



CHAPTER ix.

An Act to constitute a joint board comprising representatives of the mayor aldermen and burgesses of the boroughs of Heston and Isleworth Southall and Twickenham and the urban district councils of Feltham and Sunbury-on-Thames to authorise the Board to provide and maintain a crematorium and for other purposes. [18th July 1947.]

**W**HEREAS it is expedient to constitute and incorporate a joint board comprising representatives of the mayor aldermen and burgesses of the boroughs of Heston and Isleworth Southall and Twickenham and the urban district councils of Feltham and Sunbury-on-Thames and to empower the said board to provide and maintain a crematorium:

And whereas the county council of the administrative county of Middlesex and the said local authorities have entered into an agreement for the exchange of certain lands vested in the said county council for part of the lands to be acquired by the Board under this Act and it is expedient that the agreement be confirmed:

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

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

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

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(a) For and in connection with the purchase of lands under the powers of this Act ...	7,000
(b) For buildings drainage and road works and general lay out ... ..	53,000

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

23 & 24 Geo. 5.  
c. 51. 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 by the mayor aldermen and burgesses of the boroughs of Heston and Isleworth Southall and Twickenham and the urban district councils of Feltham and Sunbury-on-Thames:

And whereas a plan showing the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerk of the county council of the administrative county of Middlesex which plan and book of reference are in this Act respectively referred to as the deposited plan 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 (that is to say):—

## PART I.

## PRELIMINARY.

Short title.

1. This Act may be cited as the South-West Middlesex Crematorium Act 1947.

Division of  
Act into Parts.

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

Part I.—Preliminary.

Part II.—Establishment constitution and proceedings  
of Board.

Part III.—Lands.

Part IV.—Powers and duties of Board.

Part V.—Finance.

Part VI.—Miscellaneous.

Incorporation  
of Acts.

3.—(1) The following enactments (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are incorporated with this Act (namely):—

(a) The Lands Clauses Acts with the following exceptions and modification:—

8 & 9 Vict.  
c. 18.

(i) Sections 127 to 132 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(ii) 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;

(b) The clauses of the Commissioners Clauses Act 1847 with respect to the following matters (namely):—

the contracts to be entered into and the deeds to be executed by the commissioners (except section 57);

the liabilities of the commissioners and legal proceedings by or against the commissioners.

(2) In the construction of the provisions of the Lands Clauses Acts and the Commissioners Clauses Act 1847 incorporated with this Act the expressions "the promoters of the undertaking" "the undertakers" "the company" and "the commissioners" mean the Board.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith 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 Board" means the South-West Middlesex Crematorium Board;

"The clerk" means the clerk to the Board;

"The undertaking" means the whole of the undertaking for the time being of the Board;

"Constituent authority" means a local authority for the time being authorised to appoint a member or members of the Board;

"Constituent area" means the borough or district of a constituent authority;

"Financial year" means a period of twelve months beginning on the first day of April;

"Population" means the population ascertained by reference to the latest available information with respect to the number of the population whether derived from the census or from the annual return issued by the Registrar-General;

"The appointed day" means the first day of October nineteen hundred and forty-seven;

"Statutory borrowing power" includes a power of borrowing money conferred on the Board by or under any enactment except paragraph (a) of section 215 of the Local Government Act 1933;

PART I.  
—cont.

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

“ 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 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Board;

38 & 39 Vict.  
c. 83.

“ Revenues of the Board ” includes the revenues of the Board from time to time arising from the undertaking or from any land investments or other property for the time being of the Board and the money receivable by them from the constituent authorities and all fees and money which they are authorised to take and collect under the powers of this Act;

9 & 10 Geo. 5.  
c. 57.  
7 & 8 Geo. 6.  
c. 47.

“ The Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 by Part II of the Town and Country Planning Act 1944 and by this Act;

“ The Minister ” means the Minister of Health.

(3) 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.

## ESTABLISHMENT CONSTITUTION AND PROCEEDINGS OF BOARD.

Incorporation  
of Board.

5.—(1) For the purpose of carrying this Act into execution there shall be a board constituted and appointed as by this Act provided.

(2) The Board shall be a body corporate under the name and style of the “ South-West Middlesex Crematorium Board ” with perpetual succession and a common seal and with power to acquire and hold lands (without any licence in mortmain) and with all other powers and privileges of a body corporate.

6. Subject to alteration by the Minister as hereinafter provided the Board shall consist of members appointed by the councils of the respective boroughs of Heston and Isleworth Southall and Twickenham and the urban district councils of Feltham and Sunbury-on-Thames as follows:—

- (1) In the first instance the number of members appointed by each constituent authority shall be on the basis of one member for every thirty thousand inhabitants of the borough or district of the constituent authority or part of thirty thousand inhabitants above thirty thousand or a multiple of thirty thousand inhabitants according to the population of that borough or district at the passing of this Act:
- (2) In the month of October in the year nineteen hundred and fifty-one and in every subsequent fifth year the constitution of the Board shall be revised so that the number of members to be appointed by each of the constituent authorities to hold office during the next following period of five years shall be on the basis of one member for every thirty thousand inhabitants of the borough or district of the constituent authority or part of thirty thousand inhabitants above thirty thousand or a multiple of thirty thousand inhabitants according to the population of that borough or district at that time:

Provided that—

- (a) a constituent authority whose borough or district has less than thirty thousand inhabitants shall be entitled to appoint one member;
- (b) a constituent authority may nominate in writing under the hand of their clerk a deputy for any member so appointed by them to attend any meeting of the Board in the place of the member so appointed who for any reason is unable to attend that meeting and to vote thereat.

7.—(1) The first appointment of members of the Board by each constituent authority shall take place at a meeting of the constituent authority to be held before the appointed day or such later date as the Minister shall allow on the application of a majority of the constituent authorities and the members so appointed shall subject to the provisions of this Act continue in office for such period as the constituent authority by whom they are appointed shall determine but not beyond the date on which the revision of the constitution of the Board under paragraph (2) of the last preceding section of this Act is to operate.

Appointment  
of members  
of Board.

PART II.  
—cont.

(2) Any persons appointed in pursuance of subsection (1) of this section as members of the Board shall come into office on the appointed day or if the meeting at which they are appointed is held after the appointed day upon their appointment by the constituent authority.

