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# Bournemouth Borough Council Act 1985

CHAPTER v

LONDON

HER MAJESTY'S STATIONERY OFFICE

PART V  
—cont.

and sufficient stand or base for the bulk refuse container, and to provide and maintain to the satisfaction of the Council such means of access from a highway to the bulk refuse container as are sufficient to allow the passage and to bear the weight, with a full bulk refuse container, of any trolley or other vehicle of the Council constructed to convey bulk refuse containers to and from refuse vehicles.

(2) A notice under subsection (1) above may require the owner or occupier of the premises to execute such work and to make such provision in regard to the matters aforesaid as may be necessary.

(3) The provisions of section 290 of the Act of 1936 shall apply to notices given under this section as they apply to the notices mentioned in subsection (1) of that section, and subsection (3) (f) of that section as so applied shall have effect as if—

- (a) references to premises included references to parts of premises;
- (b) the reference to work for the common benefit of the premises in question and other premises included a reference to work for the sole benefit of those other premises; and
- (c) the reference to contribution towards the cost of the works included a reference to undertaking the whole of that cost.

Power to provide dustbins for trade refuse.

24.—(1) The Council may, as respects any premises in the borough, provide and maintain such number of dustbins or other receptacles for the reception of trade refuse as they may consider necessary.

(2) The Council may make a charge for any dustbin or other receptacle provided in pursuance of this section.

## PART VI

## PARKS AND AMENITIES

Definition of "five parks".

25. In this Part and in Schedule 2 to this Act "the five parks" means the parks in the borough specified in column 1 of Part I of the said Schedule 2 (the approximate area of each of which is specified in that column beneath the name of the park to which it relates) being those park lands to which the conveyances mentioned in column 2 of that Schedule relate and which until the commencement of this Act were subject to the Bournemouth Park Lands Act 1889 and the Bournemouth Corporation Act 1900.

1889 c. clxi.  
1900 c. cclxxxvi.

26.—(1) The Council may, in any park, pleasure ground or open space provided by them or under their management and control, provide and manage a botanical garden.

PART VI  
—cont.

Provision of botanical gardens.

(2) The Council may provide such buildings and execute such works as may be necessary or expedient in connection with the provision of any botanical garden under this section and references in the following provisions of this section to a botanical garden so provided shall include references to any buildings provided or works executed under this subsection and to anything with which any such building is equipped.

(3) The Council may purchase or acquire botanical specimens and exhibits.

(4) The Council may make such charges as they think fit for admission to any botanical garden provided under this section.

(5) For the purposes aforesaid the Council may enclose any part of any park, pleasure ground or open space provided by them or under their management and control and may exclude the public from the part so enclosed:

Provided that nothing in this section shall empower the Council to enclose more than one-hundredth of the total area of all the parks and pleasure grounds or open spaces provided by them or under their management and control or more than one hectare of any of the five parks.

(6) No power conferred upon the Council by this section shall be exercised in such a manner—

- (a) as to be at variance with an express trust subject to which land or a building is held, managed or controlled by the Council, without an order of the High Court, or of the Charity Commissioners, or of the Secretary of State, or, where the trust instrument reserves to the donor, or any other person, the power to vary the trust, without the consent of the donor or that other person; or
- (b) as to contravene a covenant or condition subject to which a gift or lease of land or a building has been accepted by, or granted to, the Council, without the consent of the donor, grantor, lessor or other person entitled in law to the benefit of the covenant or condition.

27.—(1) In the interests of persons resorting to any park, pleasure ground or open space under their management and control the Council may set apart an area (not exceeding the prescribed area) of the open space for use for the parking of vehicles and provide parking places and facilities in connection therewith.

Provision of parking places in parks, etc.

PART VI  
—cont.

(2) Subsection (1) above shall not affect any trust, covenant or other restriction to which the park, pleasure ground or open space is subject.

(3) The Council shall have power to make reasonable charges for the use of any facilities provided by them under this section, and may make arrangements for any such facilities to be provided by some other person, including arrangements authorising that person to make reasonable charges.

