



CHAPTER xxxv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Cowes and East Cowes Milford Haven Southend-on-Sea (two) Stafford and Worthing. A.D. 1915.
[2nd July 1915.]

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875:

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Orders as amended and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1915. Short title.

A.D. 1915.

S C H E D U L E.

URBAN DISTRICTS OF COWES AND EAST COWES.

*Cowes Ferry
Order.*

Provisional Order for altering the Cowes Ferry Act 1901.

To the Urban District Council of Cowes ; —

To the Urban District Council of East Cowes ; —

And to all others whom it may concern.

1 Edw. 7.
c. lxxxviii.

WHEREAS the Urban District Councils of Cowes and East Cowes (herein-after referred to as "the Two Councils") are the local authorities within the meaning of the Public Health Act 1875 for the Urban Districts of Cowes and East Cowes respectively (herein-after referred to as "the Districts") and the provisions of the Cowes Ferry Act 1901 (herein-after referred to as "the Local Act") are in force in the Districts ;

And whereas by the Local Act the Two Councils were subject as therein mentioned authorised to take a lease from the Commissioners of His Majesty's Woods Forests and Land Revenues (herein-after referred to as "the Commissioners") of the rights (herein-after referred to as "the ferry rights") of Royal Ferry across the River Medina between the Districts and to exercise the ferry rights and to maintain work and regulate the ferry undertaking thereby authorised ;

And whereas by Section 14 of the Local Act the Two Councils were empowered subject as therein provided to sub-let all or any portion of the ferry rights upon such terms and for such consideration as they might think fit ;

And whereas by Section 16 of the Local Act the Two Councils were authorised to demand receive and recover for the conveyance of passengers animals vehicles and goods in any floating bridge vessel or boat belonging to or provided by them such reasonable tolls and payments (herein-after referred to as "ferry tolls") as they might think fit and the Commissioners might approve ;

And whereas in pursuance of the Local Act the Two Councils have taken a lease of the ferry rights from the Commissioners and are carrying on the ferry undertaking ;

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

And whereas the Two Councils have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Act in the manner hereinafter set forth:

A.D. 1915.
Cowes Ferry
Order.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order (hereinafter referred to as "the commencement of this Order") the Local Act shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

38 & 39 Vict.
c. 55.

Art. I. The Two Councils may purchase and acquire the ferry rights together with the lands foreshore piers hards and landing places rights and property held and enjoyed in connection therewith upon such terms and conditions and on payment of such consideration as may be agreed on by the Commissioners and the Two Councils and the unrepealed provisions of the Local Act as altered by this Order shall extend and apply to the rights and property so purchased and acquired and to the Two Councils in respect thereof in like manner as they extend and apply to the rights and property taken on lease as aforesaid.

Authorising
the Two
Councils to
acquire the
Royal Ferry.

Art. II. From and after the purchase and acquisition of the rights and property referred to in Article I. of this Order—

Repeal of
certain pro-
visions of the
Local Act
and substitu-
tion of new
provisions.

(1) Section 4 of the Local Act and every other provision of that Act which refers to a Crown lease of the ferry rights shall be repealed; and

(2) Sections 14 and 16 of the Local Act shall be repealed and in substitution therefor the following provisions shall have effect that is to say:—

“ 14. Subject to the provisions of this Act the Two Councils may let all or any portion of the ferry rights and of the lands foreshore piers hards and landing places rights and property held and enjoyed in connection therewith upon such terms and conditions and on payment of such consideration as the Two Councils may think fit Any rent or other consideration reserved upon any lease so granted shall be applied by the Two Councils in manner provided by the section of this Act whereof the marginal note is 'Application of revenue':

Power to let
ferry rights.

“ Provided that any fine or premium received in respect of such lease shall be divided equally between the Two Councils and shall be applied by them in repayment

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.
Cowes Ferry
Order.

“ of the money borrowed by the Two Councils under the
“ powers of this Act Any surplus remaining after such
“ repayments shall be carried by the Two Councils to
“ their respective district funds.”

Ferry tolls.

“ 16. The Two Councils may with the approval of
“ the Board of Trade make regulations with respect to
“ the hours of working the ferry and may demand
“ receive and recover for the conveyance of passengers
“ animals vehicles and goods in any floating bridge
“ vessel or boat belonging to or provided by the Two
“ Councils such reasonable tolls and payments (in this
“ Act called “ferry tolls”) as they think fit and the
“ Board of Trade approve.”

Present ferry
tolls to con-
tinue in force.