(3) Each constituent authority shall from time to time appoint such members as may be necessary in order to bring the number of members appointed by them up to the number of members of the Board whom they are by this Act authorised to appoint to hold office for such period not being more than three years as they may determine but not beyond the date on which the next revision of the constitution of the Board under paragraph (2) of the last preceding section of this Act is to operate.

(4) A vacating member shall subject to the provisions of this Act be eligible for re-appointment.

Provisions where failure to appoint members.

8. If any constituent authority fail to appoint first members of the Board it shall be competent for the other members of the Board to carry this Act into execution and if any constituent authority fail subsequently to appoint members or a member of the Board at the proper time for their appointment the then existing members or member (if any) of the Board representing such authority and qualified to be members or a member of the Board shall continue in office until their or his successors or successor are or is appointed.

Members of Board to be members of constituent authorities.

9. A person shall not be qualified to be appointed a member of the Board nor shall a person be nominated as a deputy for a member of the Board under the proviso to the section of this Act of which the marginal note is "Constitution of Board" unless he is a member of the constituent authority by whom he is appointed.

Member of two or more authorities to represent one only.

10. A person who is a member of two or more constituent authorities shall not be qualified to represent more than one of them and if the same person shall be appointed a member of the Board by more than one constituent authority he shall within one month after the second appointment choose under which appointment he shall serve and the other appointment shall be deemed void.

Disqualification of members.

11.—(1) If a member of the Board ceases to be a member of the constituent authority by whom he was appointed or becomes disqualified he shall cease to be a member of the Board except in the case where he ceases to be a member of such authority only by the expiration of his term of office and is forthwith re-elected a member of such authority.

(2) Section 59 subsection (1) of section 63 and sections 76 and 95 of the Local Government Act 1933 shall apply as if the Board were a local authority within the meaning of that Act other than the council of a rural parish.

12. Whenever an appointment of a member of the Board has been made the town clerk or clerk of the constituent authority by whom the appointment was made shall by writing under his hand certify the appointment to the Board and shall forthwith on the first appointment transmit the certificate to the respective town clerks or clerks of the other constituent authorities and on every subsequent appointment to the clerk and every such certificate shall be conclusive evidence of such appointment. Certificate of appointment of members.

13. Any member of the Board may at any time resign his office as such member by notice in writing addressed to the clerk. Resignation of members.

14. Any member of the Board may be removed at any time by resolution of the constituent authority by whom he was appointed. Removal of members.

15.—(1) At their first meeting and subsequently at their annual meeting in each succeeding year the Board shall appoint one of their members as chairman and another as vice-chairman for the ensuing year. Chairman and vice-chairman of Board.

(2) A chairman or vice-chairman may if otherwise qualified be re-appointed and shall continue in office until his successor is appointed unless he dies or resigns or becomes disqualified or ceases to be a member of the Board before the appointment of his successor.

(3) On a casual vacancy occurring in the office of chairman or vice-chairman by reason of death resignation disqualification or any other cause another member shall be appointed in his place to hold office until the time when the person in whose place he is appointed would have gone out of office in the ordinary course.

(4) If there be an equality of votes as to the appointment of chairman or vice-chairman it shall be decided by lot which of the members having an equal number of votes shall be appointed as chairman or vice-chairman (as the case may be).

16.—(1) The Board shall hold their first meeting at the municipal offices Twickenham or at such other place and on such day and at such time as may be agreed between the constituent authorities or as failing such agreement shall be appointed for the purpose by the Minister. First and subsequent meetings of Board.

PART II.  
—cont.

(2) The Board shall hold an annual meeting in the month of December in every year after the year nineteen hundred and forty-seven.

(3) Subject as aforesaid the meetings of the Board subsequent to their first meeting (including their annual meetings) shall be held at such place on such days and at such times as the Board may from time to time appoint.

Special  
meetings of  
Board.

17. The chairman or any three or more members of the Board may at any time by notice in writing addressed and sent to the clerk require a special meeting of the Board to be convened and the clerk shall convene a meeting accordingly.

Convening of  
meetings.

18. The meetings of the Board shall be convened by the town clerk of the borough of Twickenham until the Board shall have appointed a clerk and afterwards by the clerk or if there is no clerk by the chairman and every meeting shall be convened by notice in writing delivered to each member of the Board or sent by post to or delivered at his residence or place of business two clear days at least before the day of meeting:

Provided that want of service of the notice on any member of the Board shall not affect the validity of a meeting.

Quorum of  
meetings.

19. To constitute a meeting of the Board there must be present not less than four of the members of the Board.

Proceedings at  
meetings.

20.—(1) At every meeting of the Board the chairman or in his absence the vice-chairman or in the absence of both chairman and vice-chairman some member of the Board chosen by the members present shall preside.

(2) (a) Every question at a meeting of the Board shall be decided by a majority of the votes of the members present and voting on that question and in the case of an equality of votes on any question the person presiding at the meeting shall have a second or casting vote:

Provided that if at any meeting neither the chairman nor vice-chairman shall be present and there be any equality of votes in choosing the member to preside at such meeting it shall be decided by lot which of the members having an equal number of votes shall so preside.

(b) The mode of voting at meetings of the Board shall be by show of hands and on the requisition of any two members of the Board the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question.



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(3) The names of the members present at a meeting of the Board shall be recorded.

PART II.  
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21.—(1) Minutes of the proceedings of every meeting of the Board or a committee of the Board shall be drawn up and fairly entered in a book kept for that purpose or printed and kept in the form of a book and the minutes shall be approved and when approved signed by the chairman or other member presiding at the next ensuing ordinary meeting. Minutes of meetings.

(2) A minute of the proceedings of the Board or of a committee of the Board certified by the clerk shall be received in evidence without further proof.

(3) Until the contrary is proved every meeting whereof a minute has been so made shall be deemed to have been duly convened and held and all the members at the meeting shall be deemed to have been duly qualified and where the proceedings are proceedings of a committee of the Board the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

(4) Copies of the minutes of the proceedings of every meeting of the Board shall after each meeting be sent by the clerk to the town clerk or clerk of each constituent authority for the information of that authority.

