation
under the powers of this section and rendered unnecessary and
any apparatus rendered unnecessary by the substitution of other
apparatus therefor shall vest in the Corporation and the substituted
40 apparatus shall be under the same jurisdiction, care, management
and direction as the existing apparatus for which it may be so
substituted.

(3) In the exercise of the powers conferred by this section the
Corporation shall cause as little detriment and inconvenience as

PART III
—cont.

the circumstances permit to any person and shall make reasonable compensation for any damage caused to any person by the exercise of such powers.

(4) (a) Not less than twenty-eight days before executing any works under paragraph (c) of subsection (1) of this section affecting any apparatus the Corporation shall submit to the appropriate authority sufficient plans, sections and particulars of the proposed works for their reasonable approval. 5

(b) The Corporation shall execute such works in accordance with such plans, sections and particulars as may be submitted to and approved by the appropriate authority or, if such approval be refused, as may be settled by arbitration and all such works shall be executed to the reasonable satisfaction of the appropriate authority and the Corporation shall at all times afford to the representative of the appropriate authority access for the purpose of inspecting such works. 15

(c) Any dispute or difference which may arise between the appropriate authority and the Corporation under this subsection (other than one related to disputed compensation) shall be settled by arbitration. 20

(d) Any question of disputed compensation payable under the provisions of this section shall be determined under and in accordance with the Land Compensation Act, 1961. 1961 c. 33.

(e) In this paragraph "the appropriate authority" means in relation to any apparatus the authority to whom it belongs or by whom it is repairable. 25

(5) Notwithstanding anything in this section the Corporation shall not—

(a) use any telegraphic line belonging to or used by the Postmaster General; 30

(b) alter any such line except in accordance with and subject to the provisions of paragraphs (1) to (8) of section 7 of the Telegraph Act, 1878. 1878 c. 76.

(6) Any electrical works or equipment constructed, erected, laid down, maintained, worked or used in pursuance of the powers conferred by this section shall be so constructed, erected or laid down and so maintained, worked and used as to prevent interference with any telegraphic line belonging to or used by the Postmaster General or with telegraphic communication by means of any such line. 40

(7) Any telegraphic and telephonic apparatus used under the provisions of this section shall be so used as not to contravene the exclusive privilege conferred upon the Postmaster General by the Telegraph Act, 1869. 1869 c. 73.

(8) Notwithstanding anything in this section, the Corporation shall not instal or use apparatus for wireless telegraphy in contravention of the provisions of the Wireless Telegraphy Act, 1949. PART III
—cont.
1949 c. 54.

(9) In subsection (5) of this section, the expression “alter” has the same meaning as in the Telegraph Act, 1878, and, in subsection (8), the expression “apparatus for wireless telegraphy” has the same meaning as in the Wireless Telegraphy Act, 1949. 1878 c. 76.

(10) In this section, the expression “street” has the same meaning as in the Public Utilities Street Works Act, 1950. 1950 c. 39.

10 16. In the construction of the work authorised by section 13 (Power to construct work) of this Act the Corporation may deviate laterally from the lines or situations thereof shown on the deposited plan to any extent not exceeding the limits of deviation shown on that plan and may deviate vertically from the level of that work shown on the deposited section to any extent downwards and to any extent not exceeding five feet upwards. Power to deviate.

17. The Corporation may from time to time for the purposes of any boating lake provided under section 14 (Power to make take water from river Mersey or the sea.) of this Act take and use water from, and discharge water to, the river Mersey or the sea. Power to take water from river Mersey or the sea.

18.—(1) A tidal work shall not be constructed, altered or extended except in accordance with plans and sections approved by the Board of Trade and subject to any conditions and restrictions imposed by the board before work is begun. Tidal works not to be executed without approval of Board of Trade.

25 (2) If a tidal work is constructed, altered or extended in contravention of this section or of any condition or restriction imposed under this section—

30 (a) the board may by notice in writing require the Corporation at their own expense to remove the tidal work or any part thereof and restore the site thereof to its former condition; and if, on the expiration of thirty days from the date when the notice is served upon the Corporation, they have failed to comply with the requirements of the notice, the board may execute the works specified in the notice; or

35 (b) if it appears to the board urgently necessary so to do, they may themselves remove the tidal work or part of it and restore the site to its former condition;

and any expenditure incurred by the board in so doing shall be recoverable from the Corporation as a simple contract debt.

PART III
—cont.Provision
against
danger to
navigation.

19.—(1) In case of injury to or destruction or decay of a tidal work or any part thereof, the Corporation shall forthwith notify the Trinity House and shall lay down such buoys, exhibit such lights and take such other steps for preventing danger to navigation as the Trinity House shall from time to time direct.

5

(2) If the Corporation fail to notify the Trinity House as required by this section or to comply in any respect with a direction given under this section, they shall be liable on summary conviction to a fine not exceeding one hundred pounds and on conviction on indictment to a fine.

10

Abatement
of works
abandoned
or decayed.

20.—(1) Where a tidal work is abandoned, or suffered to fall into decay, the Board of Trade may by notice in writing require the Corporation at their own expense either to repair and restore the work or any part thereof, or to remove the work and restore the site thereof to its former condition, to such an extent and 15 within such limits as the Board of Trade think proper.