Art. III. Any scale list schedule or table of ferry tolls in force at the commencement of this Order shall continue in force until a new scale list schedule or table of ferry tolls has been made and approved in pursuance of the provisions of the Local Act as altered by this Order.

Costs of
Order and
preliminary
inquiry.

Art. IV. The reasonable costs incurred by the Two Councils in respect of this Order and of the inquiry preliminary thereto as sanctioned by the Local Government Board in pursuance of Section 298 of the Public Health Act 1875 shall be deemed to be expenses incurred for the purposes of the ferry undertaking.

Short title.

Art. V. This Order may be cited as the Cowes Ferry Order 1915.

Given under the Seal of Office of the Local Government Board
this Sixteenth day of March One thousand nine hundred
and fifteen.

(L.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

URBAN DISTRICT OF MILFORD HAVEN.

Milford
Haven Order.

Provisional Order for altering the Milford Improvement
Act 1857 the Milford Improvement Act 1869 and
the Local Government Board's Provisional
Orders Confirmation (No. 8) Act 1900.

To the Urban District Council of Milford Haven;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Milford Haven (herein-after referred to as “the Council”) are the local authority within the

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

meaning of the Public Health Act 1875 for the Urban District of Milford Haven (herein-after referred to as "the District") and there are in force in the District the unrepealed provisions of the Milford Improvement Act 1857 and the Milford Improvement Act 1869 (herein-after together referred to as "the Local Acts") as altered by the Milford Haven Orders 1884 to 1908 and by certain other Provisional Orders duly confirmed by Parliament which do not affect the subject-matter of this Order ;

A.D. 1915.
Milford Haven Order.
 20 & 21 Vict.
 c. lxxiv.
 32 & 33 Vict.
 c. xvii.

And whereas by the Local Acts as altered by the Milford Haven Order 1884 and the Milford Haven Order 1890 which Orders were duly confirmed by Parliament the predecessors of the Council were empowered to borrow money for the purposes of their water undertaking ;

And whereas by subdivision (2) of Article III. of the Milford Haven Order 1900 (herein-after referred to as "the Order of 1900") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1900 (herein-after referred to as "the Confirming Act of 1900") as altered by the Milford Haven Order 1905 and the Milford Haven Order 1908 which Orders were also confirmed by Parliament the Council were empowered with the sanction of the Local Government Board to borrow in addition to any sums which they were empowered to borrow by virtue of the Local Acts as altered as aforesaid any sum or sums not exceeding in the whole the sum of seventeen thousand pounds for the purposes of their water undertaking ;

63 & 64 Vict.
 c. clxxvii.

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Local Acts as altered as aforesaid and the Confirming Act of 1900 so far as it relates to the Order of 1900 in the manner herein-after set forth :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts as altered as aforesaid and the Confirming Act of 1900 so far as it relates to the Order of 1900 shall be altered so that the following provisions shall take effect that is to say :—

38 & 39 Vict.
 c. 55.

Art. I. The Local Acts as altered as aforesaid and the Confirming Act of 1900 so far as it relates to the Order of 1900 shall have effect as if the words "thirty-seven thousand pounds" were inserted in subdivision (2) of Article III. of the Order of 1900 instead of the words "six thousand pounds."

Increase of borrowing powers for purposes of water undertaking.

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.

*Milford
Haven Order.*

Consent of
Treasury to
borrowing
during war.

Short titles.

Art. II. Notwithstanding anything in this Order the Council shall not under the powers of this Order borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Art. III. This Order may be cited as the Milford Haven Order 1915 and the Milford Haven Orders 1884 to 1908 and this Order may be cited together as the Milford Haven Orders 1884 to 1915.

Given under the Seal of Office of the Local Government Board
this Fourteenth day of April One thousand nine hundred
and fifteen.

(L.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

BOROUGH OF SOUTHEND-ON-SEA.

*Southend-on-
Sea Order.*
(1.)

*Provisional Order for altering the Leigh-on-Sea Urban
District Council Act 1899.*

To the Mayor Aldermen and Burgesses of the Borough of
Southend-on-Sea ;—

To the Rural District Council of Rochford ;—

And to all others whom it may concern.

62 & 63 Vict.
c. ccxvii.

3 & 4 Geo. 5.
c. cv.

