

INDEX

TO THE

R E P O R T

FROM THE

SELECT COMMITTEE OF THE HOUSE OF LORDS

ON THE

PUBLIC HEALTH ACTS (AMENDMENT)

BILL [H.L.]

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I N D E X .

[N.B.—In this Index the figures following the Names of the Witnesses, and those in the Analysis of Evidence of each Witness, refer to the Questions in the Evidence.]

A.

Acts (referred to).

Local Government Act, 1858, gave the power of making bye-laws subject to confirmation by the Home Secretary, *Monro 26*.

Public Health Act, 1875.

Section 183 authorises a local authority in its bye-laws to impose penalties, *Monro 27, 28*.

Section 157 is the statutory provision by which the building bye-laws are made, *Monro 31*.

Section 158 gives the local authority power to pull down the building which transgresses the bye-law, even though the magistrates may dismiss the case, *Read 1464-1469*.

Public Health Act, 1890.

Section 23 extends *Section 157* of the Act of 1875, *Monro 31, 32*. Previous to this Act a rural district council could not make bye-laws unless the power was conferred by the Local Government Board, *Monro 39-44, 89-100*.

Public Health (Water) Act, 1878.

Section 6 applies to sufficient water supply to be provided for new houses, *Monro 34*.

London Building Act, 1894.

Under this Act a house is exempted if 30 feet away from adjoining properties and 8 feet away from the street, *Stenning 410-415; Read 1556-1560*.

Proposed Bill only seeks to extend the powers given by *Section 201* of this Act to urban and rural districts of England, *Read p. 97*.

Agriculture, Board of. See Board of Agriculture.

Appeal. As to the interpretation of the bye-laws there is no tribunal to appeal to. If the builder's plans are not approved as complying with the bye-laws he goes on building at his own risk, *Monro 180-182; Chance 372; Dewhurst 1392-1398; Read 1504-1508*.

As a result of this lack of appeal tribunal Mr. Wilfrid Blunt had his house in Sussex pulled down, *Read 1464-1469*.

If there were a court of appeal a local authority would be able to appear for or against the over-ruling of any bye-law; at present there is no appeal, and they must adhere rigidly to their bye-laws for fear of being charged with favouritism, *Thresh 854-856, 902*.

As few bye-laws as possible would be better than giving power of appeal, *Ridge 982*.

Under the London Building Acts a tribunal is appointed to hear appeals. One member appointed by the Surveyors' Institution, one by the Royal Institute of British Architects, one by the Home Secretary, *Monro 281-285*.

This tribunal had a great deal of work at first but very little now, *Stenning 458, 459*.

Appeal. The court should not be the county council, but should consist of leading engineers, surveyors and architects, *Greatorex* 1248-1254; *Dewhirst* 1382-1386.

The country might be divided up into districts and a competent surveyor appointed for each by the county councils to judge appeals from the local authorities, *Ridge* 928, 970-982; *Read* 1513-1531.

The court of appeal should be some central body who have experience in the construction of bye-laws, *Lees* 1664-1673, 1693-1695, 1742-1750.

Question of Appeal to the Magistrates.

An appeal to the bench of magistrates would be inexpensive and would save the necessity for setting up a new tribunal, *Chance* 369-372.

The Magistrates Petty Sessional Court would be the best court of appeal, *Turner* 828-830.

Local magistrates having local knowledge would probably be best and cheapest court, *Thresh* 849, 850, 861, 862.

See also *County Council*.

Architects.—Royal Institute of British Architects.

Evidence from Fellow of, *Ridge* 941-982. (See Analysis of his Evidence.)

Deputation to Local Government Board on subject of building bye-laws, *Ridge* 928.

Artington Parish Council.—Evidence from chairman of, *Powell* 603-648. (See Analysis of his Evidence.)

Parish is of an entirely rural character but is under urban bye-laws, and this prevents the building of cottages, *Powell* 614-621.

In the parish of Shere in same district there are no bye-laws and many cottages are being built, *Powell* 639-643.

Ascot Case.—Case cited as showing the hardship inflicted by the application of unsuitable building bye-laws, *Read* pp. 94, 95.

Aubrey, Mr. G. H. (Analysis of his Evidence.)

Chairman of the Chelmsford Rural District Council, 1151.

Chelmsford Rural Council went into the matter of the building bye-laws owing to an agitation at the time with a result that a bye-law was passed allowing houses to be built of any material so long as the construction of the foundations were under regulations, 1152-1155.

The district council is very particular about the construction of the damp-courses, 1155, 1156.

These new bye-laws promote building in this district, 1157, 1158; and practically do away with all the grievances which formerly existed, 1166, 1167.

In the Chelmsford district the land is bought up and laid out for building, but very often never built on, 1175-1182.

Timber built cottages with lath and plaster seem the most suitable for cottages, thatch is not allowed anywhere, 1183-1187.

The bye-laws apply to the whole area, but cottages of a certain class and certain dimensions are exempt from certain of the bye-laws, 1196-1201.

Difficulties as to defining what is rural and what is urban area, 1202-1210.

Wooden houses last a long time, are easy to repair, and are drier and cheaper than brick houses, 1211-1219.

B.

Beckenham Urban District Council. Evidence from Member of, *Lees* 1627-1769. (See Analysis of his Evidence.)

Board

Board of Agriculture. Evidence from Assistant Secretary of, *Craigie* 1305-1334. (See Analysis of his Evidence.)

Evidence from Superintending Surveyor of, *Webb* 1335-1364. (See Analysis of his Evidence.)

In the model form of bye-laws there is a clause which exempts from the operation of these bye-laws houses approved by the Board of Agriculture under the Lands Improvement Acts, *Craigie* 1306-1308.

Case where the Board passed plans which would have been an infringement of the local bye-laws, *Webb* 1351, 1352.

Method of inspection of houses built under loan from the Board, *Craigie* 1309-1311; *Webb* 1353-1357.

The Board has had to increase the maximum for the cost of cottages; it is now about £520 for a pair of cottages exclusive of the value of land, *Craigie* 1312-1329.

The minimum is £350 a pair, *Webb* 1335.

Will not allow cottages built by loan to be made of wood, *Clough* 595-597; *Craigie* 1330; *Webb* 1340.

Brick. See *Building Materials*.

Bromley Rural District Council. Domestic buildings are exempted from the bye-laws which refer to walls, hearths, fireplaces, chimneys, and structural details. The parish of Mottingham is alone excepted because it actually adjoins the Metropolis, *Lees* 1632.

Building Bye-Laws Reform Association. Evidence from Chairman of, *Chance* 320-394. (See Analysis of his Evidence.)

Evidence from Honorary Secretary of, *Read* 1459-1584. (See Analysis of his Evidence.)

Buildings and Building Materials. Doubtful if wood is much cheaper than brick or stone, *Monro* 208-212; *Greatorex* 1270-1277, 1284-1288.

1903 Model series of bye-laws for rural districts contains no provisions with regard to the structure of walls, *Monro* 217-219—about 130 rural district councils have adopted this model, *Monro* 220.

This model code where adopted does not meet all difficulties, *Powell* 646, 647; *Schultz*, 990-997.

Timber built cottages are very lasting and easily repaired, *Aubrey* 1184.