(4) The Council shall consult the British Railways Board before exercising the powers of subsection (1) above in relation to an area of any park, pleasure ground or open space which is situated—

(a) over; or

(b) elsewhere within a distance of 15 metres (measured in any direction) from;

any railway of that board.

(5) In this section “the prescribed area” means—

(a) where the total area of the park, pleasure ground or open space does not exceed 4 hectares, one-eighth of that area;

(b) where such area exceeds 4 hectares but does not exceed twelve hectares, one-half hectare;

(c) in any other case, one hectare.

Provisions  
relating to five  
parks.

28.—(1) Each of the five parks shall—

(a) subject to the provisions of this Act be deemed to be a park belonging to and provided by and under the management and control of the Council within the meaning of the Public Health Acts and the Act of 1972;

(b) for the purpose of the making of byelaws for the regulation thereof, be deemed to be public walks and pleasure grounds, purchased, laid out and maintained by the Council for the purpose of being used as such under section 164 of the Public Health Act 1875.

1875 c. 55.

(2) (a) Without prejudice to subsection (1) above the Council may, in connection with the exercise by the Council of any of the powers contained in Part II of Schedule 2 to this Act, make byelaws for regulating the use of the five parks and for securing that persons resorting to the same will so behave themselves as to avoid undue interference with the enjoyment by other persons of the five parks and the buildings erected thereon or any part thereof, for regulating the use of the roads in the five parks and generally for the purposes of Part II of Schedule 2 to this Act.

PART VI  
—cont.

(b) Byelaws made under this subsection may contain provisions imposing upon a person offending against a byelaw a fine not exceeding level 2 on the standard scale.

(3) (a) The Council shall not (except as in this Act provided) sell, demise or otherwise alienate any part of the five parks.

(b) The Council shall, subject to the provisions of this Act—

(i) at all times keep the five parks and each of them unbuilt on as open spaces for the recreation and enjoyment of the public; and

(ii) preserve so far as possible the natural aspect and state of the same.

(c) The Council may exercise in relation to the five parks and each of them the powers contained in Part II of Schedule 2 to this Act but subject to the conditions and restrictions therein specified.

29.—(1) In this section—

“the indenture” means the indenture dated 12th August 1873 and made between Owen John Augustus Fuller Meyrick and the Reverend Edward Harland of the first part Sir George Elliott Meyrick Tapps Gervis of the second part and the Bournemouth Commissioners of the third part;

Powers  
relating to  
Lower Central  
Gardens.

“the Lower Central Gardens” means the public gardens or pleasure grounds in the borough known as the Lower Central Gardens to which the indenture relates;

“the owner” means the person in whom the freehold of the Lower Central Gardens is for the time being vested;

“the signed map” means the map signed in triplicate by the Right Honourable the Lord Nugent the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred, one copy of which has been deposited at each of the following offices:—

(a) the office of the Clerk of the Parliaments, House of Lords;

(b) the Private Bill Office, House of Commons; and

(c) the office of the chief executive and town clerk of the Council;

“the specified part of the Lower Central Gardens” means that part of the Lower Central Gardens which is shown coloured pink on the signed map.

(2) Notwithstanding anything in the indenture the Council may use, control and manage, and with the consent of the owner develop the Lower Central Gardens and with the like

PART VI  
—cont.

consent provide such facilities and erect and maintain such buildings as the Council consider necessary or desirable:

Provided that only the specified part of the Lower Central Gardens shall be used for the erection of buildings under this section.

(3) Without prejudice to the generality of subsection (2) above the Council may—

- (a) provide public amenities, facilities for entertainment and recreation, buildings and shops;
- (b) hire caterers and erect or permit the erection of such accommodation as the caterers consider necessary;
- (c) by themselves or any other person appointed by them in that behalf apply for and hold licences for the sale of beer or intoxicating liquors for the purposes of this paragraph;
- (d) exercise in respect of the Lower Central Gardens and the said buildings the powers conferred upon the Council by the Public Health Acts in respect of public walks and pleasure grounds.