WHEREAS the Borough of Southend-on-Sea (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and there are in force in the Borough the unrepealed provisions of the Leigh-on-Sea Urban District Council Act 1899 (herein-after referred to as "the Act of 1899") as altered by the Leigh-on-Sea Order 1910 which Order was duly confirmed by Parliament and the Southend-on-Sea Corporation Act 1913 (herein-after referred to as "the Act of 1913");

And whereas by virtue of the Act of 1899 as altered by the Act of 1913 the limits (herein-after referred to as "the gas limits of the Corporation") within which the Corporation may supply gas comprise so much of the Borough as is co-extensive with the area of the former Urban District of Leigh-on-Sea which Urban District was added to the Borough by the Act of 1913 and it is proposed that the gas limits of the Corporation should be extended so as to include the area described in the Schedule to this Order which area comprises part of the

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

Borough and part of the Parish of Eastwood in the Rural District of Rochford; A.D. 1915.

Southend-on-Sea Order.
(1.)

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Act of 1899 as altered as aforesaid in the manner herein-after set forth :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Act of 1899 as altered as aforesaid shall be further altered so that the following provisions shall take effect that is to say:—

38 & 39 Vict.
c. 55.

Art. I. The gas limits of the Corporation shall be extended so as to include the area described in the Schedule to this Order (which area is herein-after referred to as "the added area") and the provisions of the Act of 1899 as altered as aforesaid with respect to the supply of gas and otherwise with respect to gas purposes which now apply and have effect within the existing gas limits of the Corporation shall with the necessary modifications apply and have effect within the gas limits of the Corporation as extended by this Order.

Extension of
gas limits of
Corporation.

Art. II.—(1) Section 8 of the Gasworks Clauses Act 1847 as applied by or incorporated with the Act of 1899 shall in relation to any road in the added area under the control or management of the Rural District Council of Rochford (herein-after referred to as "the Rural Council") have effect as if the word "seven" were substituted for the word "three" in that section.

Protection
for Rural
District
Council.
10 & 11 Vict.
c. 15.

(2) Whenever the Corporation in pursuance of this Order or of any enactment applied by or incorporated with the Act of 1899 shall have opened or broken up any road in the added area under the control or management of the Rural Council Section 10 of the Gasworks Clauses Act 1847 shall have effect as if the reinstatement and making good of the road required by that section included the application of a sufficient layer of surface metalling of the same specification as that employed by the Rural Council for the particular road and also included the use of a steam roller on the places where the road has been opened and broken up until the surface thereof has been made uniform with the unbroken surface adjoining the same to the satisfaction of the surveyor to the Rural Council.

(3) If the Rural Council at any time deem it necessary to raise sink or otherwise alter the situation of any gas pipe or gas main laid or placed by the Corporation in the added area in pursuance of this Order or of any enactment applied by this Order in under or upon

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915. any road under the control or management of the Rural Council the Rural Council may by notice in writing require the Corporation to raise sink or otherwise alter the situation of the said pipe or main in such manner and within such reasonable time as is specified in the notice and if the notice is not complied with the Rural Council may themselves make the alteration required and the reasonable expenses of or connected with any such alteration shall whenever there is sufficient ground for requiring the alteration be paid by the Corporation:

—
Southend-on-Sea Order.
(1.)

Provided that except in a case of necessity no such alteration shall be required or made as will permanently injure any such pipe or main or prevent the gas from flowing as freely and conveniently as usual.

(4) If any difference arises at any time between the Rural Council and the Corporation with respect to any matter to which this Article relates the difference shall if either Authority so require be determined by an arbitrator appointed by the Local Government Board.

Short title. Art. III. This Order may be cited as the Southend-on-Sea Order (No. 1) 1915.

The SCHEDULE above referred to.

So much of the Parish of Eastwood in the Rural District of Rochford and the County of Essex and of the area formerly part of that Parish which was added to the Borough by the Act of 1913 as lies between two imaginary straight lines drawn from a point at the boundary between the Parishes of Eastwood and Rochford at or immediately to the north of Blatches Farmhouse the one to the point in Great Wood where the boundaries of the Parishes of Eastwood Hadleigh and Southend-on-Sea meet and the other to the northernmost point of the boundary between the former Parishes of Leigh and Prittlewell.

Given under the Seal of Office of the Local Government Board
this Sixth day of March One thousand nine hundred and
fifteen.

(L.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

BOROUGH OF SOUTHEND-ON-SEA.

A.D. 1915.

*Provisional Order to enable the Urban Sanitary Authority
for the Borough of Southend-on-Sea to put in force the
Compulsory Clauses of the Lands Clauses Acts.*

*Southend-on-
Sea Order.
(2.)*

To the Mayor Aldermen and Burgesses of the Borough of
Southend-on-Sea; —

And to all others whom it may concern.