Houses can be built cheaper where they are not restricted to being made of stone or brick, *Aubrey* 1212-1217.

In many case wood is cheaper to build with and makes a warmer house, *Stenning* 427-431; *Aubrey* 1217-1219.

Probably wood is 25 per cent. cheaper than brick, *Stenning* 484.

Wood lasts a very considerable time, *Stenning* 490, 491; *Powell* 623, 624.

The Board of Agriculture will not allow houses built on loan under the Lands Improvements Acts to be made of wood, *Clough* 595-597; *Craigie* 1330.

In West Riding of Yorkshire the great strength of timbers required by the bye-laws for roofs is unnecessary, *Massie* 1413-1415.

Great majority of bye-laws do not allow any other material but brick or stone or some other incombustible material, *Monro* 245-252; *Ridge* 941-943.

In Chelmsford rural districts houses are allowed of any material as long as the foundations are good, *Aubrey* 1155; *Dewhirst* 1372, 1373.

Near Salisbury the local authority decided that bye-laws would check building, and houses are being built in wood and chalk.

In some places such as at the Garden City bricks are very cheap, and it is cheaper to use them than anything else, *Clough* 559-564.

There should be more elasticity as to building materials; in most places wood, cement and concrete are not allowed, *Turnor* 727-731.

Uralite is used as a material for building houses where the bye-laws allow, *Greatorex* 1289, 1298, 1299.

Party

Buildings and Building Materials—continued.

Party Walls. If a bye-law with regard to these were insisted on, all buildings for domestic purposes in small towns might be exempted from building bye-laws, *Ridge* 935-937, 945-954.

Party wall of fire-resisting material as proposed by Bill open to abuse, as asbestos wall of $\frac{1}{4}$ inch thick would satisfy these conditions, *Dewhirst* 1366-1371.

Damp-course.

No house should be exempted from having a proper damp-course put in the walls.

The proposed Bill would in certain cases give exemptions from a proper damp-course among other necessary sanitary regulations, *Parsons* 1037-1043.

A proper damp-course is always insisted on in Chelmsford Rural District, *Aubrey* 1156-1157.

Bye-laws. Are made by local authorities under the Public Health Acts, *Monro* 3.

Until submitted to and confirmed by the Local Government Board have no legal effect, *Monro* 25, 75.

1,468 local authorities out of a total of 1,802 to whom the Bill would apply have building bye-laws, *Monro* 16, 18.

First series of model bye-laws drawn up by Local Government Board in 1877, *Monro* 108-110.

General method pursued by the local authority in making bye-laws, *Monro* 134-154.

The old Home Office series very faulty, and gave a dispensing power to the local authority but is still in force in many districts, *Parsons* 1045-1054, 1064.

Bye-laws (Building). There should be only one code of bye-laws for the whole country, with exemptions in certain specified cases, *Stenning* 465-471; *Thresh* 863-866.

Bye-laws should provide for stability, prevention of fire and sanitation, *Stenning* 477.

It is not necessary to have building bye-laws in the purely rural districts, *Grantham* 651; *Schultz* 984-988.

Proposed bye-laws in any district should be advertised more thoroughly than at present, *Grantham* 656-661.

Building bye-laws check building to a great extent, *Powell* 617-621, 625-628; *Turnor* 703-716.

Increase the rent of houses, *i.e.*, the cost of building the house, *Monro* 213-216; *Chance* 332, 333; *Stenning* 400, 401; 443, 444; *Till* 530; *Turnor* 694-702; *Thresh* 912; *Ridge* 925.

Are a necessary evil. The minimum of strength fixed by the bye-laws becomes the maximum as used by the builders, *Turner*, 783-785.

Are desirable in urban and rural districts, *Thresh* 895; *Parsons* 1013.

It ought to be allowed to erect a building of any material so long as the building is of proper stability and weatherproof, *Greator* 1267, 1268.

The bye-laws should be as strict for a district near a town as for the town itself, *Massie* 1416, 1417.

The elastic bye-laws given to Chelmsford and Maldon district councils are approaching to giving the power of discrimination to the local authority. It were better to have exemptions given by general Act, *Read* 1470-1488.

Report quoted, of the Departmental Committee of the Board of Agriculture containing the words, "That the present bye-laws for building in country districts be modified so as to allow of the cheaper construction of cottages," *Read* 1536-1543.

In the model bye-laws a temporary building for use as an infectious hospital is exempted from those bye-laws, *Harris* 1622.

Inconsistencies in, *Turnor* 719-726; *Turner* 796-802, 804; *Ridge* 941-943; *Schultz* 999-1003.

See also *Hardships incurred under the Building Bye-laws.*

Chance

C.

Chance, Sir William, Bart. (Analysis of his Evidence.)

Chairman of the Building Bye-laws Reform Association, 320.

History and purpose of the Association, 321-324.

Present Bill came into being as result of attempts to reform Building Bye-laws, 329.

Landlords would be encouraged to build cottages with a certain amount of open space round them if they were freed from the clauses of the building bye-laws, 333.

Injustice is inflicted by the enforcement of building regulations regardless of different conditions, 335, 337-341.

Local authorities should not have discretionary power, 336.

Isolated areas should be freed from bye-laws, 342.

In some districts local authorities have found it difficult to comply with their own bye-laws, *i.e.*, to build houses at a price which would pay, 343-345.

Cases of the hardship of the bye-laws, 350-357, 360-363.

Local Government Board not willing to allow much elasticity, 358-359.

The power of Appeal from the local authority to the Bench of Magistrates might be satisfactory, 369-372.

The power of appealing to the Local Government Board given by Clause 5 is very much wanted and would not give the Board too much extra work, 364-366, 375-377.

Fifteen feet between houses, as given in Clause 2, is a fair minimum, 379-385.

The Bill confers an advantage on those who build houses in an isolated district; once built, they are not subject to any bye-laws if the place became more thickly populated, 386, 387.

In Clause 5 there is no need that the ratepayers who complain to the Local Government Board should be ratepayers of over and above any particular amount, 388-391.

Channell, Mr. Justice.

Judgment given by—in the Malvern Case.—*Read*, p. 94.

Chelmsford Rural District Council.

Evidence from Medical Officer of Health of, *Thresh*, 832-920. (See Analysis of his Evidence.)

Evidence from Chairman of—*Aubrey* 1151-1219. (See Analysis of his Evidence.)

Evidence from Surveyor of—*Dewhirst* 1365-1410. (See Analysis of his Evidence.)

Has clause in bye-laws exempting buildings from certain bye-laws much the same as Clause 2 of proposed Bill would effect, *Thresh* 866-874.

Its bye-laws allow any material to be used for building provided the foundations are approved, *Aubrey* 1155.

The bye-laws promote building and cheapen the cost of the houses, *Aubrey* 1157, 1158.

Detail plans must be deposited, *Aubrey* 1171-1173.

Clough, Mr. Arthur Hugh. (Analysis of his Evidence.)

Owner of land in eleven parishes in counties of Wiltshire, Hampshire, Oxfordshire, Sussex, and Hertfordshire, 544.

Cost of building materials varies very much in different districts, 559-562.

Great difficulty in persuading the district councils to have their bye-laws altered by the Local Government Board, 566-573.

The Code of 1901 will make a considerable difference in facilitating matters.