22. Subject to the provisions of this Act the Board may make standing orders for the regulation of their proceedings and business and of the proceedings and business of committees of the Board and may vary or revoke the same. Standing orders of Board.

23.—(1) The Board may appoint out of their own body such and so many committees either of a general or special nature consisting of such number of persons as they think fit for any purposes which in the opinion of the Board would be better regulated and managed by means of committees and may delegate with or without any restrictions or conditions as they may think fit any of their powers or duties (except the power of issuing a precept for a rate or of borrowing money) to any committee of the Board so appointed and may dissolve any such committee so appointed. Committees of Board.

(2) The provisions of section 96 of the Local Government Act 1933 with respect to proceedings of committees of a local authority within the meaning of that Act shall apply to committees of the Board as if they were committees of a local authority.

24.—(1) The Board may from time to time appoint and remunerate a clerk and a treasurer who shall not be the same person a superintendent and such other officers and servants Appointment of officers.

PART II.  
—cont.

as they from time to time think requisite and all officers and servants so appointed shall subject to the terms of any agreement that may be made between the Board and any officer or servant be removable by the Board at their pleasure.

(2) No member of the Board or of any of the constituent authorities shall be an officer or servant of the Board but the same person may be and continue an officer or servant of the Board and of a constituent authority.

Acts not  
invalidated.

25. No act or proceeding of the Board shall be questioned on account of any vacancy in their body or on account of any defect in the appointment of any member of the Board.

Expenses of  
members.

26. The Board may defray any expenses necessarily incurred by members of the Board or of any committee thereof in the discharge of the functions of the Board.

Power to alter  
number of  
members.

27. On the application of any of the constituent authorities the Minister may at any time after giving notice of the application to the other constituent authorities and considering any objections or representations made by them by order alter the number and proportion of members to be appointed by the constituent authorities and may by such order alter the total number of members of the Board and may make any provisions incidental to or consequential on such alteration.

Provision in  
event of  
alteration of  
constituent  
areas.

28.—(1) If at any time the boundaries or constitution of any of the constituent areas or constituent authorities are altered then and in every such case the Minister may by order to be published as he shall direct make such provision as to him seems fit for adapting the provisions of this Act to the alterations so made and to the incidents and consequences thereof and every such order shall notwithstanding anything contained in this Act to the contrary have effect as if the terms thereof were inserted in this Act.

(2) Before making such an order—

(a) the Minister shall in any case in which there shall be any such alteration of boundaries as aforesaid (other than an alteration which in the opinion of the Minister is not material for the purposes of this Act) including an alteration of boundaries in connection with the creation of a municipal borough and may in any other case hold a local inquiry on the subject of which notice shall be given by advertisement or otherwise as the Minister may direct;

(b) an opportunity shall be given to any person who appears to the Minister to be affected of stating any objections he may have thereto.

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29.—(1) Any local authority desiring to become a consti-  
tuent authority of the Board and to appoint representatives  
thereon may give notice thereof to the Board and the Board  
after receipt of such notice may if they think fit apply to the  
Minister for a Provisional Order constituting such local autho-  
rity a constituent authority upon such terms and conditions  
as may be agreed between the Board and such local autho-  
rity and the Minister may make any such Provisional Order  
accordingly and may thereby make all such amendments of  
this Act and of any Act or Order relating to the local authority  
who have given the notice as may be necessary or expedient  
in consequence of such local authority being constituted a  
constituent authority of the Board.

PART II.  
—cont.  
As to  
additional  
constituent  
authorities.

(2) Section 285 of the Local Government Act 1933 shall  
apply to the making of a Provisional Order under this section  
as if the provisions of that section were re-enacted in this  
section and in terms made applicable thereto.

(3) For the purposes of this section the expression "local  
authority" includes the council of any borough (including a  
metropolitan borough) or urban or rural district.

PART III.

LANDS.

30. Subject to the provisions of this Act the Board may  
enter upon take appropriate and use all or any of the lands  
delineated on the deposited plan and described in the deposited  
book of reference which they may require for the purposes  
of this Act.

Power to take  
lands.

31. The powers granted by this Act for the compulsory  
purchase of lands shall cease on the thirty-first day of Decem-  
ber nineteen hundred and fifty.

Period for  
compulsory  
purchase of  
lands.

32.—(1) If there be any omission misstatement or wrong  
description of any lands or of the owners lessees or occupiers  
of any lands shown on the deposited plan or specified in the  
deposited book of reference the Board after giving ten days'  
notice to the owners lessees and occupiers of the lands in  
question may apply to two justices having jurisdiction in  
the place in which the lands are situate for the correction  
thereof.

Correction of  
errors in  
deposited plan  
and book of  
reference.

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

PART III.  
—cont.

(3) Such certificate or a copy thereof shall be deposited with the clerk of the county council of the administrative county of Middlesex and a duplicate thereof shall also be deposited with the clerk of the county district in which the lands are situate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Board to take the lands in accordance with the certificate.

(4) Such certificate or copies and duplicates respectively shall be kept by such clerks respectively with the other documents to which the same relate.

Power to enter  
property for  
survey and  
valuation.

33. The Board and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk may from time to time at all reasonable times in the day upon giving in writing for the first time seven days' and afterwards from time to time three days' previous notice enter upon and into the lands authorised by this Act to be taken and used or any of them for the purpose of surveying and valuing the said lands without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands.

Compensation  
in case of  
recently  
acquired  
interest.

34. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the arbitrator to whom any question of disputed compensation is referred under the provisions of this Act shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the twentieth day of November nineteen hundred and forty-six if in the opinion of the arbitrator the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Persons under  
disability  
may grant  
easements.

35. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Board any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

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36.—(1) Any private right of way over land which the Board are authorised to acquire compulsorily shall if they so resolve and give notice of the resolution to the owner be extinguished as from the acquisition by them of the land or as from the expiration of one month from the service of the notice whichever may be the later.

(2) The Board shall pay compensation to all persons interested in respect of any such right so extinguished and such compensation shall in case of dispute be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

37.—(1) Notwithstanding anything in the Lands Clauses Acts to the contrary the Board may retain and hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and on such terms and conditions as they may think fit and in consideration either of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interest therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange:

Provided that the Board shall not without the consent of the Minister sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained:

Provided also that nothing in this section shall be taken to dispense with the consent of any government department to any sale lease appropriation or other disposition of any lands of the Board other than lands acquired under any local Act applying to the Board in any case in which such consent would have been required if this Act had not been passed.

