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COUNTY BOROUGH OF SOUTHAMPTON

BYE LAWS

MADE BY

The Mayor, Aldermen and Burgesses

of the

County Borough of Southampton

ACTING BY THE COUNCIL

WITH RESPECT TO

The Sale of Coal, Coke and any Solid Fuel derived from Coal  
or of which Coal or Coke is a constituent.

*Handwritten:* HACCARDY  
C. B. 1963

Sealed by the Council 13th February, 1963  
Confirmed by the Board of Trade 26th February, 1963  
Date of Operation, 5th March, 1963

*Handwritten:* 1965  
1 June 1966  
18 July 1966

A. NORMAN SCHOFIELD  
Town Clerk

PRICE - ONE SHILLING

COUNTY BOROUGH OF SOUTHAMPTON

Byelaws made by the Mayor, Aldermen and Burgesses of the County Borough of Southampton acting by the Council under Section 28 of the Weights and Measures Act, 1889, and Part VII of the Southampton Corporation Act, 1937, with respect to the sale of coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent.

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1. In these byelaws the term "the Local Authority" means the Mayor, Aldermen and Burgesses of the County Borough of Southampton acting by the Council and the terms "Weighing Instrument" and "Vehicle" shall have the same meanings respectively as in the Weights and Measures Act, 1889, and the term "fuel" shall mean coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent.

REGISTRATION OF FUEL DEALERS

2. Every person who by himself or his agent or servant sells or offers or exposes for sale or carries for delivery on sale in any vehicle fuel in any quantity not exceeding two hundredweight shall cause his name and place of business to be registered in the books of the Weights and Measures Department, Civic Centre, in the County Borough of Southampton, and on each and every occasion on which he shall change his registered place of business, he shall within seven days thereafter cause to be registered in the said books particulars of such change.

DEALER'S NAME AND PLACE OF BUSINESS TO BE MARKED ON VEHICLE

3. Every person who by himself or his agent or servant sells or offers or exposes for sale or carries for delivery on sale in any vehicle fuel in quantities not exceeding two hundredweight shall have clearly and legibly marked upon some conspicuous part of the vehicle in letters not less than one inch in height and of proportionate breadth the name and place of business of the person selling such fuel and shall keep the same legible and undefaced, provided that any vehicle belonging to or used by the National Coal Board shall sufficiently comply with the provisions of this byelaw if the words "National Coal Board" are clearly marked and visible as aforesaid on such vehicle.

PRICE OF FUEL TO BE MARKED ON VEHICLE

4. Every person who shall sell or offer or expose for sale or cause to be sold or offered or exposed for sale from any vehicle fuel in quantities not exceeding two hundredweight shall affix and keep affixed on prominent and conspicuous parts of such vehicle so as to be visible on both sides thereof, durable tablets on which shall be clearly and legibly marked in a permanent manner in a figure or figures of at least one inch in height and of proportionate breadth the price per hundredweight at which the fuel is offered for sale and if more than one type or quality of fuel is carried on such vehicle the price per hundredweight of every such type or quality shall be so marked, and no person shall alter, deface, remove or exchange such tablet except at the place of loading or at the office of the owner of the fuel.

NO PRICE GREATER THAN DISPLAYED PRICE TO BE CHARGED

5. No person selling or offering or exposing for sale or causing to be sold or offered or exposed for sale fuel in quantities not exceeding two hundredweight from any vehicle to which is affixed a tablet as specified in the foregoing byelaw shall on the sale of any such fuel charge to or demand of any purchaser any price greater than that marked on the said metal tablet and referable to the type and quality of the fuel purchased.

CORRECT WEIGHT TO BE MARKED ON SACK

6. Every person who by himself or his agent or servant sells or offers or exposes for sale or delivers on sale from any vehicle fuel in quantities not exceeding two hundredweight shall either:-