(4) The Council and the owner may enter into an agreement with any person with respect to the provision of facilities and the erection and maintenance of buildings in the Lower Central Gardens authorised by this section on such terms and conditions (but in the case of a lease for a term not exceeding 99 years) and for such consideration as the Council and the owner think fit:

Provided that the Council shall obtain the consent of the Charity Commissioners in the case of a lease ending more than 22 years after it is granted or for a consideration less than the best that can be reasonably obtained.

(5) Any surplus revenue derived by the Council from the exercise of the powers contained in subsection (4) above shall be applied by the Council towards the maintenance and improvement of the Lower Central Gardens.

Grass verges,  
etc.

30.—(1) This section applies to—

- (a) any grass verge in any street being a verge vested in the Council and mown or otherwise maintained in an ornamental condition;
- (b) any garden, lawn or green vested in the Council in any street and mown or maintained as aforesaid;
- (c) land accessible from a highway and vested in a person other than the Council being land laid out as a public garden or used for the purpose of public recreation

PART VI  
—cont.

and in either case mown or maintained in an ornamental condition by the Council.

(2) The Council may by notice prohibit, either entirely or at such times or on such days as may be specified in the notice, any of the following things:—

- (a) allowing horses or cattle to enter such land;
- (b) driving or riding a vehicle on such land;
- (c) using any equipment provided on such land.

(3) In the case of any prohibition by virtue of paragraph (c) of subsection (2) above the Council may exempt a child under such age as may be specified in the notice in respect of that paragraph and may similarly exempt any other person who is in charge of such a child while the child is on the land.

(4) A prohibition under subsection (2) (b) or (c) above shall not extend to driving or riding a vehicle or using any equipment—

- (a) in the course of building operations; or
- (b) by statutory undertakers or the British Railways Board where reasonably necessary for the exercise of their statutory powers:

Provided that the exemption afforded by paragraph (a) above shall be conditional upon means being taken to the satisfaction of the Council to minimise injury to the land and to protect persons on the land.

(5) (a) For the purposes of this section notice shall be given by displaying it in a conspicuous position on or near the land to which it relates.

(b) Notice of a prohibition contained in subsection (2) (b) or (c) above if it relates to a grass verge forming part of or adjoining a highway used by motor vehicles (as defined in section 136 of the Road Traffic Regulation Act 1984) shall be indicated by a traffic sign within the meaning of section 64 of the said Act of 1984, and section 65 (1) of the said Act of 1984 shall have effect as respects the placing of traffic signs under this section. 1984 c. 27.

(6) A person who without reasonable excuse contravenes a notice posted under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) Notice shall not be given in respect of such land as is mentioned in subsection (1) (c) above except with the consent of the person concerned or his representatives.

(8) Where land to which a prohibition contained in subsection (2) (a) or (b) above applies forms part of a highway, the rights of the public over the highway, except rights of

PART VI  
—cont.

grazing cattle and horses, shall be subject to the prohibition; but, subject as aforesaid, nothing in this section shall—

- (a) limit any right of way, public or private, over land;
- (b) restrict the exercise by any person of any statutory right to enter upon land;
- (c) restrict the entry by horses or cattle on any grass or other margin provided by a highway authority in pursuance of section 71 of the Act of 1980 (provision of margins for horses and livestock).

(9) In this section “statutory undertakers” means—

- (a) any person authorised by any enactment to carry on any undertaking for the supply of electricity, gas or water; and
- (b) any person to whom a licence has been granted under section 7 of the Telecommunications Act 1984 and to whom the telecommunications code, as defined in that Act, is applied by that licence.

1984 c. 12.

Extinguish-  
ment of rights  
of cutting  
turves on  
specified land.

31.—(1) On the coming into force of this Act all rights under the Inclosure Act, the award or otherwise to cut and take turves for fuel on the specified land shall cease and be extinguished and the Council may appropriate and use the specified land free from any beneficial interest or any other right therein of the public or the inhabitants at large.