Proposed Bill, if passed, will help to supply good cottages to labourers, who otherwise would live in rows of houses in streets, 574.

The constant

Clough, Mr. Arthur Hugh. (Analysis of his Evidence)—continued.

The constant variety of bye-laws prevents patterns of cottages which would be, on the whole, cheapest to adopt, from being prepared, 574-575.

Rent of agricultural labourers' cottages near Christchurch, 583-590.

Board of Agriculture refuses to lend money to build wooden houses, 595, 596.

Insurance companies charge higher premium in cases of wooden houses, 597.

Impossibility of drawing line between urban and rural districts in many cases, 598, 599.

Difficulties as to the bye-laws concerning roads, 600-602.

More or less universal bye-laws with exemptions would be better than distinctions in districts, 600.

Cottages, Cost of. Average rent in Eynsford, 5s. to 7s. a week for labourers' cottages, might be built to pay at a lower rent if unhampered by bye-laws, *Till* 541-543.

Average cost near Christchurch, *Clough* 588-590.

Four-roomed wooden cottage might be provided for £110; where bricks are very cheap (22s. per 1,000) a brick cottage might be built for the same price, *Clough* 575-581.

Cost of, when built under loan from the Board of Agriculture, *Craigie* 1314, 1319; *Webb* 1336.

County Council. Question of appeal to, with regard to bye-laws. Have not all got technical advisers, and it would not be popular with the district councils, *Monro* 290-292.

Would be the best authority to appeal to, *Stenning* 450-458; *Grantham* 667-669, 685-691.

Would be satisfactory if always advised by medical officer and architect, but many are not so advised; also they only meet once in three months, so powers would have to be delegated to a committee, *Thresh* 848, 849, 851-853, 858-861; *Parsons* 1080-1083; *Greator* 1255-1260.

Would be better than the magistrates because they have technical advisers, and also the magistrates would be relieved from arbitrating upon a case they might have to try afterwards, *Parsons* 1077.

County councils would be as loath to accept position of a court of appeal as district councils would be to submit themselves to control of County Council, *Read*, p. 98.

Would probably be willing to appoint a tribunal of experts to decide appeals. There would have to be legislation to give the power of appointing such a standing committee, *Harris* 1608-1617.

The county council should not be the court of appeal for three reasons: they only sit once in three months; they have very little experience in the bye-laws; and it would bring them into conflict with the district councils, *Lees* 1674-1677.

See also *Appeal*.

County Councils' Association. Evidence from secretary of, *Harris* 1585-1626. (See Analysis of his Evidence.)

Executive Committee passed a resolution in favour of representing to the Local Government Board that new schools of a temporary character should be exempted from bye-laws when the plans have been approved by the Board of Education and Local Government Board, *Harris* 1587.

Craigie, Major Patrick George. (Analysis of his Evidence.)

Assistant Secretary to the Board of Agriculture, 1305.

The Board is concerned with cottages erected with borrowed money under the Lands Improvement Acts; it examines the plans and the actual construction. In the model code of the Local Government Board cottages built under the above Act are exempted from the ordinary bye-laws, 1306-1311.

The maximum allowed for building cottages on estates in this way has been increased of late years, £520 for two cottages together being about the highest. The Board of Agriculture tries to keep the price down in the interest of the estate as long as the work is permanent, 1312-1325.

Three-bedroom.

Craigie, Major Patrick George. (Analysis of his Evidence)—continued.

Three-bedroom cottages are nearly always insisted on, 1327, 1328.

Each individual case is gone into with great care, which, of course, is an advantage over the general operation of the bye-laws for a district, 1329.

Wooden houses are not allowed, not being permanent enough; the maximum period for repayment is forty years, 1330-1334.

D.

Damp-course. See *Building and Building Materials*.

Dewhurst, Mr. James. (Analysis of his Evidence.)

Surveyor to the Rural District Council of Chelmsford, 1365.

Objects to proposed Bill as it exempts the deposit of plans before the commencement of building, 1366.

There should always be a substantial brick wall between two dwelling houses, 1366-1371.

Satisfactory houses are built near Chelmsford of material other than brick or stone, 1372, 1373.

Five ratepayers should not be allowed to appeal against any bye-law of the local authority as proposed by the Bill, 1381, the number should be increased to twenty, 1388-1391.

A court of appeal would be of the greatest assistance, but county council might be influenced too much by local opinion; a special tribunal of experts would be better, 1382-1386.

If the case of infringement of the bye-laws is obviously trivial it is passed over, although illegal to do so, 1403-1406.

E.

East Grinstead. Evidence from witness from—*Stenning* 395-491—Urban bye-laws apply to the whole district, comprising entirely rural parishes—*Stenning* 401-404.

Harshness of bye-laws in, *Turner*, 796, 815.

East Grinstead Case. Case cited as showing the hardship and friction caused by the application of unsuitable building bye-laws, *Read*, pp. 95, 96.

Engineers. Evidence from representative of the Council of the Incorporated Association of Municipal and County Engineers—*Greator* 1220-1304. (See Analysis of his Evidence.)

Evidence from member of the above Council—*Massie* 1411-1458. (See Analysis of his Evidence.)

Essex County Council. Evidence from Medical Officer of Health of—*Thresh* 832-920. (See Analysis of his Evidence.)

Eynsford. Rent of Cottages in. See *Cottages*.

G.

Garden City. Cost of bricks at, only 22s., which enables brick house to be built for same price as wooden house—*Clough* 559-564.

Goole. Evidence as to building and laying out the town and unsatisfactory state of building when there were no bye-laws—*Parsons* 1014-1034.

Grantham, The Hon. Sir William. (Analysis of his Evidence.)

Bill as proposed will be most useful, especially the power to the Local Government Board to disallow bye-laws when found unsuitable. 649, 654, 655.

Instances of inconsistencies in the bye-laws, 650.

Hardships under the present bye-laws, 670.

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B

There

Grantham, The Hon. Sir William. (Analysis of his Evidence)—continued.

There should be no bye-laws for the purely rural districts, 650, 651, 680.

The old urban bye-laws where applied to rural districts ought compulsorily to be withdrawn, 651-654.

Rural bye-laws when they come into force should be more extensively advertised, 656-661.

There should be some appeal from the stringency and inconsistency of the bye-laws, 667; the county council would make a good court of appeal and prevent great expense, 667-669, 684-691.

Builders cannot afford to fight cases, and have to submit to being fined, 670, 671.

The character of the requirements in building should depend upon the character of the building in a particular part of the district, 683.

Greatorex, Mr. Albert D. (Analysis of his Evidence.)

Borough Surveyor of West Bromwich, 1220; represents the Council of the Incorporated Association of Municipal and County Engineers, who appointed a special committee to go into the Local Government Board's model bye-laws, 1221-1225.

Block plans showing the site and a ground-floor plan and plan for each storey should be compulsory, 1227-1234.

Other exemptions proposed in the Bill should not be allowed, 1235-1247.

A court of appeal might be useful in rural districts, not composed of the county council, but of members of the Municipal and County Engineers' Association, 1248-1260.

The operation of the bye-laws has not alone increased the cost of building, the extra cost of material and labour are additional factors, 1270.

Wood buildings with proper foundations are not much cheaper than brick, 1271-1276.