WHEREAS the Mayor Aldermen and Burgesses of the Borough of
Southend-on-Sea acting by the Council as the Urban Sanitary Authority
for that Borough (herein-after referred to as "the Corporation") require
to purchase and take the lands described in the schedule hereto for
the purposes of public walks and pleasure grounds:

Now therefore We the Local Government Board in pursuance of
the powers given to Us by Section 176 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from
and after the date of the Act of Parliament confirming this Order the
following provisions shall have effect that is to say:—

38 & 39 Vict.
c. 55.

Art. I. The Corporation shall be empowered to put in force with
reference to the lands described in the schedule hereto subject to the
continuance of existing public rights of highway (if any) and for the
purposes aforesaid the powers of the Lands Clauses Acts with respect
to the purchase and taking of lands otherwise than by agreement or
any of them.

Compulsory
powers of
purchase.

Art. II. This Order may be cited as the Southend-on-Sea Order
(No. 2) 1915.

Short title.

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.

Southend-on-Sea Order.
 (2.)

The SCHEDULE above referred to.

Borough of SOUTHEND-ON-SEA.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
1	Land and building -	The Trustees of the Nore Yacht Club viz. James Colbert Ingram Gordon Prynne Robert Brittain.	The Trustees of the Nore Yacht Club (as before). ²
2	Right of way -	The Corporation the Trustees of the Nore Yacht Club (as before).	The Corporation the Trustees of the Nore Yacht Club (as before).

THE LORD OF THE MANOR.

Given under the Seal of Office of the Local Government Board this Twenty-fifth day of March One thousand nine hundred and fifteen.

(I.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

BOROUGH OF STAFFORD.

Stafford Order.

Provisional Order for partially repealing and altering the Stafford Corporation Act 1876.

To the Mayor Aldermen and Burgesses of the Borough of Stafford ;—

And to all others whom it may concern.

39 & 40 Vict.
 c. cxcvi.

WHEREAS the Borough of Stafford (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and the local authority within the meaning of the Public Health Act 1875 and the unrepealed provisions of the Stafford Corporation Act 1876 (herein-after referred to as "the Local Act") as altered by certain Provisional Orders duly confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough;

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.

*Stafford
Order.*

17 Vict.
c. xxii.

And whereas in pursuance of the Local Act certain of the powers and authorities of the Stafford Gas Company under the Stafford Gas Act 1854 were transferred to and vested in the Corporation and the Corporation are empowered to manufacture and supply gas but the Corporation are by Section 41 of the Local Act prohibited from manufacturing gas or the products arising therefrom or storing gas on any land other than the lands described in the Third Schedule to the Local Act and on certain other lands referred to in the said section ;

And whereas the Corporation have purchased for the purposes of their gas undertaking the lands described in the Schedule A. to this Order and have agreed to purchase for those purposes the land described in the Schedule B. to this Order ;

And whereas by Sections 42 43 and 45 of the Local Act and the provisions of the Gasworks Clauses Act 1871 applied by the Local Act provision is made with regard to the pressure and quality of the gas supplied by the Corporation and the testing of the same ;

34 & 35 Vict.
c. 41.

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Act in the manner herein-after set forth :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order") the Local Act shall be partially repealed and altered so that the following provisions shall take effect that is to say :---

38 & 39 Vict.
c. 55.

Art. I. Notwithstanding anything in the Local Act the Corporation may use the lands described in the Schedule A. to this Order for all or any of the purposes of their gas undertaking including the manufacture and storage of gas and the products arising from the manufacture of gas as if those lands had been included in and formed part of the lands described in the Third Schedule to the Local Act and from and after the purchase of the land described in the Schedule B. to this Order the Corporation may hold and use that land for the like purposes and subject to the like conditions and provisions.

Additional
lands for
purposes of
gas under-
taking.

Art. II. Section 42 of the Local Act shall have effect as if the words "not less than fifteen-tenths of an inch in height" were inserted therein instead of the words "from midnight to sunset not less than six-tenths of an inch and from sunset to midnight not less than eight-tenths of an inch in height".

Pressure of
gas.

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.

Stafford
Order.

Substituting
standard
calorific
power for
prescribed
illuminating
power of gas.

Art. III.—(1) Within six months from the commencement of this Order the Corporation shall provide at the testing place provided at the gasworks of the Corporation apparatus for testing the calorific power of the gas supplied by them similar to the apparatus for the time being prescribed by the Metropolitan Gas Referees for testing the calorific value of gas.