(2) Any person who suffers loss by the extinguishment of any private right under this section shall be entitled to be paid by the Council compensation, to be determined, in case of dispute, under, and in accordance with, the Land Compensation Act 1961.

1961 c. 33.

(3) As soon as may be after the coming into force of this Act the Council shall—

- (a) publish a notice stating the effect of subsection (2) above in two consecutive weeks in a local newspaper circulating in the borough; and
- (b) display a notice to the said effect in a conspicuous position on the specified land.

(4) The exchange land shall be held for ever by the Council for the charitable purpose of an open space for the recreation and enjoyment of the public.

(5) In this section—

“the award” means the award of 1822 made in pursuance of the Inclosure Act;

“the exchange land” means the land provided in exchange for the specified land and shown coloured green on the signed plan;

“the Inclosure Act” means the Act 45 Geo. 3 cap. xcii intituled “An Act for inclosing Lands in the Parish of Great Canford, in the County of Dorset, and in the Town and County of the Town of Poole”;

PART VI  
—cont.  
1805 c. xcii.

“the signed plan” means the plan signed in triplicate by the Right Honourable the Lord Nugent the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred, one copy of which has been deposited at each of the following offices:—

- (a) the office of the Clerk of the Parliaments, House of Lords;
- (b) the Private Bill Office, House of Commons; and
- (c) the office of the chief executive and town clerk of the Council;

“the specified land” means the land delineated on the deposited plan and described in the deposited book of reference and therein numbered 1 being land for the time being belonging to the Council.

## PART VII

## TRANSPORT

32.—(1) Except as provided in subsection (2) below, there shall not be displayed in the borough on or from any motor vehicle constructed or adapted to seat more than two and less than 9 passengers, not being a hackney carriage or public service vehicle—

- (a) any sign, notice, mark, illumination or other feature which, having regard to the time and place at which it is displayed and to any other circumstances, may suggest to a person seeking to hire a private hire vehicle or a hackney carriage that the vehicle is used for the purpose of carrying passengers for hire or reward;
- (b) without prejudice to the generality of paragraph (a) above in the case of a private hire vehicle any sign or notice which consists of or includes—
  - (i) the word “taxi”, “tax” or “cab” (whether in the singular or plural) or “hire” or any word of similar meaning or appearance to any of those words, whether alone or as part of another word; or
  - (ii) any telephone number or address, or any number or words which appear to be, or resemble, a telephone number or address.

PART X  
—cont.

work and restore the site thereof to its former condition, to such an extent and within such limits as the Secretary of State thinks proper.

(b) Where a work consisting partly of a tidal work and partly of works on or over land above the level of high water is abandoned or suffered to fall into decay and that part of the work on or over land above the level of high water 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 Secretary of State may include that part of the work or any portion thereof in any notice under this subsection.

(c) If, on the expiration of 30 days from the date when a notice under this subsection is served upon the owners, they have failed to comply with the requirements of the notice, the Secretary of State may execute the works specified in the notice and any expenditure incurred by them in so doing shall be recoverable from the owners.

(5) The Secretary of State may at any time, if he deems it expedient, order a survey and examination of a tidal work, and any expenditure incurred by the Secretary of State in any such survey and examination shall be recoverable from the owners of the work.

Repeals and  
savings.

71.—(1) The Acts specified in Part I of Schedule 4 to this Act and the confirmation Acts and Orders specified in Part II of that Schedule are hereby repealed to the extent specified in that Schedule.

(2) The saving provisions in Schedule 5 to this Act shall have effect in relation to repeals effected by this Act.

## SCHEDULES

## SCHEDULE I

## SECTION 3 OF THE DOGS ACT 1906 AS HAVING EFFECT IN ACCORDANCE WITH SECTION 21 (CONTROL OF STRAY DOGS) OF THIS ACT

Section 21.  
1906 c. 32.

3.—(1) Where it appears to a police officer or a duly authorised officer of the district council that any dog found in a highway or place of public resort is not in the charge of any person, he may seize the dog and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.