There is not great friction over the bye-laws between the local authorities and builders, 1260, 1278, 1279.

There should be greater elasticity as to materials in building than is usually the case at present, 1284-1290.

Examinations are held twice a year by the Association of Municipal and County Engineers with a view to giving a certificate to those who pass that they are competent to undertake the duties to which they are elected, 1300, 1301.

In some districts there is no professional man appointed as a surveyor; to obviate this, districts might be amalgamated, 1302, 1303.

Guildford Rural District Council. Evidence from member of, *Powell* 603-648. (See Analysis of his Evidence.)

Bye-laws in, harshness of, *Turner* 804-807.

H.

Hardships inflicted by Unsuitable Building Bye-laws.

Malvern Case, *Read*, pp. 93, 94.

Ascot Case, *Read*, pp. 94, 95.

Ringwood Rural District Council, *Read*, p. 95.

East Grinstead Case, *Read*, pp. 95, 96.

See also *Chance* 350-355; *Till* 496-513, 527; *Powell* 610-614; *Turnor* 734-742; *Turner* 793, 794, 811.

Harris, Mr. George Montagu. (Analysis of his Evidence.)

Secretary of the County Councils' Association, 1585.

The executive council passed a resolution in favour of exempting new schools of a temporary character from the ordinary bye-laws where the plans for the buildings have been approved by the Board of Education and by the Local Government Board, 1587.

Case

Harris, Mr. George Montagu. (Analysis of his Evidence)—continued.

Case in point where the district council refused to sanction the building of a temporary school with corrugated iron and wood lining, 1591-1599.

A clause should be inserted in proposed Bill giving exemption for temporary buildings of this kind, 1600-1605.

The county councils could appoint courts of appeal composed of experts without difficulty, but it might require special legislation to give them power to do so, 1606-1621.

In the model bye-laws there is an exemption clause for temporary hospitals for infectious diseases; this might be extended to temporary buildings for schools, 1622.

Hospital. In the model bye-laws a temporary building for use as an infectious hospital is exempted from those bye-laws, *Harris*, 1622.

J.

Jerry-Building would not be promoted by the Bill, as it is necessary to have land round the exempted house, and it would not be worth while, *Powell* 629-632.

Jerry builders might take advantage of the exemption given by Clause 2 of the proposed Bill, *Kitchin* 1121-1128, 1143-1148.

K.

Kitchin, Mr. Brook Taylor. (Analysis of his Evidence.)

Chief Architect to the Local Government Board.

The proposed exemption in the Bill not altogether safe—it gives too much opportunity for the speculative builder, 1121-1133.

Generally speaking, in favour of the Bill, though not in detail, 1138-1141.

Some power of appeal is most valuable and essential, 1141, 1142.

The bye-laws have had a good effect on the construction of villas, 1148.

Kruse v. Johnson. (1898, 2 Q. B., p. 91.)

Case cited as determining the interpretation of the word "reasonable" in connection with bye-laws. It was held that it was impossible to hold a bye-law unreasonable if it could be reasonably applied to any part of the district in which it was in force. Read p. 96.

L.

Lees, Mr. Arthur John. (Analysis of his evidence.)

Solicitor and Parliamentary Agent, 1627.

Gives evidence as Honorary Secretary of the Rural District Councils' Association, 1628.

The association disapproves of the Bill in that its provisions are proposed to be applied to every rural district council whether they may be applicable or not, and also the Local Government Board can now, if they think fit, carry out most of the proposals, 1630, 1631, 1719-1722.

Different parishes in the same rural district can and do have different bye-laws such as in the Bromley Rural District, where the parish of Mottingham, which actually adjoins the County of London, has slightly more stringent bye-laws than the other parishes, 1632-1634.

The Local Government Board have a great deal of power with the local authorities, they have frequently refused a loan until certain details are complied with, and it is quite open to them to require the bye-laws of any district to be re-modelled, 1635-1638, 1650-1654.

A circular should be addressed by the Local Government Board to the district councils, calling attention to the fact that exemptions might be obtained, 1639-1643.

If any of the bye-laws act with hardship it would be competent for anyone to point this out to the Local Government Board and in most cases, if not all, the district council would comply with the requests of the board, 1646-1649.

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B 2

If the

Report, 1905—continued.

Lees, Mr. Arthur John. (Analysis of his Evidence)—continued.

If the district council were to refuse these requests, it might be made possible for any aggrieved ratepayer to get a rule *nisi* calling on the local authority to show cause why any particular bye-law should not be cancelled, 1655-1658.

There might be a tribunal to decide whether plans which have been rejected by the local authority are in fact contrary to the bye-laws. It should be a central authority, if possible, for the whole country, so that the decisions should not be different in different places, 1662-1673, 1693-1696, 1742-1750. The county council would not be a good tribunal, 1674-1683.

The magistrates would form a better one, 1690.

In the case of highways the county council is the highway authority, and their experience is no doubt greater than the experience of the rural district council, but it is otherwise in the case of the building bye-laws, 1686-1689.

Exemption should not be granted in the deposit of plans for any permanent structure or the foundation structure, or ventilation, 1703-1706, 1766-1769.

There is not a great grievance throughout the country with regard to the building bye-laws, 1707, 1713.

Building does not seem to be done any faster or cheaper in districts where there are no bye-laws, 1709.

There are 200 out of 656 district councils without bye-laws, and 133 councils have adopted the new model code, 1714-1718.

By Clause 5 of the Bill it is not compulsory for the five ratepayers who appeal to the Local Government Board to deposit the £50; it is very easy to find people to sign a petition on any subject, and the result would be that the Local Government Board would have to hold inquiries in practically every district, 1723-1738.

In favour of a dispensing power in the bye-laws, 1739-1741, 1751.

And a tribunal to settle questions of interpretation, 1742.

The Local Government Board frequently make suggestions of their own initiative, and in the majority of cases they are attended to by the local authority, 1762-1764.

Local Authorities. Number of, in England and Wales.

County boroughs, 71; non-county boroughs, 253; urban districts, 810; rural districts, 668.

Out of this total of 1,802 local authorities to whom the Bill would apply, 1,468 have got bye-laws, *Monro* 11, 16, 18.

133 rural councils have adopted the 1903 model bye-laws, *Lees* 1715-1718.

Local authority has no power to waive compliance with their bye-laws, *Monro* 194; by *mandamus* it can be compelled to enforce any bye-law, *Monro* 195-199.

A local authority may adopt different bye-laws in different parishes, *Monro* 242-244; *Stenning* 404, 405; *Lees* 1632.

Under the old Home Office series of bye-laws had a dispensing power, *Parsons* 1048-1054, 1064-1073.

Should not have discretionary power to exempt buildings from bye-laws, *Chance* 336; *Stenning* 410; *Read* p. 96.

It would be dangerous to allow the local authority to give a dispensation, *Monro* 289, 318, 319; *Lees* 1739-1741, 1751-1753.

In one case they have a discretionary power, *i.e.*, in a bye-law relating to foundations, and it gives rise to friction, *Thresh* 842-846, 901, 902.

The exemptions should be laid down in the bye-laws, not left to the discretionary power of the local authority, *Parsons* 1057-1061.