(2) Where a work authorised by this Act and consisting partly of a tidal work and partly of works on or over land above the level of mean high-water springs is abandoned or suffered to fall into decay and that part of the work on or over land above the 20 level of mean high-water springs is in such condition as to interfere or to cause reasonable apprehension that it may interfere with the right of navigation or other public rights over the foreshore, the Board of Trade may include that part of the work, or any portion thereof, in any notice under this section.

25

(3) If, on the expiration of thirty days from the date when a notice under this section is served upon the Corporation they have failed to comply with the requirements of the notice, the Board of Trade may execute the works specified in the notice and any expenditure incurred by them in so doing shall be 30 recoverable from the Corporation as a simple contract debt.

Survey of
tidal works.

21. The Board of Trade may at any time if they deem it expedient order a survey and examination of a tidal work constructed by the Corporation or of the site upon which it is proposed to construct the work and any expenditure incurred by the Board 35 of Trade in any such survey and examination shall be recoverable from the Corporation as a simple contract debt.

Permanent
lights on
tidal works.

22.—(1) After the completion of a tidal work, the Corporation shall at the outer extremity thereof exhibit every night from sunset to sunrise such lights, if any, and take such other steps for 40 the prevention of danger to navigation as the Trinity House shall from time to time direct.

(2) If the Corporation fail to comply in any respect with a direction given under this section they shall be liable on summary conviction to a fine not exceeding one hundred pounds and on conviction on indictment to a fine.

PART III
—cont.

5 23.—(1) The Corporation shall at or near a tidal work during the whole time of the construction, alteration or extension thereof exhibit every night from sunset to sunrise such lights, if any, and take such other steps for the prevention of danger to navigation as the Board of Trade shall from time to time direct.

Lights on
tidal works
during
construction.

10 (2) If the Corporation fail to comply in any respect with a direction given under this section they shall be liable on summary conviction to a fine not exceeding one hundred pounds and on conviction on indictment to a fine.

15 24. Any person who wilfully obstructs any person acting under the authority of the Corporation in setting out the lines of the works, or who damages, moves or removes any pole, stake, station point or bench mark established for the purpose of such setting out, shall for every such offence be liable to a fine not exceeding twenty pounds.

Fine for
obstructing
works.

20 25. If the works are not completed within a period of five years from 1st October, 1968, then, on the expiration of that period the powers granted by this Act for the construction thereof or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed:

Period for
completion of
works.

25 Provided that nothing in this section shall prejudice or affect the powers of the Corporation to maintain, extend, enlarge, alter, replace or relay the works at any time and from time to time as occasion may require.

PART IV

MISCELLANEOUS AND GENERAL

30

26.—(1) The Corporation may borrow—

Power to
borrow.

(a) such sums as may be necessary for any of the purposes of this Act;

35 (b) without the consent of any sanctioning authority, for any of the purposes specified in the first column of the following table, the sum specified in relation thereto in the second column of that table.

PART IV
—cont.

(2) Every sum borrowed under paragraph (a) of the foregoing subsection shall be repaid within such period from the date of borrowing as the Corporation, with the consent of the sanctioning authority, may determine, not exceeding sixty years.

(3) Every sum borrowed under paragraph (b) of subsection (1) of this section shall be repaid within such period from the date of borrowing as the Corporation, without the consent of any sanctioning authority, may determine, not exceeding the period specified in relation thereto in the third column of the following table.

10

(4) Subject to the provisions of this section Part IX of the Act of 1933 shall have effect as if money borrowed under this section were borrowed under that Part.

(5) It shall not be lawful to exercise the powers of borrowing conferred by this section, other than the power of borrowing to pay the costs, charges and expenses of this Act, except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act, 1946.

1946 c. 58.

(1) Purpose for which money may be borrowed	(2) Amount	(3) Maximum period for repayment of loan	20
(a) The purchase of lands, easements and rights under the powers of this Act	The sum requisite	Sixty years.	
(b) The construction of the works authorised by this Act	£400,000	Thirty years.	25
(c) The payment of the costs, charges and expenses of this Act	The sum requisite	Five years.	

Confirming
authority for
byelaws.

27. As respects byelaws made under this Act the confirming authority for the purpose of section 250 of the Act of 1933 shall be the Secretary of State.

30

Local
inquiries.

28.—(1) Any Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.

(2) Subsections (2) to (5) of section 290 of the Act of 1933 shall apply in relation to any such inquiry; and for that purpose the definition of “department” in subsection (8) of that section shall include any Minister of the Crown having functions under this Act, as well as the Ministers therein mentioned.

35

(3) In this section "Minister of the Crown" has the same meaning as in the Ministers of the Crown (Transfer of Functions) Act, 1946.

PART IV
—cont.

1946 c. 31.

29. Anything required or authorised by or under this Act to be done by, to or before the Board of Trade may be done by, to or before the President of the Board. any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board or any person authorised in that behalf by the President.

As to powers
of Board of
Trade.

30. Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration then, unless other provision is made, the reference shall be to a single arbitrator to be agreed upon between the parties, or, failing agreement, appointed by the President of the Institution of Civil Engineers on the application of any party to the dispute (after notice in writing to the others of them).

Arbitration.

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

Crown rights.

32. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof, is or may be, authorised or regulated by or under this Act.

Saving for
town and
country
planning.

1962 c. 38.

33. All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act and otherwise in relation thereto, 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 of the borough or out of moneys to be borrowed under this Act for that purpose.

Costs of Act.