(2) Where any dog so seized wears a collar having inscribed thereon or attached thereto the address of any person, or the owner of the dog is known, the chief officer of police or, as the case may be, the district council, or any person authorised by him or them in that behalf, shall serve on the person whose address is given on the collar, or on the owner, a notice in writing stating that the dog has been so seized, and will be liable to be sold or destroyed if not claimed within 7 clear days after the service of the notice.

(3) A notice under this section may be served either—

- (a) by delivering it to the person on whom it is to be served; or
- (b) by leaving it at that person's usual or last known place of abode, or at the address given on the collar; or
- (c) by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode, or at the address given on the collar.

(4) Where any dog so seized has been detained for 7 clear days after the seizure, or, in the case of such a notice as aforesaid having been served with respect to the dog, then for 7 clear days after the service of the notice, and the owner has not claimed the dog and paid all expenses incurred by reason of its detention, the chief officer of police or, as the case may be, the district council or any person authorised by him or them in that behalf, may cause the dog to be sold or destroyed in a manner to cause as little pain as possible.

(5) No dog so seized shall be given or sold for the purposes of vivisection.

(6) The chief officer of police and the district council shall keep, or cause to be kept, one or more registers of all dogs seized under this section by him or them respectively which are not transferred to an establishment for the reception of stray dogs. The register shall contain a brief description of the dog, the date of seizure and particulars as to the manner in which the dog is disposed of, and every such register shall be open to inspection at all reasonable times by any member of the public on payment of a fee of 5p.

(7) A dog seized under this section shall not be disposed of by transferring it to an establishment for the reception of stray dogs unless a register is kept for that establishment containing such particulars as to dogs received in the establishment as are above mentioned, and such register is open to inspection at all reasonable times by the public on payment of a fee not exceeding 5p.

SCH. 1  
—cont.

(8) The police officer or other person having charge of any dog detained under this section shall cause the dog to be properly fed and maintained.

(9) All expenses incurred by the police under this section shall be defrayed out of the police fund, and any money received by the police under this section shall be paid to the account of the police fund.

Sections 25  
and 28.

SCHEDULE 2  
PROVISIONS RELATING TO THE FIVE PARKS

PART I  
CONVEYANCES

1. Name of park	2. Conveyance
Meyrick Park, 46.5 hectares (115 acres).	Conveyance dated 11th December 1883 made between Sir George Elliott Meyrick Tapps Gervis Meyrick George Augustus Elliott Tapps Gervis Meyrick of the one part and the Bournemouth Commissioners of the other part.
King's Park, 25.92 hectares (64 acres).	Conveyance dated 7th November 1900 made between Sir George Augustus Elliott Tapps Gervis Meyrick of the first part Frederick Hussey Daniel Eyre and Reginald Gervis Hargreaves of the second part James Drummond of the third part and the mayor aldermen and burgesses of the county borough of Bournemouth of the fourth part.  Deed of Exchange dated 5th April 1905 made between the mayor aldermen and burgesses of the borough of Bournemouth of the one part and James Edward Cooper-Dean of the other part.  Deed of Exchange dated 5th April 1905 made between the mayor aldermen and burgesses of the county borough of Bournemouth of the first part James Edward Cooper-Dean of the second part and James Edward Cooper and Henry Walter King Rawlings of the third part.
Queen's Park, 55.08 hectares (136 acres).	Conveyance dated 7th November 1900 made between Sir George Augustus Elliott Tapps Gervis Meyrick of the first part Frederick Hussey Daniel Eyre and Reginald Gervis Hargreaves of the second part James Drummond of the third part and the mayor aldermen and burgesses of the county borough of Bournemouth of the fourth part.
Redhill Park, 18.63 hectares (46 acres). Seafield Gardens, 0.717 hectares (1.77 acres).	Conveyance dated 19th October 1906 made between Sir George Augustus Elliott Tapps Gervis Meyrick of the one part and the mayor aldermen and burgesses of the county borough of Bournemouth of the other part.

## PART II

## POWERS

SCH. 2  
—cont.