Frequently take discretion to themselves, and do not enforce the bye-laws in trivial cases, *Parsons*, 1045; *Dewhurst* 1403-1405; *Lees* 1753-1756.

If 1,000 out of the 1,442 sets of bye-laws in force need amendment, it would take years and great expense to effect this except by general Act of Parliament, *Read*, p. 96.

The new

Report, 1905—continued.

Local Authorities—continued.

The new bye-laws in the Chelmsford and Maldon district councils are getting as near as possible to discrimination.

It would be better if the exemptions which can be made by these bye-laws were made statutory exemptions, *Read* 1470-1488.

If the local authority refused to alter a bye-law on representation from the Local Government Board, it would be easy to give the objecting ratepayer power to get a *mandamus* to make them show cause why it should not be cancelled, *Lees* 1655-1658, 1761.

Local Government Act, 1858. See *Acts* (referred to).

Local Government Board.

Evidence from assistant secretary of, *Monro* 1-319. (See Analysis of his Evidence.)

Evidence from assistant medical officer of, *Parsons* 1011-1117. (See Analysis of his Evidence.)

Evidence from chief architect of, *Kitchin* 1118-1150. (See Analysis of his Evidence.)

Jurisdiction of, in the matter of building bye-laws only extends to England and Wales, and London is excepted, *Monro* 5-7.

This power has existed since 1871; before that the bye-laws were made under the Local Government Act, 1858, and confirmed by the Home Secretary, *Monro* 26.

Has no power to alter bye-laws when once they are confirmed, *Monro* 80, 81, 83.

Local authority usually attends to the suggestions of the Local Government Board, *Lees*, 1764.

Does not give dispensation to the local authority in regard to building bye-laws, *Monro* 297-319.

Should have power to recall bye-laws not considered suitable, *Stenning* 471, 472; *Grantham* 649-656, 672-679; *Ridges* 956-962; *Schultz* 1009; *Parsons* 1048-1053, 1106; *Read* 1544-1552.

It is open to the Board to refuse any district council a loan until they have put their bye-laws into such a form as the Board think necessary, *Lees* 1635, 1651-1654.

London. Comes under the Metropolitan Building Acts, not under the Local Government Board bye-laws, *Monro* 5-9.

London Building Act, 1894. See *Acts* (referred to).

London County Council. Architect of—has large powers of dispensing with strict compliance with building laws, but in small local areas this power of dispensation might be abused, *Monro* 317-319.

Lord Chief Justice. Judgment given by, in the Malvern Case, *Read*, p. 94.

M.

Magistrates. Question of appeal to, on the building bye-laws. See *Appeal*.

Maldon Rural District Council. Evidence from medical officer of health of, *Thresh* 832-920. (See Analysis of his Evidence.)

Has clause in bye-laws exempting buildings from certain bye-laws much the same as Clause 2 of proposed Bill would effect, *Thresh* 866-874.

Malvern Case. Case cited as showing the hardship and friction caused by the application of unsuitable building bye-laws, *Read*, pp. 93, 94, 96.

Massie,

Massie, Mr. Frank. (Analysis of his Evidence.)

One of the committee of the Municipal and County Engineers' Association, 1419.
Agrees with the evidence of other witnesses for this association, 1411, 1412.
No real demand in the populous mining districts of West Riding of Yorkshire for the Bill, 1413, 1452.

The chief complaint of builders in this district is the unnecessary strength of timbers for the roof required by the bye-laws to be used, 1413-1415.

Where rural districts are in the vicinity of large towns it is absolutely necessary that the buildings there should be as substantial and sanitary as in the town itself, 1416, 1417.

Chelmsford bye-laws are more elastic than round Wakefield, 1420-1421.

The proposed Bill if passed would sweep away most of the bye-laws, as there would be so many exempted houses, 1426-1437.

There should be a minimum of 20 feet round a house to exempt it, 1438-1442.

Monro, Mr. Horace Cecil, C.B. (Analysis of his Evidence.)

Assistant Secretary of Local Government Board, and has charge of Department dealing with bye-laws, 1, 2.

Bye-laws can be made under Public Health Acts on various subjects; this Bill deals only with subject of new buildings, 3, 4.

Jurisdiction of Local Government Board in this matter only extends to England and Wales, and does not touch London, 5-9.

Number of Urban District Councils, 1134—and of Rural District Councils, 668, 10-17—about 80 per cent. have made bye-laws on the subject of new buildings, 18.

Local Government Board does not make bye-laws where the Council has laws made on the same subject by its own Act of Parliament, 21-24.

Bye-laws are made under the common seal of the local authority, and have no legal effect until confirmed by the Local Government Board, 25-28.

Nature of the bye-laws that can be made by urban authority, 31-38—and by rural authority, 39-74.

Instance of Reigate Rural District Council in not having same views as Local Government Board about certain bye-laws, 38-76, 121, 122.

Local Government Board has no power to alter or cancel bye-laws; the local authority can do so with consent of the Board, 77-84.

Several hundreds of cases in which the rural district council has been given the powers of urban districts, 85-88.

Since Public Health Act, 1890, a rural council is allowed without intervention of the Board to get the power to make bye-laws for certain purposes connected with new buildings 89-103.

Complete power to invest a rural council with the powers of an urban council remains with the Local Government Board, 104-106.

Model series of bye-laws issued by Board for rural and urban districts, 107-113—which have been approved by Royal Institute of British Architects, 114.

Tendency of urban districts to make bye-laws more stringent than model, 128-133.

Practice of Local Government Board in dealing with applications for bye-laws, 134-139.

Objections and differences of opinion between the Board and the Council, 141-162.

Any bye-law may be challenged in court of law, and if found *ultra vires* can be quashed, 169-178.

No tribunal to settle the difference between a builder and a local authority; if the builder disregards the bye-law, he does so at his own risk, and if proceeded against, the magistrate decides, 179, 180.

The surveyors to the local authority are not always technical experts, 182-190—the expert in every subject would be too expensive for a rural district council, 191.

The local

Monro, Mr. Horace Cecil, C.B. (Analysis of his Evidence)—continued.

The local authority must approve or disapprove of plans submitted to them within one month, and they cannot waive compliance with bye-laws in the absence of express provisions to that effect, 193, 194.

The Local Government Board have nothing to do with enforcement of bye-laws; no doubt they are not always enforced, 195-199.

Difficulties as to giving more elasticity to bye-laws with regard to building, 200-207.

Stone and brick houses perhaps not more expensive in the end than wooden houses, 208-210.

Wooden houses not put up in parts of Guildford Rural District where there are no bye-laws, 210.

Guildford Medical Officer of Health stated that cottages were 6d. a week cheaper where there were no bye-laws, 213-216.

In order to relax stringency of bye-laws, new model code for rural districts contains no provisions with regard to structure of walls, which has been adopted by 130 rural district and six small urban district councils, 217-231—but in most districts dwelling-houses must be built of brick, stone, or some other incombustible material, which does not include corrugated iron buildings or steel frames, 245-248.

Urban districts can have a more stringent code for the town and a less stringent code for the rural area, but the area must be fairly defined, 232-235.

Isolated buildings might have less stringent bye-laws, 236-244—as is enacted by the Bill, 253-257.

In special cases timber is allowed to be placed in front of brick work, 249-252.