- (a) Carry such fuel in sacks, bags or other receptacles containing either two hundredweight, one hundredweight, half a hundredweight, quarter of a hundredweight, fourteen pounds or seven pounds and shall cause to be securely attached to the top of the outside of such sack, bag or other receptacle a metal label not less than one and a half inches square or one and a half inches in diameter indicating in figures and letters of sufficient size as to be clearly legible the correct weight of fuel contained in such sack, bag or other receptacle, provided that when the fuel is carried in a sealed paper bag such indication of weight may be printed in a clear and legible manner upon the outside of such bag.
- (b) Carry such fuel in bulk and not in sacks, bags or other receptacles, and shall before any part of such fuel is unloaded for delivery to a purchaser pack or cause to be packed such fuel into sacks, bags or other receptacles each containing one hundredweight only by means of a machine incorporating a stamped weighing instrument of a pattern certified by the Board of Trade under Section 6 of the Weights and Measures Act, 1904, and shall cause to be securely attached to the top of the outside of every such sack, bag or other receptacle a metal label not less than one and a half inches square or one and a half inches in diameter indicating in figures and letters of sufficient size as to be clearly legible the correct weight of fuel contained in such sack, bag or other receptacle.

NOT LESS THAN CORRECT WEIGHT TO BE SOLD OR OFFERED

7. No person shall sell or offer or expose for sale in sacks, bags or other receptacles fuel in quantities not exceeding two hundredweight which is of less weight than that marked upon or specified on the label attached to such sack, bag or other receptacle, or in the case of a sealed paper bag, than that printed upon the outside of such bag.

WEIGHING INSTRUMENT TO BE CARRIED ON VEHICLES

8. Where fuel is carried for sale or delivery on sale in any vehicle the seller of such fuel and the person causing such fuel to be carried as aforesaid shall provide and shall cause to be carried therewith and the person in charge of the vehicle shall carry therewith a stamped weighing instrument of a form approved by the local authority together with sufficient correct weights or counterpoises to weigh the fuel in any sack, bag or other receptacle carried in such vehicle or in course of delivery from such vehicle, and to weigh any such sack, bag or other receptacle without any fuel therein.

FUEL TO BE WEIGHED OR RE-WEIGHED ON REQUEST

9. The person in charge of any vehicle carrying fuel for sale or delivery on sale in quantities not exceeding two hundredweight shall re-weigh by the weighing instrument carried with such vehicle any one or more of the sacks, bags or other receptacles selected for that purpose by the purchaser or by anyone on his behalf or by an inspector of weights and measures or by any other officer appointed for the purpose by the local authority with the fuel therein contained upon being requested to do so by any of such persons and shall in like manner and upon like request re-weigh such sacks, bags or other receptacles without any fuel therein.

OBSTRUCTION OF WEIGHING

10. The person in charge of a vehicle carrying fuel for sale or delivery on sale in quantities not exceeding two hundredweight shall not hinder, disturb or otherwise prevent a purchaser or anyone acting on his behalf, or an inspector of weights and measures or other officer appointed for the purpose by the local authority, from examining the said weighing instrument or weights, or sacks, bags, or other receptacles of fuel or empty sacks, bags or other receptacles, nor shall such person drive away or permit or suffer such vehicle to be driven away without weighing in manner required in byelaw 9 of the sack or sacks, or bag or bags, or other receptacle or receptacles of fuel, or empty sacks, bags or other receptacles.

LIMITATION AS TO DISTANCE

11. The distance beyond which fuel is not to be required to be carried for the purpose of being weighed or re-weighed in pursuance of Section 27 of the Weights and Measures Act, 1889, as amended by Section 50 of the Southampton Corporation Act, 1937, shall be the distance of the nearest suitable and duly stamped weighing instrument which may be available for such purpose within the distance of one mile.

SALE OF FUEL AT SHOP, WHARF, YARD, ETC.

12. Every person who shall sell, or offer, or expose for sale, at any shop, wharf, yard or other place, fuel in quantities not exceeding two hundredweight, whether or not contained in sacks, bags or other receptacles:-

- (1) shall sell such fuel in quantities of either two hundredweight, one hundredweight, half of a hundredweight, quarter of a hundredweight, fourteen pounds or seven pounds;
- (2) shall weigh such fuel by means of a suitable and duly stamped weighing instrument before delivering it to the purchaser; provided that this paragraph shall not apply to fuel which is contained when delivered to a purchaser in a sealed paper bag marked in a manner prescribed in byelaw number 6 so as to show the weight of the fuel contained therein;
- (3) shall, on request, re-weigh such fuel in the presence of the purchaser, or of any person on behalf of the purchaser, or of an inspector of weights and measures or other officer appointed for the purpose by the local authority.