1. The Council may from time to time exercise the following powers with respect to the five parks:—

- (1) they may set apart and use or permit the use of the five parks and each of them or any part thereof for the purposes of shows, games, competitions, recreations and entertainments or similar purposes and at such times may close such park or part to the public or may restrict public access thereto and may demand or take or permit to be demanded or taken such reasonable sums for the exclusive occupation of such park or part or for the admission of persons, vehicles, goods and things thereto as they may think fit and may exclude therefrom all persons, vehicles, goods and things unless payment be made of the reasonable sum demanded:

Provided that the Council shall not exercise the powers of closure under this sub-paragraph—

(a) in relation to any of the five parks—

(i) on more than 15 days in any year; or

(ii) on more than 3 Sundays in any year; or

(iii) on more than 6 consecutive days;

(b) at one and the same time over more than one-quarter of the total area of the five parks;

- (2) without prejudice to their powers under sub-paragraph (1) above or otherwise they may erect fences on the five parks and each of them or any part thereof for the necessary protection of the public and for any purpose for which the park or part thereof may lawfully be used provided that the public is not thereby denied reasonably convenient admission to the said park or part thereof;
- (3) they may in the five parks and each of them or any part thereof erect pavilions, refreshment rooms, buildings and conveniences which may be required or convenient for the purposes of the public resorting to the said parks and may charge for admission to such pavilions, refreshment rooms, buildings and conveniences or any of them or in respect of the use thereof;
- (4) they may let such pavilions, refreshment rooms, buildings and conveniences or any of them for such consideration and on such terms and conditions as they think fit;
- (5) they may for the purpose of improving the boundaries of the five parks dispose of small portions of the same or purchase lands adjoining the same;
- (6) they may in the five parks and each of them or any part thereof provide or arrange for the provision of facilities (whether indoor or outdoor) for sports and recreations for the benefit of the public at large with facilities and amenities ancillary thereto;

SCH. 2  
—cont.

- (7) they may provide or arrange for the erection of such buildings and execute or arrange for the execution of such works as may be necessary or expedient in connection with the provision of facilities under this Schedule;
- (8) they may make any facilities provided by them in pursuance of this Schedule available for use by such persons as the Council think fit either without charge or on payment of such charges as the Council think fit;
- (9) in pursuance of this Schedule they may enter into an agreement for the provision by any person of the said facilities or for the erection of the said buildings on such terms and conditions (but in the case of a lease for a term not exceeding 99 years) and for such consideration as they think fit;

Provided that the consent of the Charity Commissioners shall be required in the case of a lease ending more than 22 years after it is granted or for a consideration less than the best that can be reasonably obtained.

2. Nothing in this Schedule shall empower the Council or any other person to build upon more than 2 hectares of any of the five parks and nothing in sub-paragraphs (6) or (7) of paragraph 1 above shall empower the Council to build upon more than one-fiftieth of the total area of the five parks.

Section 66.

## SCHEDULE 3

## SECTIONS OF ACT OF 1936 APPLIED TO THIS ACT

Section	Marginal note
275	Power of local authority to execute certain work on behalf of owners or occupiers.
276	Power of local authority to sell certain materials.
283 (1)	Notices to be in writing; forms of notice, &c.
285	Service of notices, &c.
289	Power to require occupier to permit works to be executed by owner.
291	Certain expenses recoverable from owners to be a charge on the premises; power to order payment by instalments.
294	Limitation of liability of certain owners.
297	Continuing offences and penalties.
304	Judges and justices not to be disqualified by liability to rates.
328	Powers of Act to be cumulative.
329	Saving for certain provisions of the Land Charges Act 1925.
341	Power to apply provisions of Act to Crown property.

1925 c. 22.

## SCHEDULE 4

## ENACTMENTS REPEALED

## PART I—LOCAL ACTS

Section 71.