Clause 2 of the Bill somewhat rigid, 264, 265.

The words "fire-resisting material" somewhat vague, 270-271.

Clause 5 objectionable from the point of view of the Local Government Board. It is too much to allow any five ratepayers in a district to enforce a Local Government Board inquiry into the bye-laws of that district, 272-280, 296.

In London there is a tribunal appointed under the London Building Acts who deal with London cases only, 281-286.

The County Council would not make a very satisfactory court of appeal, 290-292.

The natural way of dealing with hard cases is to allow the local authority to give a dispensation, but it is open to danger, and the Local Government Board has not given dispensation in the building bye-laws, 289, 297.

The Board usually fixes the minimum, such as the width of streets, and it is open to the discretion of the local authority to increase that minimum, 303-311.

The Local Government Board does not exercise a dispensing power in order to override bye-laws, but suggests the local authority passing a bye-law exempting any particular work from the ordinary bye-law, 312-314.

In London the architect of the County Council has considerable dispensing powers, 317-319.

Mottingham Parish. See *Bromley Rural District Council.*

Municipal and County Engineers' Association. See *Engineers.*

P.

Parsons, Dr. Henry Franklin. (Analysis of his Evidence.)

Assistant medical officer of the Local Government Board, 1011.

Formerly medical officer of health for Goole rural district, 1014.

Building bye-laws are necessary so that every person who erects a house should erect it so that it is fit for healthy, human habitation, 1013.

Evidence

Report, 1905—continued.

Parsons, Dr. Henry Franklin. (Analysis of his Evidence)—continued.

Evidence as to the laying out and building at Goole, 1015-1025.

Urban bye-laws were obtained too late to prevent the building of many houses not fit for human habitation, 1029-1035.

The Bill goes too far—houses must be built under some regulations, 1037-1043.

The old bye-laws, like the old Home Office series were badly drawn up and could easily be evaded, or were not enforced by the local board. They are still in existence in many districts, 1045-1047, 1063.

If power were given by the Bill to the Local Government Board to enforce alterations in the bye-laws it would be very useful, 1048-1053.

There is no objection to exemptions provided they are stated in the bye-laws, but local authority should not have power of exemption, 1055-1059, 1066-1071.

If dispensing power were given, an appeal to an outside authority would be desirable, 1072.

It is not legal for local authorities to take dispensing powers to themselves, but there are practically no means by which they can be compelled to carry out the bye-laws, 1064-1065.

It would be better that the county council should be the court of appeal rather than the magistrates, 1076.

The county council, as it only sits rarely, could appoint a committee to take the appeals, 1080-1083.

The Bill does not prevent back to back houses being built, 1085-1090.

The Bill, if passed in its present form, would be very prejudicial to the public health, 1112.

Proposed amendments to Clause 2, 1113.

Local authorities generally are in the best position to judge what are the requirements of the district in regard to bye-laws, 1108.

Party Wall. See *Building and Building Materials.**Plans.*Under the Public Health Act, 1875 (Section 157) bye-laws are authorised whereby plans must be deposited by those intending to build, *Monro* 179.Must be approved or disapproved within one month, *Monro* 193.Description of plans required by the Board of Agriculture, *Webb* 1360, 1361.Plans with regard to drainage and general structure of the proposed building should be lodged as now, *Monro* 266-269; *Thresh* 876; *Greatorex* 1227-1234; *Dewhurst* 1366; *Lees* 1703-1706.No necessity for plans of proposed buildings to be submitted, *Ridge* 929.Under rural bye-laws plans are useless and not required at all, *Grantham* 670.Are an unnecessary expense, *Turner* 819-823.It is not absolutely necessary to have plans in detail deposited, but block plans are necessary, *Kitchin* 1128-1135.Unless plans are deposited it would be impossible to know that a building was to be or being erected, and supervision over sanitation would thus be lost, *Dewhurst* 1408, 1409.The plans for schools have to go before the Local Government Board as well as before the Board of Education, *Harris* 1602-1604.*Powell, Mr. Herbert Andrews.* (Analysis of his Evidence.)

Chairman of the Artington Parish Council, 603.

Member of the Guildford Rural District Council and Surrey County Council, 604.

Supports the Bill in that it will obviate the unreasonable restrictions imposed by urban bye-laws on materials and methods of building, 605-607.

Case

Report, 1905—continued.

Powell, Mr. Herbert Andrews. (Analysis of his Evidence)—continued.

Case in point near Dorking, 610-614.

Landowners and estate owners are very particular as to the traditional methods of building on their own estates, 608, 609.

Parishes of rural character should not be under urban bye-laws, 615-624.

New Local Government Board code for rural districts is far more favourable, but would not meet all difficulties, 646, 647.

Protection of Ancient Buildings Society. Evidence from secretary of, *Turner* 778-831. (See Analysis of his Evidence.)*Public Health Acts.* See *Acts (referred to).**Public Health Acts (Amendment) Bill.**Criticisms on the Bill.* Clause 2 (Exemption of certain buildings) is objected to because it would sweep away all existing building bye-laws, such as damp-course, structure of walls etc., *Monro* 262-265; *Parsons* 1084-1096; *Greatorex* 1235-1242; *Dewhurst* 1366; *Massie* 1426-1437.Proposed amendment of Clause 2, *Parsons* 1113-1117.There should be a minimum of 20 ft. round a house in order to exempt it, *Massie* 1438-1442.Proposed exemption of buildings is not a proposal aimed at depriving local authorities of power but of conferring reasonable freedom upon building owners, *Read*, p. 97.Reasons in favour of adoption of Clause 2, *Read*, p. 97.Clause 2 dispenses with plans and therefore makes Clause 4 with regard to water supply and drainage unnecessary, as without plans the local authority does not know the house is going to be built, and therefore cannot see to the water and drainage, *Lees* 1765-1767.Clause 4 not really wanted, *Monro* 270, 271.Does not give protection for prevention of dampness in foundations, *Parsons* 1095, 1096.Clause 5. Power of Appeal to the Local Government Board. Too easy to get five rate-payers to sign petition. There would be constant appeals involving expense and friction between the Local Government Board and district councils, *Monro* 272-281; *Lees* 1723-1729.Number too small, *Dewhurst* 1381, 1387-1391.Would not throw too much on the Local Government Board, but would make the local authorities more reasonable, *Chance* 375-377.The effect of Clause 5 will be very beneficial and prevent any arbitrary action by the surveyor, *Turner* 764-772.Clause 5 will enable any five ratepayers of the district to require that the bye-laws should be reviewed. A rural district is made up of many parishes, and at present a district council may make bye-laws which are quite repugnant to the members of that parish, *Read*, p. 97.Clause 5 is not so necessary if Clause 2 is adopted, *Read*, pp. 97, 98.Bill is unnecessary, as the most recent bye-laws give all the exemptions required, *Lees* 1631, 1632, 1644-1648.See also under *Appeal*; *Building and Building Materials*; *Plans*.

R.

Read, Mr. Robert Arthur. (Analysis of his Evidence.)

The first half of the witness's evidence is in the form of a statement and the numbers refer to the page in the Minutes of Evidence, and (1) or (2) according as the evidence is on the first or the second column of the page.]

Solicitor and Honorary Secretary of the Building Bye-laws Reform Association, 93 (1).