(2) The gas supplied by the Corporation shall when tested in the mode and under the conditions for the time being prescribed by the Metropolitan Gas Referees be of a calorific power of five hundred and forty British thermal units (herein-after referred to as "the standard calorific power").

(3) Not more than one testing for calorific power shall be made on any one day. Provided that if on any occasion of testing the calorific power is found to be below the standard calorific power by more than seven and one-half per centum a second testing shall be made on the same day after an interval of not less than one hour and the average of the two testings shall be deemed to be the calorific power of the gas on that day.

The gas examiner appointed under the Gasworks Clauses Act 1871 shall forthwith deliver a report of the result of his testing to the Corporation or to the justices by whom he was appointed and that report shall be receivable in evidence.

(4) If on any testing the calorific power of the gas supplied by the Corporation is found to be below the standard calorific power by more than seven and one-half per centum the Corporation shall be liable to the following penalties in respect of any deficiency beyond such last-mentioned margin that is to say:—

If the deficiency does not exceed fourteen British thermal units a sum not exceeding two pounds;

If the deficiency exceeds fourteen British thermal units but does not amount to twenty-eight British thermal units a sum not exceeding five pounds;

For each complete twenty-eight British thermal units of defective power a sum not exceeding ten pounds.

(5) For the purposes of the foregoing provisions the expression "British thermal units" means British thermal units gross per cubic foot of gas.

(6) The provisions of Section 12 of the Gasworks Clauses Act 1871 with reference to the testing for the illuminating power shall cease to

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

apply to the Corporation and Sections 28 to 33 of that Act shall in their application to the Corporation be construed as if calorific power were therein mentioned instead of illuminating power. A.D. 1915.
Stafford
Order.

(7) Sections 43 and 45 of the Local Act are hereby repealed.

Art. IV. Nothing in this Order shall except the Corporation or their undertaking from the provisions of any general Act relating to the supply of gas which may be passed in this or any future session of Parliament. Provision as to general Acts relating to gas supply.

Art. V. This Order may be cited as the Stafford Order 1915. Short title.

The SCHEDULES above referred to.

SCHEDULE A.

All those adjoining pieces of land containing together 7383 square yards or thereabouts situate in the Borough and bounded on the north-west by Chell Road on the north-east by Balk Passage on the south-east by Broad Street and on the south-west by cottages fronting on Broad Eye.

SCHEDULE B.

All that piece of land containing 1322 square yards or thereabouts situate in the Borough and bounded on the north by the existing gasworks of the Corporation on the west by the River Sow on or towards the south by land belonging to William Francis Fowke and on the south-east partly by St. Mary's Broad Eye Mission Church and partly by Chell Road.

Given under the Seal of Office of the Local Government Board
this Eighteenth day of March One thousand nine hundred
and fifteen.

(L.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915.

BOROUGH OF WORTHING.

*Worthing
Order.*

*Provisional Order for partially repealing and altering the
West Worthing Improvement Act 1865 the Local Government
Board's Provisional Orders Confirmation (No. 6) Act 1884
and the Local Government Board's Provisional Orders
Confirmation (No. 14) Act 1904.*

To the Mayor Aldermen and Burgesses of the Borough of
Worthing;—

And to all others whom it may concern.

WHEREAS the Borough of Worthing (herein-after referred to as "the
Borough") is an Urban District of which the Mayor Aldermen and
Burgesses acting by the Council (herein-after referred to as "the Cor-
poration") are the Urban District Council and the local authority within
the meaning of the Public Health Act 1875;

28 Vict.
c. xxvii.

47 & 48 Vict.
c. ccxii.

4 Edw. 7.
c. cxxi.

And whereas there are in force in the Borough the unrepealed
provisions of the West Worthing Improvement Act 1865 (herein-after
referred to as "the Local Act") as altered by the Worthing Order
1884 (herein-after referred to as "the Order of 1884") which was
confirmed by the Local Government Board's Provisional Orders Confir-
mation (No. 6) Act 1884 by the Worthing Order 1893 which Order
was also duly confirmed by Parliament by the Worthing Order 1904
(herein-after referred to as "the Order of 1904") which was confirmed
by the Local Government Board's Provisional Orders Confirmation
(No. 14) Act 1904 (each of which Confirmation Acts is herein-after
referred to as the Confirming Act of the year in which it was passed)
and by certain other Provisional Orders duly confirmed by Parliament
which do not affect the subject matter of this Order;