(2) Nothing in this section shall release the Board or any person purchasing or acquiring any lands from them under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Board or any person from or

PART III.  
—cont.  
Extinction of  
private rights  
of way.

Retention and  
disposal of  
lands.

PART III.  
—cont.

through whom the Board may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in the like manner and to the same extent as if this Act had not been passed.

Confirmation  
of agreement  
with Middlesex  
County  
Council.

38.—(1) The agreement made the twenty-fifth day of October nineteen hundred and forty-six between the county council of the administrative county of Middlesex of the one part and the mayor aldermen and burgesses of the boroughs of Heston and Isleworth Southall and Twickenham and the urban district councils of Feltham and Sunbury-on-Thames of the other part of which a copy is set forth in the First Schedule to this Act is hereby confirmed and effect may and shall be given thereto accordingly subject to such modifications and additions (if any) of and to the said agreement (not being modifications or additions affecting prejudicially the rights of any person other than the said county council and the Board) as may from time to time be agreed between the said county council and the Board.

(2) After the acquisition by the Board of the lands delineated on the deposited plan and described in the deposited book of reference the Board may convey the lands described in Part 3 of the schedule to the agreement referred to in subsection (1) of this section to the said county council in exchange for the lands described in Part 1 of the said schedule and the last-mentioned lands when so transferred to the Board shall be held by the Board for the purposes of this Act freed and discharged from all rights of the public to use the same as an open space pleasure ground or recreation ground.

## PART IV.

## POWERS AND DUTIES OF BOARD.

Power to  
establish  
crematorium.

39. On and after the appointed day the Board may build provide fit up equip maintain and manage a crematorium proper and sufficient for the cremation of human remains on the land described in the Second Schedule to this Act.

Application of  
Cremation Act  
1902.

2 Edw. 7. c. 8.

40. On and after the appointed day the Board shall have and may exercise and perform and shall be subject to all the powers duties and liabilities of a burial authority under the Cremation Act 1902 and the provisions of that Act shall extend to the Board as if they were herein re-enacted and in terms made applicable to this Act and to the Board:

Provided that—

(1) section 5 of the Cremation Act 1902 shall not apply in respect of any crematorium to be constructed upon the land described in the Second Schedule to this Act:

(2) (a) in the application of the said section 5 to the Board the restriction imposed by that section upon the construction of a crematorium near to a dwelling-house shall not apply with reference to any dwelling-house situate at a greater distance than one hundred yards from the site of the proposed crematorium nor to any new dwelling-house;

(b) for the purpose of this proviso—

the expression “new dwelling-house” means any dwelling-house the erection or placing in position of which is commenced on or after the date on which public notice of the application to the Minister for his approval of the plans and site of a proposed crematorium is first given by the Board;

the expression “public notice” means a notice which is advertised in a newspaper circulating in the locality of the site in question and is displayed upon a conspicuous part of that site; and

the expression “site of a proposed crematorium” means the land which is proposed to be covered with a building intended to be used for the purpose of burning human remains.

41.—(1) The Board may be authorised by the Minister to purchase land compulsorily for the purposes of the under-land.  
taking.

(2) The Acquisition of Land (Authorisation Procedure) Act 1946 (except section 2 thereof) shall apply as if this section were an enactment contained in a public general Act and in force immediately before the commencement of that Act.

42. For the purpose of the provision maintenance and management of a crematorium the Board shall on and after the appointed day exercise and perform and be subject to all the powers duties and liabilities of a local authority under the enactments mentioned in the Third Schedule to this Act and those enactments shall with the necessary modifications extend to the Board as if they were herein re-enacted and in terms made applicable to this Act and to the Board.

43.—(1) The Board may accept a capital sum for the purpose of maintaining in perpetuity or for such period as the  
Power to accept sums for  
memorials &c.



PART IV.  
—cont.

Board determine a particular urn memorial or part of a columbarium in a crematorium or on any land provided by the Board.

(2) Any such sum shall be invested in statutory securities and the interest thereon applied in maintaining the urn memorial or part of a columbarium in such manner as the Board think fit.

(3) Any such capital sum and the interest thereof shall be shown separately in the accounts of the Board.

## PART V.

## FINANCE.

Power to  
borrow.

44. The Board may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period for repayment.
(a) The purchase of lands under Part III (Lands) of this Act.	The sum requisite.	Thirty years from the date or dates of borrowing.
(b) Buildings drainage and road works and general lay-out.	£53,000	Thirty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

Saving for emergency powers of Treasury.  
2 & 3 Geo. 6.  
c. 62.  
9 Geo. 6. c. 10.

9 & 10 Geo. 6.  
c. 58.

45. So long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Act 1939 or under that Act as extended by any subsequent enactment including the Supplies and Services (Transitional Powers) Act 1945 or so long as the borrowing of money in Great Britain without the consent of the Treasury is prohibited by an order made under the Borrowing (Control and Guarantees) Act 1946 it shall not be lawful to exercise the powers of borrowing conferred by this Act (other than the power of borrowing to pay the costs charges and expenses of this Act as hereinafter defined) without such consent.



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46. It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945.

PART V.  
—cont.  
Saving for Local  
Authorities Loans  
Act 1945.  
8 & 9 Geo. 6. c. 18.

47.—(1) The provisions of Part IX of the Local Government Act 1933 and of the regulations made thereunder so far as they are not inconsistent with the provisions of this Act shall extend and apply to the Board and to money borrowed by the Board as if—

Application of  
Local  
Government  
Act 1933 to  
borrowing of  
money by  
Board.

- (a) the Board were a local authority within the meaning of the Local Government Act 1933;
- (b) the money so borrowed were borrowed under the said Part IX; and
- (c) the revenues of the Board were the general rate fund or the revenues of the local authority;

and subject to any other modifications which may be necessary to adapt the said Part IX and regulations for the purpose of this section.

(2) The periods mentioned in the third column of the table contained in the section of this Act of which the marginal note is " Power to borrow " shall as respects any money borrowed under that section be the fixed period for the purposes of the said Part IX.