Cites the "Malvern Case" as a case of hardship inflicted by unsuitable building bye-laws. (154.)

C

A billiard-room

Report, 1905—continued.

Read, Mr. Robert Arthur. (Analysis of his Evidence)—continued.

A billiard-room of corrugated iron was built as an annexe to the house. The house stood in its own grounds of five or six acres. There was no danger to the inhabitants of the house or the public. The bye-laws required buildings to be of brick or stone or other incombustible material. The building owner was twice summoned and fined. He appealed in the Court of King's Bench (for judgment, see p. 94 (1) and (2)), and the case went back to the magistrates, who re-convicted. The matter was then taken to the Quarter Sessions and that Court, on a point of law, allowed the appeal. Many hundreds of pounds of public and private money were thus wasted. Under the proposed Bill this case could not have arisen, pp. 93, 94.

"The Ascot Case." An owner having only a short lease of his house and large grounds desired to put up a temporary cottage for his gardener. The only accommodation consisted of a miserable "bothy," forming part of a greenhouse building. The new cottage, erected by Wire Wove Roofing Company in private ground, was excellent in every respect. But it was contrary to the bye-laws and proceedings were commenced against the owner. The building owner having considerable influence, appealed direct to the Local Government Board, and was successful in having the proceedings against him dropped, and a wholly illegal building was allowed to remain. There was considerable stir over the matter in Local Government circles, pp. 94, 95.

Ringwood Rural District Council applied to the Local Government Board for power to make urban bye-laws for the parishes of Ringwood and Burnley. The latter parish is entirely of a rural character and protested throughout unsuccessfully against having bye-laws imposed on it, p. 95.

"East Grinstead Case." A landowner wished to build cottage accommodation on his estate. He built one of corrugated iron and wood, but he built it on a larger scale than is allowed by the bye-laws for a building of this material. He was fined, and in the end had to pull the cottage down, as it could not be built of sufficient size and at the same time comply with the bye-laws, p.p. 95, 96.

The Courts have decided a bye-law is not unreasonable as long as it can be applied reasonably to any part of the district. This practically means that every bye-law is reasonable. For any breach of the building bye-laws, however, trivial the local authority has power to pull down the offending building, pp. 96 (1) and (2), 99, 1464-1469.

There seems to be no remedy except by legislation. The proposed Bill simply proposes to extend the powers of the London Building Act, 1894 (Section 201, Sub-sections (11) and (12)), in a somewhat modified form to the urban and rural districts, pp. 96 (2), 97 (1), 1557-1561.

The exemption given by the Bill is not a proposal aimed at depriving local authorities of power, but of conferring reasonable freedom upon building owners pp. 97 (1) and (2) and 98 (1).

Under the existing law there is no power of appeal if the plans are disapproved, 1503.

The necessity for Clause 5 (the power to disallow bye-laws) would be largely removed if the exemption conferred by Clause 2 of the Bill were granted, p. 97 (2).

Great difficulty as to question of Court of Appeal as to transgression of bye-laws. A special tribunal would be most satisfactory but costly. If the machinery of the county council were to be used, the county council should have the power of nominating two or three surveyors or architects, 1513-1519. The appeal should be final, 1531.

There is no doubt the proposed Bill would enable cheaper houses to be built, 1532.

It is not intended by the Bill to trench upon anything that would affect questions of health and ventilation, 1564-1569.

Does not think it desirable that any five ratepayers should have the power to appeal to the county council against the local authority, 1570-1584.

Reigate. Case of the rural district council unwilling to have urban bye-laws for the more populous parts of the district and rural bye-laws for the rest, but wanting the stricter bye-laws for the whole district, *Monro* 48-63, 70-76.

The Local Government Board assented to the proposals of Reigate, doubtful if all the bye-laws could be sustained in a court of law, *Monro* 155, 156, 169-176.

Ridge.

Report, 1905—continued.

Ridge, Mr. Lacy William. (Analysis of his Evidence.)

Fellow of the Royal Institute of British Architects and Surveyor for the diocese of Chichester, 921.

Present system of building bye-laws stops invention and unnecessarily adds to expense, 924-926.

Building bye-laws should be made general for the whole country—seven or eight would suffice; a competent surveyor should be appointed by the county council, 928, 968, 970-980.

The local authority should define the road, and no buildings allowed within 20 feet of the centre of that road, 930-933.

The party walls between cottages should be defined as to strength, 936, 937, 945-953.

Weather-tiling, which is much used in old cottages in Sussex, has been prohibited, and a nine-inch brick wall which passes the standard is not nearly so efficient against damp, 941-943.

Local Government Board should have power to intervene and change bye-laws, 956-963.

Ringwood Rural District Council. Urban bye-laws granted on request by the council for the parish of Burley against the wishes of the parish, *Read* p. 95, 1490-1503.

Rural District Councils' Association. Evidence from Honorary Secretary of, *Lees* 1628-1769. (See Analysis of his Evidence.)

Rural Districts. Many have had the powers of urban districts conferred upon them, *Monro* 85, 104.

See also *Local Authorities. Urban Districts.*

S.

Salt v. Scott Hall (1903 2 K.B., p. 245). Case cited, showing that the bye-law known as the "bricks and mortar bye-law" was not unreasonable even in a remote valley in Anglesea, *Read*, p. 96.

Schools. Temporary buildings for schools should be allowed exemption from bye-laws. See *Harris* 1585-1626. (Analysis of his Evidence.)

Schultz, Mr. Robert Weir. (Analysis of his Evidence.)

Bye-laws are not necessary in a purely rural district, 983-989.

Even the new model code for rural districts contains unnecessary restrictions, 990-1006.

Clause 5 of the proposed Bill in giving power to the Local Government Board to alter bye-laws would be of great use in enabling good bye-laws to be adopted quickly and with little friction, 1009, 1010.

Shere, Parish of. See *Artington.*

Stanning, Mr. Alexander Rose. (Analysis of his Evidence.)

Justice of the Peace for Sussex, 396—Architect and surveyor, 397.

In East Grinstead the urban bye-laws apply to entirely rural districts, and great hardships are caused, 401—The same occurs at Limpsfield and Chislehurst, 401.

Great difficulty in drawing a line between urban and rural districts, 405-409.

Not in favour of discretionary power being given to local authority, 410.

One code of bye-laws should be sufficient. Three principal things are stability, sanitation and prevention of spread of fire, 410, 465, 466, 476, 477.

Under present London Building Act if you are 30 feet from next house and 8 feet from street a wooden building can be put up, 410-415.

Present Bill would allow of houses being built of wood in isolated positions, 418-427.

Wood houses are warmer and much better than brick, 427, 430—and usually cost about 25 per cent. cheaper, 484—and last for a great many years, 490, 491.

(154.)

c 2

Thatched

Stenning, Mr. Alexander Rose. (Analysis of his Evidence)—continued.

- Thatched houses have become illegal now, 441.
- Hardships resulting from present bye-laws, 440, 441.
- Houses could be produced cheaper if more elasticity were allowed, 443, 444.
- Clause 5, as to right of appeal, quite satisfactory, 445.
- Question as to the tribunal, 450-460.
- Local Government Board should have power to recall its bye-laws, 470-473.