And whereas by Section 40 of the Local Act as altered by Article V.
of the Order of 1884 and Article I. of the Order of 1904 the Corpo-
ration are empowered to make erect and maintain benches seats and
shelters along the sea front to provide and maintain shelters seats and
chairs on the esplanade for the use of the public to charge a reason-
able sum for the use of chairs so provided and to make byelaws for
regulating the use of the said shelters seats and chairs and for
preventing injury or damage thereto;

And whereas by virtue of an Order of the Local Government
Board dated the Twenty-second day of March One thousand nine hundred
and fifteen Part VI. of the Public Health Acts Amendment Act 1907
(which Part includes Section 76 of that Act) will be in force in the
Borough on and after the Nineteenth day of April One thousand nine
hundred and fifteen;

[5 & 6 GEO. 5.] *Local Government Board's* [Ch. xxxv.]
Provisional Orders Confirmation (No. 3) Act, 1915.

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Act and the Confirming Act of 1884 and the Confirming Act of 1904 so far as they respectively relate to the Order of 1884 and the Order of 1904 in the manner herein-after set forth :

A.D. 1915.

Worthing
Order.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Act of 1884 and the Confirming Act of 1904 so far as they respectively relate to the Order of 1884 and the Order of 1904 shall be partially repealed and altered so that the following provisions shall have effect that is to say :—

38 & 39 Vict.
c. 55.

Art. I. So much of the Confirming Act of 1884 as relates to Article V. of the Order of 1884 and Article V. of that Order and so much of the Confirming Act of 1904 as relates to Article I. of the Order of 1904 and Article I. of that Order are hereby repealed.

Repeal of
certain provi-
sions of
Orders and
Confirming
Acts.

Art. II.—(1) The Corporation may—

(i) provide and place or authorise any person to provide and place chairs seats or shelters for the use of the public on the beach sands foreshore and parade or promenade or the approaches thereto or other place of public resort within the Borough and provide and place or authorise any person to provide and place bathing cabins for the use of the public on the beach sands and foreshore within the Borough and charge for or authorise any person to charge for the use of the chairs and bathing cabins so provided or for the use of any seats and shelters so provided if and when used during any band performances :

Authorising
chairs seats
shelters &c.
on sands
promenade
&c.
Charges
for same.

(ii) make byelaws for regulating the use of the said chairs seats shelters and bathing cabins and for preventing injury or damage thereto :

Byelaws.

(iii) provide or contribute towards the expenses of any band of music to perform in any place specified in paragraph (i) of this subdivision.

Provision of
bands.

(2) The provisions of Sections 182 to 185 of the Public Health Act 1875 with respect to byelaws except such of those provisions as relate exclusively to byelaws of a rural sanitary authority shall apply to the byelaws authorised to be made in pursuance of paragraph (ii) of subdivision (1) of this Article as if the said provisions except as afore-said were herein re-enacted and in terms made applicable to the said byelaws Provided that the byelaws so made so far as they affect or apply

Provisions
of Public
Health Act
made appli-
cable to
byelaws.

[Ch. xxxv.] *Local Government Board's* [5 & 6 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1915.

A.D. 1915. to the foreshore shall not be valid or come into force without the previous
Worthing consent in writing of the Board of Trade and of the Commissioners of
Order. Woods.

Application
of revenue
&c.

Art. III. Any expenses of the Corporation incurred in the exercise of the powers given to them by this Order shall be defrayed out of the district fund and general district rate of the Borough and all sums received by the Corporation in the exercise of those powers shall be carried to the credit of the district fund. Provided that the expenses of the Corporation incurred in the exercise of the said powers and of their powers under Section 76 of the Public Health Acts Amendment Act 1907 to provide or contribute to a band shall not in any year exceed the sums received by the Corporation under this Order and the said section on account of the letting or use of chairs seats shelters or bathing cabins together with the proceeds of any rate which the Corporation with the approval of the Local Government Board may be authorised to levy under subsection (3) of that section.

Savings.

Art. IV.--(1) Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation in any manner to interfere with any portion of the shore or bed of the sea belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

(2) Nothing in or done under this Order shall prejudicially affect or impair any prescriptive right of fishermen to the use of the beach sands or foreshore within the Borough for the purposes of their calling.

Short title.

Art. V. This Order may be cited as the *Worthing Order 1915.*

Given under the Seal of Office of the Local Government Board
this Fourteenth day of April One thousand nine hundred
and fifteen.

(L.S.)

HERBERT SAMUEL President.

WALTER T. JERRED Assistant Secretary.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

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