48. For the purposes of the definition of " statutory securities " in section 218 of the Local Government Act 1933 any securities created by the Board shall be deemed to be securities created by a local authority.

As to  
securities of  
Board.

49.—(1) Without prejudice to the operation of the section of this Act of which the marginal note is " As to securities of Board " any constituent authority may with the consent of the Minister lend to the Board any sum or sums which the Board are empowered to borrow on such terms and conditions and in such form as may be agreed between the Board and the constituent authority.

Power for  
constituent  
authorities to  
lend money to  
Board.

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

50.—(1) Not later than the first day of January in every year the Board shall estimate the amount of money required by them for all expenditure (other than expenditure to be defrayed out of loan) which will be incurred during the next financial year and shall apportion the same between the constituent authorities in accordance with the provisions of this

Expenditure  
of Board.

PART V.  
—cont.

section after allowing for any moneys to be received by the Board otherwise than from loans and precepts and the expenditure so estimated is hereinafter referred to as "net expenditure."

(2) Not later than the twenty-first day of January in every year the Board shall forward to each constituent authority a copy of their estimate of expenditure and revenue for the next financial year.

(3) The net expenditure of the Board for every financial year shall be borne by the constituent authorities the share of each constituent authority being based on the proportion which the estimated population of the constituent area of that authority bears to the aggregate estimated population of the constituent areas of all the constituent authorities.

(4) For the purposes of this section the estimated population of a constituent area shall mean in the first instance the population of that constituent area at the passing of this Act as defined by the section of this Act of which the marginal note is "Interpretation":

Provided that in the month of December in the year nineteen hundred and fifty-one and in the month of December in every subsequent fifth year the estimated population of the constituent area of each constituent authority for the purposes of this section shall be revised and shall be deemed to be the population of that constituent area as defined by the said section of this Act and such population shall for the purposes of this section be the estimated population of that constituent area until the next quinquennial revision.

(5) The Board shall issue precepts to the constituent authorities for the amounts apportioned in pursuance of this section and the constituent authorities respectively shall within three months from the receipt of such precepts pay to the Board the amount so apportioned to them respectively:

Provided that if the amount of any precept is payable by half-yearly instalments the payments shall be made within three months and nine months respectively from the receipt of the precept.

(6) Such amounts respectively shall be raised and paid by the constituent authorities out of the general rate funds of their respective constituent areas and the constituent authorities respectively are hereby authorised and required to make and levy any rate that may be necessary for providing the amounts payable as aforesaid.

(7) If any of the constituent authorities fail to pay any amount so apportioned within the time in which the same was payable the same shall be a debt due to the Board from such

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constituent authority and shall bear interest until payment at the rate of five per centum per annum and the Board may in addition to all other remedies proceed for recovery thereof in either of the modes following (that is to say):—

(a) The Board may sue the defaulting constituent authority for the amount unpaid in any court of competent jurisdiction;

(b) The Board may by precept empower some officer of the Board to raise by means of a rate to be assessed upon the like property and to be made levied and collected in like manner and with the like powers and authorities as the rate out of which the amount in arrear ought to have been paid by the defaulting constituent authority such sum (the amount to be specified in the precept) as in the opinion of the Board will be sufficient to pay the amount so in arrear and interest and all expenses incurred in consequence of the non-payment thereof and the expenses of levying and collecting such rate and any officer of the Board so empowered shall have the like powers of assessing making levying and collecting rates and of issuing precepts and of requiring officers of the defaulting constituent authority to account as the defaulting constituent authority would have under any Act or otherwise and the officer of the Board so empowered after paying all money payable under the precept shall pay any residue of the money received by him (the amount to be ascertained by the Board) to the defaulting constituent authority.

(8) Any receiver appointed under Part IX of the Local Government Act 1933 upon the application of the mortgagees of the Board shall be entitled so long as his appointment remains to receive the amounts so apportioned by the Board between the constituent authorities and in case the Board at any time neglect or refuse to make such apportionment or to recover the same or any part thereof the receiver shall in every such case be entitled to make such apportionment and to exercise all or any of the powers by this section conferred on the Board for recovering the amounts so apportioned.

51.—(1) The Board shall apply the revenues of the Board except borrowed money and money arising from the disposal of lands acquired for the purposes of this Act in manner following (that is to say):—

Application of  
revenue.

First: In payment of the working and establishment expenses and cost of maintenance of the under-taking;

PART V.  
—cont.

Secondly: In payment of the interest on moneys borrowed by the Board under any statutory borrowing power;

Thirdly: In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed by the Board under any statutory borrowing power;

Fourthly: In payment of all other expenses of executing this Act not being expenses properly chargeable to capital;

Fifthly: In extending improving and constructing (if the Board think fit) any works for the purpose of the undertaking;

Sixthly: In providing working capital (if the Board think fit);

Seventhly: In providing a reserve fund (if the Board think fit) in accordance with the next succeeding section of this Act.

(2) The balance remaining over in any financial year after the Board have retained or set aside such a sum as may in their opinion be required for carrying on the undertaking and paying the current expenses connected therewith shall be credited to the constituent authorities in the proportion in which those authorities are required to bear the expenditure of the Board for that year and shall be deducted in such proportion from the amounts which the constituent authorities are required to pay to the Board in the next succeeding financial year in pursuance of the section of this Act of which the marginal note is "Expenditure of Board" or (if the Board shall issue no precepts in that year) shall be paid by the Board to the constituent authorities in the said proportions and shall be credited by them to their general rate funds.

## Reserve fund.

52.—(1) The Board may (if they think fit) provide a reserve fund by setting aside such money as they think reasonable and investing in statutory securities the sums so set aside and the sums which pursuant to subsection (2) of this section are to form part of that fund until the fund so formed amounts to a sum (in this Act referred to as "the prescribed maximum") equal to one-tenth of the aggregate capital expended for the time being by the Board upon the undertaking which fund shall be applicable to answer any deficiency at any time happening in the income of the Board from the undertaking or to meet any extraordinary claim or demand at any time arising against the Board in respect of the undertaking or for the payment of the cost of renewing improving or extending any part of the works forming part thereof and so that if the fund be at any time reduced it may thereafter be

again restored to the prescribed maximum and so from time to time as often as such reduction happens:

Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

(2) Where sums are appropriated to the reserve fund the interest received in any year from the investment of the sums so appropriated shall form part of the revenue out of which the sums were appropriated:

Provided that a sum equivalent to the amount so carried to the revenue as aforesaid shall be added to such reserve fund unless and until the reserve fund has reached the prescribed maximum.