Surrey County Council. Evidence from member of—*Powell* 603-648. (See Analysis of his Evidence.)

Surveyor. The local authority usually acts on the advice of the surveyor as to plans for buildings, he is not always an expert, *Monro* 181-191.

Evidence from surveyor for county of Sussex, *Ridge* 921-982. (See Analysis of his Evidence.)

In many urban and rural districts there is no professional surveyor; districts might be amalgamated, *Greatorex* 1302-1304.

Surveyors' Institution. Evidence from member of the council of—*Stenning* 395-491. (See Analysis of his Evidence.)

Sussex. Evidence from Surveyor for county of—*Ridge* 921-982. (See Analysis of his Evidence.)

T.

Thatched houses are not allowed with modern bye-laws, *Stenning* 441; *Turner* 808-810; *Aubrey* 1184.

Thresh, Dr. John Clough. (Analysis of his Evidence.)

Medical Officer of Health to Essex County Council and Chelmsford and Maldon Rural District Councils, 832.

Building bye-laws adopted in many rural districts too stringent, 835-847.

Local authority should not have the option of enforcing any particular bye-law, 846.

Court of Summary Jurisdiction, local magistrates having local knowledge would perhaps be the best Court of Appeal, 848-850, 862.

Or the County Council if it met more frequently, 857-860.

Local authorities would prefer any court of appeal to present arrangement, 854-856.

Quite possible to frame a code which, with exemptions and appeals, would meet all cases in urban and rural districts, 863-870.

Exemptions were ultimately allowed in the bye-laws for the Chelmsford and Maldon Councils, 866-875.

Does not agree entirely with Bill because some sort of plan should be deposited in order that authority should know a building was going to be erected, 876.

The Bill will encourage the building of cottages, 883-891.

The local authority should have some control over the laying out of streets for the purpose of future economic sanitary administration, 893-895.

The exemption from bye-laws proposed by the Bill will provide for cottages in country districts, will prevent overcrowding in country towns, and avoid waste of public and private time and money, 903-912.

Prefers a Court of Summary Jurisdiction to the County Council as a court of appeal, 913-920.

Till,

Till, Mr. Elliott Down. (Analysis of his Evidence.)

Present system of hard and fast regulations involves needless expense and discourages erection of proper cottages for rural labourers, 493-497, 527.

Cases of building wooden cottages in parishes of Eynsford and Farningham, 498-517.

Isolation of wooden buildings should be insisted on, but not to an excessive extent as the price of the land prevents any building of wooden structures, 516-524.

Great difficulty in housing the working classes, 525, 526.

Bye-law buildings cost 30 to 40 per cent. more than those built without any fixed regulations; it is impossible to provide a labourer with a cottage at a reasonable rent owing to the bye-laws, 530, 531.

Rent of labourers' cottages, 541-543.

Railway Companies are exempt from bye-laws, 536-539.

Turner, Mr. Thackeray. (Analysis of his Evidence.)

An architect in practice with Colonel Eustace Balfour, and Secretary to the Society for Protection of Ancient Buildings, 778-780.

Bye-laws a necessary evil, 783, 784.

The minimum strength given by them becomes also the maximum strength, 785.

Sometimes the minimum is unnecessary, 796-801.

There should be urban bye-laws and no rural bye-laws all over the country, and exemptions for particular cases, 786-788.

Bye-laws soon become out of date, and yet cannot be changed unless local authority desires it, and members of the council are not usually interested in the subject, 788-793.

Concrete for building and iron pipes for drains not allowed by older bye-laws, and yet they are undoubted improvements, 788, 791-793.

Cases of unreasonableness in the Guildford bye-laws, 804-807.

Also near Salisbury, on Exmoor, in Sussex and in Reading, 811-819.

The Petty Sessional Court would be a better Court of Appeal than the county council, 828, 829.

Turnor, Mr. Christopher. (Analysis of his Evidence.)

Has had considerable experience of the effect of building bye-laws in Lincolnshire rural districts and elsewhere, 692, 693.

Want of suitable cottages a reason for rural depopulation, 695.

Bye-laws prevent suitable cottages from being built, 696-698.

20 per cent. is added on to the cost by the enforcement of the bye-laws, 699-702—and the trouble caused by complying with the bye-laws often prevents building at all, 703-710.

Labour being much cheaper in North Lincolnshire than in Hampshire or Surrey, cottages could be built cheaper in the former if there were no bye-laws there, 711-716.

The height of rooms is a great difficulty—over 8 feet insisted on no matter what the cubic area may be, 706, 719, 720.

Instances of inconsistencies in the bye-laws, 721-726—and of hardships, 734-739.

Material other than stone and brick should be allowed, 727-730.

If one wins a case one has to pay, as the costs go on the rates, 741, 742.

Difficulties in getting bye-laws altered. It would be more advantageous if the Local Government Board had power to alter the bye-laws, with or without the request of the district council, 743-749.

Easier to build houses under the rules of the Board of Agriculture, which are exempt from all bye-laws, 758-763.

There should always be exemptions from the bye-laws, 750-757.

In favour of proposed Bill, there should be some sort of appeal court, 764-777.

Urban

U

Urban Districts.

Urban districts are set up by the county councils and confirmed by the Local Government Board, *Monro* 64-67.

An urban council can have a more stringent code of bye-laws for the town, and a less stringent code for the rural area, *Monro* 232-234—the great difficulty is the question as to what is an “urban” and what a “rural” area, *Monro* 235; *Chance* 337; *Stenning* 405-409; *Clough* 598, 599; *Aubrey* 1209; *Read*, p. 97.

Urban powers have been given to rural authorities, and this has produced friction and irritation, *Ridge* 938.

In many cases urban districts have no professional surveyor, *Greatorx* 1302-1304.

See also *Local Authorities*.

Uralite. See *Buildings and Building Materials*.

W.

Webb, Mr. Walter. (Analysis of his Evidence.)

Superintending Surveyor of the Board of Agriculture, 1335.

In Norfolk cottages are built £350 a pair complete; in Northumberland, £520 a pair, these are the extremes. Brick and gravel formation against stone and concrete foundation account for the difference, 1337-1344.

Wooden houses not allowed, 1340.

Case in which the local bye-laws might have prevented building if they had been applied, 1351, 1352.

Each individual case looked into and regulations made accordingly, 1353-1355, 1359.

About fifty local inspectors under the Board of Agriculture for Great Britain.

Plans, block sections and elevations have to be drawn, 1360, 1361.

West Bromwich. Evidence from Borough Surveyor of, *Greatorx* 1220-1304. (See Analysis of his Evidence.)

Windows. The bye-laws with regard to the size of windows in country houses are unnecessary and often absurd, *Chance* 356, 360-363.

The proposed Bill would in certain cases exempt a house from having windows back and front, or from windows that opened, *Parsons* 1043, 1044.

Wood. As a material for building. See *Building Materials*.

Y.

Yabbloom v. King (I. K.B., p. 444.) Case cited as showing that bye-laws have the effect of laws, and that public bodies cannot dispense with them, *Read*, p. 98.

I N D E X
TO THE
R E P O R T
FROM THE
SELECT COMMITTEE OF THE
HOUSE OF LORDS
ON THE
PUBLIC HEALTH ACTS
(AMENDMENT) BILL
[H.L.]

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