Chapter (1)	Short title (2)	Extent of repeal (3)
19 & 20 Vict. c. xc.	Bournemouth Improvement Act 1856.	The whole Act.
44 & 45 Vict. c. iv.	Tuckton Bridge Act 1881.	The whole Act.
52 & 53 Vict. c. clxi.	Bournemouth Park Lands Act 1889.	The whole Act.
54 & 55 Vict. c. clxxii.	Bournemouth East Cemetery Act 1891.	The whole Act.
55 & 56 Vict. c. clxiii.	Bournemouth Improvement Act 1892.	The whole Act.
60 & 61 Vict. c. xcii.	Bournemouth Corporation Act 1897.	The whole Act.
63 & 64 Vict. c. cclxi.	Christchurch and Bournemouth Tramways Act 1900.	The whole Act in so far as it relates to Bournemouth.
63 & 64 Vict. c. cclxxxvi.	Bournemouth Corporation Act 1900.	The whole Act.
1 Edw. 7 c. ccix.	Bournemouth Corporation Act 1901.	The whole Act.
3 Edw. 7 c. clxviii.	Christchurch and Bournemouth Tramways Act 1903.	The whole Act in so far as it relates to Bournemouth.
3 Edw. 7 c. clxxviii.	Bournemouth Corporation Tramways Act 1903.	The whole Act.
4 Edw. 7 c. cliii.	Bournemouth Corporation Act 1904.	The whole Act.
20 & 21 Geo. 5 c. clxxxi.	Bournemouth Corporation Act 1930.	The whole Act.
8 & 9 Eliz. 2 c. xliii.	Bournemouth Corporation Act 1960.	The whole Act.
1969 c. vi.	Bournemouth Corporation Act 1969.	The whole Act.
1971 c. lxiv.	Bournemouth Corporation Act 1971.	The whole Act except section 16.

## PART II—CONFIRMATION ACTS AND ORDERS

32 & 33 Vict. c. cxxiv.	Local Government Supplemental Act 1869.	Order relating to Bournemouth.
38 & 39 Vict. c. xi.	Pier and Harbour Orders Confirmation Act 1875 (No. 1)	The Bournemouth Promenade Pier Order 1875.
39 & 40 Vict. c. cciii.	Local Government Board's Provisional Orders Confirmation (Bilbrough, &c.) Act 1876.	Order relating to Bournemouth.



SCH. 4  
—cont.

Chapter (1)	Short title (2)	Extent of repeal (3)
41 & 42 Vict. c. clxii.	Local Government Board's Provisional Orders Confirmation (Bournemouth, &c.) Act 1878.	Sections 2 and 3 and the Order relating to Bournemouth.
43 & 44 Vict. c. lxxii.	Local Government Board's Provisional Orders Confirmation (Ashford, &c.) Act 1880.	Order relating to Bournemouth.
47 & 48 Vict. c. ccxii.	Local Government Board's Provisional Orders Confirmation (No. 6) Act 1884.	Order relating to Bournemouth.
48 & 49 Vict. c. cvii.	Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885.	Order relating to Bournemouth.
50 & 51 Vict. c. clviii.	Pier and Harbour Order Confirmation (No. 2) Act 1887.	The Boscombe Pier Order 1887.
50 & 51 Vict. c. clxxx.	Local Government Board's Provisional Orders Confirmation (No. 7) Act 1887.	Order relating to Bournemouth.
53 & 54 Vict. c. clxxix.	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1890.	Order relating to Bournemouth.
55 & 56 Vict. c. ccvi.	Pier and Harbour Order Confirmation (No. 5) Act 1892.	The Bournemouth Pier Order 1892.
59 Vict. c. x. Session 2.	Local Government Board's Provisional Orders Confirmation (No. 16) Act 1895 Session 2.	The Borough of Bournemouth Order 1895.
59 & 60 Vict. c. cv.	Local Government Board's Provisional Orders Confirmation (No. 10) Act 1896.	Bournemouth Order (No. 1) 1896.
62 & 63 Vict. c. cxlix.	Local Government Board's Provisional Orders Confirmation (No. 12) Act 1899.	The Borough of Bournemouth Order 1899.
63 & 64 Vict. c. ccviii.	Tramways Orders Confirmation (No. 5) Act 1900.	The Bournemouth Corporation Tramways Order 1900.
1 Edw. 7 c. clxviii.	Local Government Board's Provisional Orders Confirmation (No. 7) Act 1901.	The Bournemouth (Extension) Order 1901.
3 Edw. 7 c. cxxxi.	Pier and Harbour Orders Confirmation (No. 5) Act 1903.	The Boscombe and Bournemouth Piers Order 1903.
4 & 5 Geo. 5 c. cxxix.	Local Government Board's Provisional Order Confirmation (No. 8) Act 1914.	The whole Act.
4 & 5 Geo. 5 c. cxxxvi.	Local Government Board's Provisional Orders Confirmation (No. 16) Act 1914.	The Bournemouth Order 1914.
11 & 12 Geo. 5 c. lxiii.	Ministry of Health Provisional Orders Confirmation (No. 9) Act 1921.	The Bournemouth Order 1921.
15 & 16 Geo. 5 c. lxxxiii.	Ministry of Health Provisional Orders Confirmation (No. 7) Act 1925.	The Bournemouth Order 1925.