53.—(1) The Board may close any transfer books or the registers of transfers of any authorised securities (other than stock) of the Board for a period not exceeding fourteen days next before any date on which any interest or dividend on the class of securities to which such register relates is payable.

(2) The persons who on the date on which the transfer book or register is closed are entered therein as holders of any security of the class to which such transfer book or register relates shall be entitled to the interest next payable thereon.

54. If any money is payable to a holder of any authorised security being a minor the receipt of his guardian shall be a sufficient discharge to the Board.

55.—(1) The Board may give notice to any person being registered as a holder of any authorised security other than stock that they intend to send interest or dividends to him by post if he does not object and if such person does not within fourteen days from the receipt of such notice give notice to the Board of such objection the Board may from time to time send by post orders for the payment of interest or dividend warrants to the address of such person appearing in the register.

Provided that if such person give notice to the Board that he desires such orders or warrants to be sent to another person at a given address the Board may from time to time send by post the same to such other person at such address.

(2) Where more persons than one are registered as joint holders of any authorised security any one of them may for the purpose of this section be regarded as the holder of the security unless notice in writing to the contrary has been given to the Board by any other of them.

PART V.  
—cont.

(3) The posting by the Board of a letter containing an order for the payment of interest or a dividend warrant in pursuance of this section shall as respects the liability of the Board be equivalent to the delivery of the order or warrant to the registered holder of the security of the Board.

(4) Every order or warrant so sent by post shall be deemed to be a cheque and the Board shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

45 & 46 Vict.  
c. 61.Abstract of  
accounts.

56. As soon as practicable after the completion of every financial year the clerk shall forward to the town clerk or clerk of each constituent authority an abstract of the accounts of the Board for that year.

Inspection of  
accounts.

57. The accounts of the Board shall at all reasonable times be open to inspection and transcription without payment by any member or officer of a constituent authority duly authorised in writing for that purpose.

Audit of  
accounts.

58. The accounts of the Board and of their committees and officers shall be subject to audit by a district auditor.

## PART VI.

## MISCELLANEOUS.

Power to  
grant  
allowances or  
gratuities in  
certain cases.15 & 16 Geo. 5.  
c. 84.  
9 & 10 Geo. 6.  
c. 62.  
1 Edw. 8. &  
1 Geo. 6. c. 68.

59. The Board may if they think fit in cases not within the Workmen's Compensation Act 1925 or the National Insurance (Industrial Injuries) Act 1946 and not entitled to benefits under the Local Government Superannuation Act 1937 grant a gratuity by way either of a lump sum or of periodical payments to the widow or dependants of any employee who may die in their service not exceeding in the aggregate an amount equal to twice the amount of the annual emoluments of the employment.

Power to make  
byelaws.

60.—(1) The Board may make byelaws with respect to the management of their crematoria and the lands and buildings used in connection therewith.

(2) As respects any byelaws made under this section the confirming authority for the purposes of section 250 of the Local Government Act 1933 shall be the Minister.

Power for  
Board to  
apply for  
further  
powers &c.

61.—(1) The Board shall have power to promote or oppose any Bill in Parliament or any Provisional Order or special or other statutory order.

(2) The Board may pay the costs and expenses of and incidental to the promotion of or opposition to any such Bill in Parliament or the promotion of or opposition to any such

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Provisional Order or special or other statutory order as taxed by the taxing officer of the House of Lords or of the House of Commons out of their revenues as part of their working expenses or out of moneys to be borrowed by the Board for the purpose Provided that—

(a) No expenses in relation to the promotion of any such Bill shall be paid as aforesaid unless incurred in pursuance of a resolution passed at a meeting of the Board by a majority of the whole number of the Board after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in one or more newspapers circulating in the constituent areas such notice to be in addition to the ordinary notice required for summoning such meeting;

(b) No further expenses shall be incurred or paid as aforesaid after the deposit of the Bill unless the propriety of the promotion of the Bill shall be confirmed by such absolute majority at a further meeting of the Board to be held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament and unless in the case of the promotion of a Bill the propriety of such promotion shall have received the approval of the Minister.

(3) Section 303 of the Public Health Act 1875 shall extend to the Board as if the provisions of that section were enacted in this section and in terms made applicable thereto. 38 & 39 Vict. c. 55.

62. The Board on the one hand and the constituent authorities or any of them on the other hand may enter into and carry into effect agreements for or with respect to any of the purposes or provisions of this Act. Agreements.

63. Subject to the provisions of this Act any difference which arises between the constituent authorities or any of them under the provisions of this Act shall be referred to and determined by arbitration in accordance with the Arbitration Acts 1889 to 1934. Settlement of differences.

64. When the day on which anything is required by this Act to be done is a Sunday Good Friday Christmas Day or a bank holiday that thing shall be done on the next following day not being one of the days before mentioned. Provision for Sundays and public holidays.

65. Where in any legal proceedings taken by or on behalf of or against the Board or any officer servant solicitor or agent of the Board or any committee of the Board under any Act or order from time to time relating to the Board it becomes necessary to prove the appointment or authority of any officer Evidence of appointments authority &c.



PART VI.  
—cont.

servant solicitor or agent of the Board or of any committee of the Board or to prove any resolution or order of the Board or any resolution order or report of any committee of the Board a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the chairman of the Board or of the clerk shall be prima facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Authentica-  
tion and  
service of  
notices &c.

66.—(1) Where any notice or demand under any local Act Provisional Order byelaw or regulation for the time being in force requires authentication by the Board the signature of the clerk or other duly authorised officer of the Board shall be a sufficient authentication.

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

(2) Notices demands orders and other documents required or authorised to be served under any Act or order from time to time relating to the Board may be served in the same manner as notices under the Public Health Act 1936 are by section 285 of that Act authorised to be served.