PENALTY FOR OFFENCES AGAINST BYELAWS

13. Every person who shall contravene or fail to observe any one or any part of any one of the foregoing byelaws shall be liable to a penalty not exceeding five pounds for each offence.

REVOCATION OF PREVIOUS BYELAWS

14. As from the date of coming into force of these byelaws, the byelaws made by the local authority pursuant to the Weights and Measures Act, 1889, on the twentieth day of April, 1938, and approved by the Board of Trade on the third day of May, 1938, shall be revoked but without prejudice to any legal proceedings at that time duly taken or other thing done in pursuance of any byelaw so revoked.

DATE OF OPERATION

15. These byelaws shall come into force seven days after the date upon which they are approved by the Board of Trade.

The Corporate Seal of The Mayor, )  
Aldermen and Burgesses of the )  
County Borough of Southampton )  
was hereunto affixed by Order of )  
the Council on the thirteenth day )  
of February One thousand nine )  
hundred and sixty three in the )  
presence of; - )

L.S.

(Signed) E. K. LYONS

Mayor

(Signed) A. NORMAN SCHOFIELD

Town Clerk

Approved by the Board of Trade this 26th day  
of February 1963

(Signed) P. E. THORNTON

Assistant Secretary

REGULATIONS

UNDER SECTIONS 22 AND 28 OF THE WEIGHTS AND MEASURES ACT, 1889

The Mayor, Aldermen and Burgesses of the County Borough of Southampton acting by the Council (hereinafter referred to as "the Corporation") do hereby, under and for the purposes of Section 22 of the Weights and Measures Act, 1889, and Part VII of the Southampton Corporation Act, 1937, approve the following manner of marking the tare weight of a vehicle carrying, for delivery on sale, in bulk, any quantity exceeding two hundredweight of coal, coke or any solid fuel derived from coal or of which coal or coke is a constituent.

The tare weight of such vehicle shall, unless the vehicle is provided by the purchaser, be legibly marked upon the right hand side thereof in white paint upon a dark ground, in letters or figures at least two inches in height, and shall be kept legible and undefaced. Provided that where any vehicle has undergone alterations or repair, the tare weight shall be again ascertained, and, if necessary, re-marked.

The tare weight of such vehicle for the purpose of this regulation shall, in the case of a mechanically propelled vehicle, be deemed to be the weight of the vehicle with a full complement of fuel, water, lubricant and all fittings, tools and equipment which the vehicle is adapted fitted or intended to carry and all fittings, tools and equipment which the vehicle ordinarily carries when used for the purpose of carrying coal, coke or any solid fuel derived from coal or of which coal or coke is a constituent.

The Corporation, acting as aforesaid, do hereby, under and for the purposes of Section 28 of the Weights and Measures Act, 1889, and Part VII of the Southampton Corporation Act, 1937, prescribe and signify their approval of the following forms of weighing instruments to be carried in pursuance of Byelaw 8 of the Byelaws relating to the sale of coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent, made by the Corporation on the 13th day of February 1963, viz:-

- (a) Where fuel is carried for sale or delivery on sale in sacks, bags or other receptacles in a vehicle, a weighing instrument of the description known as an "even balance", or "dead weight" machine, together with the following weights, namely one 56 lbs., two 28 lbs., one 14 lbs., one 7 lbs., one 4 lbs., one 2 lbs., and one 1 lb.
- (b) Where fuel is carried in a vehicle in bulk for delivery to a purchaser in sacks, bags or other receptacles of specified weight, a weighing instrument, incorporated in the vehicle, of a pattern approved by the Board of Trade under Section 6 of the Weights and Measures Act, 1904.

CERTIFICATE FOR THE PURPOSE OF SECTION 252 OF THE

LOCAL GOVERNMENT, ACT, 1933

I,

*City*  
Town Clerk of the County Borough

of Southampton hereby certify that the within written byelaws were made by the Mayor Aldermen and Burgesses *City* of the said County Borough of Southampton acting

by the Council; that they are a true copy of the said byelaws; that the said

byelaws were <sup>made</sup> confirmed by the said Council on the 13th February, 1963, and by *8 Mar 1965 confirmed*

*Secretary of State for Home Office on the 1st June 1965*  
the Board of Trade on the 20th February, 1963, and that the date fixed by the *Board*

Board of Trade for the coming into operation of the said byelaws was the 5th

~~March, 1963.~~ *1st July 1965*

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Town Clerk