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Chapter (1)	Short title (2)	Extent of repeal (3)
15 & 16 Geo. 5 c. cxxviii.	Ministry of Health Provisional Order Confirmation (Bournemouth Order) Act 1925.	The whole Act.
17 & 18 Geo. 5 c. xxvii.	Ministry of Health Provisional Orders Confirmation (No. 1) Act 1927.	The Bournemouth Order 1927.
—	Bournemouth and Portsmouth Order 1932.	The whole Order in so far as it relates to Bournemouth.
1 & 2 Geo. 6 c. xxi.	Bournemouth Corporation (Trolley Vehicles) Order Confirmation Act 1938.	The whole Act.
4 & 5 Eliz. 2 c. v.	Bournemouth Corporation (Trolley Vehicles) Order Confirmation Act 1955.	The whole Act.

## SCHEDULE 5

Section 71.

## SAVING PROVISIONS

1. In so far as any byelaw made or any other thing done under an enactment in force which is repealed by this Act could have been made or done under any public general Act, relating to the same matter, it shall not be invalidated by the repeal but shall have effect as if made or done under that public general Act.

2.—(1) Anything begun under an enactment repealed by this Act may be continued under any enactment in this Act or in any public general Act relating to the same matter as if begun under either of those last-mentioned provisions.

(2) Where any period of time specified in, or having effect in relation to, an enactment repealed by this Act is current at the date of the coming into operation under this Act of any provision thereof relating to the same matter, that provision of this Act shall have effect as if it were in force when that period began to run.

3. References in this Act to things done, left undone, suffered or occurring shall, so far as the context requires for the continuity of operation between an enactment in force which is repealed by this Act and any enactment in this Act relating to the same matter, be construed as including references to things done, left undone, suffered or occurring before the coming into operation of that provision of this Act.

4.—(1) Notwithstanding the repeal by this Act of the enactments mentioned in sub-paragraph (2) below which have enured for the benefit of the British Railways Board and which relate to a former tramway undertaking and trolley vehicle undertaking, the Council shall remain liable to the British Railways Board under those

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enactments in respect of any damage or expense incurred by the British Railways Board in consequence of any failure to maintain any apparatus or works comprised in those undertakings.

(2) The enactments referred to in sub-paragraph (1) above are the following:—

- 1900 c. ccviii. Section 7 (For the protection of the London and South Western Railway Company) of the Bournemouth Corporation Tramways Order 1900;
- 1900 c. cclxi. Section 34 (For the protection of the London and South Western Railway Company) of the Christchurch and Bournemouth Tramways Act 1900; and
- 1930 c. clxxxi. Section 131 (For protection of Southern Railway Company) of the Bournemouth Corporation Act 1930.

5. Nothing in this Act shall affect the operation of section 254 of the Act of 1972.

- 1978 c. 30. 6. The mention of particular matters in this Schedule shall not be held to prejudice or affect the general application of sections 15, 16 and 17 of the Interpretation Act 1978.