Inquiries by  
Minister.

67. The Minister may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or required to be exercised by him by or the giving of consents under this Act and subsections (2) (3) (4) and (5) of section 290 of the Local Government Act 1933 shall apply accordingly.

Judges not  
disqualified.

68. A judge of a court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Saving for  
town and  
country  
planning.

69.—(1) The provisions of the Town and Country Planning Acts and of any order scheme or regulation made under those Acts or under any enactment repealed by those Acts so far as those provisions are from time to time in force in respect of the land on which any development within the meaning of those Acts is carried out under this Act shall apply to that development.

(2) In this section the expression "Town and Country Planning Acts" means—

22 & 23 Geo. 5.  
c. 48.  
6 & 7 Geo. 6.  
c. 29.  
9 & 10 Geo. 6.  
c. 68.

- (a) the Town and Country Planning Acts 1932 and 1943 the Town and Country Planning Act 1944 and the New Towns Act 1946; and
- (b) any public general Act passed or to be passed in the present session repealing amending or extending the provisions of those Acts.



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70. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or 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 Board out of money to be borrowed under this Act for that purpose or may be paid in whole or in part out of the revenues of the Board.

PART VI.  
—cont.  
Costs of Act.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

AGREEMENT made the twenty-fifth day of October one thousand nine hundred and forty-six between the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF MIDDLESEX (hereinafter called "the Council") of the one part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF HESTON AND ISLEWORTH the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF SOUTHALL the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF TWICKENHAM and the URBAN DISTRICT COUNCILS OF FELTHAM AND SUNBURY-ON-THAMES respectively (hereinafter collectively called "the Promoters") of the other part.

WHEREAS the Promoters have determined jointly to promote in Parliament a Bill (hereinafter called "the Bill") to constitute the South-West Middlesex Crematorium Board (hereinafter called "the Board") and to empower the Board to provide a crematorium to serve the requirements of such persons as may wish to secure facilities for cremation:

And whereas it is proposed by the Bill to authorise the Board inter alia (A) to acquire and use for the purpose for which the Board is constituted (i) the land described in Part 1 of the schedule hereto and shown coloured brown and hatched black on the plan hereto annexed which land is the property of the Council and (ii) the land described in Part 2 of the schedule hereto and coloured yellow and hatched black on the plan hereto annexed which is land in private ownership and (B) to acquire for transfer to the Council in exchange for the land coloured brown and hatched black on the said plan the land described in Part 3 of the schedule hereto and coloured yellow but not hatched on the said plan:

And whereas the Council are prepared to transfer such land so coloured brown and hatched black with a right of access thereto as hereinafter mentioned to the Board when so constituted in consideration of the Board by the Bill being authorised to acquire and transfer and upon the Board so acquiring and transferring to the Council for use as a public open space the land coloured yellow but not hatched on the said plan:

Now therefore in consideration of the expenses intended to be incurred by the Promoters and the benefits to be derived by the Council it is hereby agreed and declared between the parties hereto as follows:—

1. That if the Bill in the form in which it receives the Royal Assent enables the Board to acquire and use the lands shown coloured

proceeding Act.

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to authorise the Board  
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the map of the Council  
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to transfer such land so  
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the land coloured yellow

benefits intended to be  
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parties hereto

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Warrant shown coloured

yellow and hatched black and yellow but not hatched on the plan attached hereto then the Council will (subject to the consent of the Feltham Urban District Council) within a period of three months from the date on which the Board make a request to that effect and in consideration of the transfer by the Board to the Council of the land shown coloured yellow but not hatched black on the said plan which land so transferred by the Board the Council will undertake to dedicate forthwith as an open space for the use and enjoyment of the public for ever transfer to the Board for the purposes for which the Board is constituted the said land coloured brown and hatched black and grant a right of way to the Board approximately in the position and between the points marked A and B over the land coloured blue on the said plan at all times and for all purposes for themselves and their servants and the public either with or without vehicles going to and from the land coloured brown and yellow and hatched black.

1ST SCH.  
—cont.

2. That the grant to the Board of the right of way over the land coloured blue approximately in the position and between the points marked A and B on the said plan shall include the right and obligation of the Board to construct re-construct and maintain such land as a roadway with all necessary carriageways footpaths hedges and works and to construct or provide or to secure the construction or provision thereover or thereunder of such pipes sewers wires or cables and like apparatus as may be required by the Board for the purposes of the proposed crematorium and the grant to the Board shall contain a covenant with the Council to maintain such roadway and hedges to the reasonable satisfaction of the Council.

3. That the Council with the concurrence of the Feltham Urban District Council will transfer as absolute owners to the Board the land coloured brown and hatched black on the said plan and the title shall consist of copies of the entries on the register of title No. MX.109901.

4. That the Council will accept the transfer to them by the Board of the land coloured yellow but not hatched on the said plan in accordance with the statutory powers of the Board hereinbefore referred to and the Council will accept the title of the Board as conferred by those powers.

5. The Board shall in the assurance of the said land coloured brown and hatched black on the said plan enter into covenants with the Council as follows (a) not to commence any works on such land until plans showing the lay-out and type and position of buildings proposed to be erected thereon shall have been submitted to and approved in writing by the Council provided that such approval shall not be unreasonably withheld and (b) to erect fences hedges or trees along the boundaries of the proposed crematorium site where such do not already exist and to maintain all existing and future boundary fences and hedges of such site to the reasonable satisfaction of the Council.

6. The urban district council of Feltham so far as they have an interest by agreement or arrangement with the Council in any of the lands which are the subject of this agreement hereby covenant

1ST SCH.  
—cont.

and agree upon their being requested so to do by the Council to consent and concur in the exchange of lands hereinbefore mentioned subject to the terms of this agreement.

7. The exchange of lands herein referred to shall be effected subject to the Statutory Form of Conditions of Sale 1925 so far as such conditions are applicable and are not inconsistent with the special conditions herein contained.

8. Each of the parties to this agreement other than the Council shall bear their own costs of and arising out of this agreement and the costs of the Council shall be borne by the Promoters.

9. This agreement is subject to such alterations as Parliament may think fit to make thereto but if any material alterations are made in this agreement either of the parties hereto may withdraw from this agreement and thereupon the Promoters shall withdraw from the Bill any clauses or provisions relating to the subject matter of this agreement.

#### SCHEDULE.

##### PART I.—BROWN HATCHED BLACK—LAND BELONGING TO THE COUNTY COUNCIL WHICH IS TO BE TRANSFERRED TO THE BOARD.

All that piece or parcel of land coloured brown and hatched black on the plan attached hereto containing an area of 3.39 acres or thereabouts lying to the west of the river Crane and to the south-east of land owned by Feltham Urban District Council and having a width on the north-west boundary of three hundred and seventy feet or thereabouts and on the south-east boundary of one hundred and forty feet or thereabouts and on the east boundary of six hundred feet or thereabouts and on the south-west boundary of five hundred and twenty feet or thereabouts.

##### PART 2.—YELLOW HATCHED BLACK—LAND NOT BELONGING TO THE COUNTY COUNCIL WHICH IS TO BE ACQUIRED BY THE BOARD.

All that piece or parcel of land triangular in shape coloured yellow and hatched black on the plan attached hereto containing an area of 1.13 acres or thereabouts and situated to the west of the river Crane proposed open space having a length on the north-west boundary of two hundred and thirty feet or thereabouts and a length on the north-eastern boundary of four hundred and forty feet or thereabouts and a length on the southern boundary of four hundred and sixty feet or thereabouts.

##### PART 3.—YELLOW NOT HATCHED—LAND NOT BELONGING TO THE COUNTY COUNCIL WHICH IS TO BE ACQUIRED BY THE BOARD FOR TRANSFER TO THE COUNTY COUNCIL IN EXCHANGE FOR THE LAND REFERRED TO IN PART I OF THIS SCHEDULE.

All that piece or parcel of land of irregular shape coloured yellow and not hatched on the plan attached hereto having an area of 5.55 acres or thereabouts situated to the north of Pevensey Road and at an average distance of one hundred and twenty feet or thereabouts therefrom.

In witness whereof the Council and the Promoters have hereunto caused their respective common and corporate seals to be affixed the day and year first above written.

The Common Seal of the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF MIDDLESEX was hereunto affixed in the presence of

L.S.

B. H. ROCKMAN  
Chairman of the County Council.

J. B. W. ELLIS  
Assistant clerk of the County Council.

The Corporate Seal of the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF HESTON AND ISLEWORTH was hereunto affixed in the presence of

L.S.

H. G. BODY  
Mayor.

HAROLD SWANN  
Town clerk.

The Corporate Seal of the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF SOUTHAL was hereunto affixed in the presence of

L.S.

F. E. GARDNER  
Mayor.

M. LINDSAY TAYLOR  
Town clerk.

The Common Seal of the URBAN DISTRICT COUNCIL OF FELTHAM was hereunto affixed in the presence of

L.S.

W. J. WIGLEY  
Chairman.

J. S. SYRETT  
Clerk.

1ST SCH.  
—cont.

The Common Seal of the URBAN DISTRICT  
COUNCIL OF SUNBURY-ON-THAMES was  
hereunto affixed in the presence of

L.S.

PERCY BRYANT  
Chairman.

T. WATTS  
Clerk.

The Corporate Seal of the MAYOR  
ALDERMEN AND BURGESSES OF THE  
BOROUGH OF TWICKENHAM was hereunto  
affixed in the presence of

L.S.

PHILIP DURHAM  
Mayor.

W. H. JONES  
Town clerk.

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THE SECOND SCHEDULE.

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LANDS FOR CREMATORIUM.

1. A piece of land containing in area 3.39 acres or thereabouts in the urban district of Feltham in the county of Middlesex now belonging to the Middlesex County Council situate to the west of the river Crane to the north-west of Hounslow Road and to the north-east of Pevensey Road and Crane Road bounded on the east by other lands belonging to the Middlesex County Council and measuring on that side 600 feet or thereabouts bounded on the north-west by land belonging to the urban district council of Feltham and used for the purposes of a controlled refuse tip and measuring on that side 370 feet or thereabouts bounded on the south-west side in part by land belonging to Sir John Pollock and in part by other land belonging to the Middlesex County Council and measuring on that side 520 feet or thereabouts and bounded on the south side by other land belonging to the Middlesex County Council and measuring on that side 140 feet or thereabouts.

2. A triangular piece of land containing in area 1.13 acres or thereabouts situate in the said urban district of Feltham bounded on the north-east side by the land referred to in paragraph 1 of this schedule and measuring on that side 440 feet or thereabouts bounded on the north-west side by land belonging to the urban district council of Feltham and used for the purpose of a controlled refuse tip and measuring on that side 230 feet or thereabouts and bounded on the south-west side by land of the said Sir John Pollock and measuring on that side 460 feet or thereabouts.

## THE THIRD SCHEDULE.

## ENACTMENTS APPLIED TO THE BOARD.

## The Public Health Act 1875—

Section 265 (Protection of local authority and their officers from personal liability).

## The Local Government Act 1933—

Section 119 (Security to be given by officers);

Section 120 (Accountability of officers);

Section 122 (Members of local authorities not to be appointed as officers);

Section 123 (Disclosure by officers of interest in contracts);

Section 125 (Provision of offices &c. by local authorities other than parish councils);

Section 157 (Power of local authorities to acquire land by agreement);

Section 158 (Acquisition of land in advance of requirements);

Section 164 (Power to let land);

Section 165 (Power to sell or exchange land);

Section 166 (Application of capital money);

Section 176 (Application of Lands Clauses Acts to purchases by agreement);

Section 250 (Procedure &c. for making byelaws);

Section 266 (Contracts of local authorities);

Section 276 (Power of local authorities to prosecute or defend legal proceedings);

Section 277 (Appearance of local authorities in legal proceedings);

Section 278 (Name of local authority need not be proved);

Section 289 (Penalty for destroying notices &c.).

## The Public Health Act 1936—

Section 288 (Penalty for obstructing execution of Act);

Section 293 (Recovery of expenses &c.);

Section 296 (Summary proceedings for expenses);

Section 298 (Restriction on right to prosecute).

L.S.

L.S.

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Ch. ix.

*South-West Middlesex  
Crematorium Act, 1947.*

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