

[26 GEO. 5. & Ministry of Health  
1 EDW. 8.] *Provisional Order Confirmation*  
(*Chester and Derby*) Act, 1936.

[Ch. x.]



## CHAPTER x.

An Act to confirm a Provisional Order of the Minister of Health relating to the counties of Chester and Derby. [19th March 1936.]

A.D. 1936.

**W**HEREAS under the provisions of the Local Government Act 1933 the Minister of Health has made a provisional order which needs confirmation by Parliament :

23 & 24  
Geo. 5. c. 51.

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 order of the Minister of Health which as amended is set out in the schedule to this Act is hereby confirmed and shall have full validity and force.

Order in  
schedule  
confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Chester and Derby) Act 1936.

Short title.

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## SCHEDULE.

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*Chester and  
Derby Order.*

### COUNTIES OF CHESTER AND DERBY.

*Provisional Order made in pursuance of the Local  
Government Act 1933 for altering county boundaries.*

WHEREAS by section 140 of the Local Government Act 1933 the Minister of Health is empowered to make a provisional order for the alteration of the boundary of a county;

And whereas the parishes named in column 1 of part I of the first schedule to this order form part of the county of Chester and the parishes named in column 1 of part II of that schedule form part of the county of Derby;

And whereas a joint representation has been made to the Minister of Health by the county councils of Chester and Derby that it is desirable that the common boundary of the counties of Chester and Derby should be altered by the transfer of the whole or parts of the parishes aforesaid from the county of which they form part to the county of Derby or Chester (as the case may require);

And whereas the Minister of Health has decided to make a provisional order with a view to effect being given to the proposals contained in the representation and to incidental consequential and supplemental arrangements:

Now therefore the Minister of Health in pursuance of the powers given to him by section 140 of the Local Government Act 1933 and of all other powers enabling him in that behalf hereby makes the following order:—

#### PART I.

##### PRELIMINARY.

1. This order is divided into the following parts (namely):—
  - Part I.—Preliminary.
  - Part II.—Alteration of areas.
  - Part III.—Constitution and dissolution of councils &c. membership elections &c.
  - Part IV.—Administration of justice education roads and county administration.
  - Part V.—Functions property liabilities &c. of local authorities.

Division of  
order into  
parts.



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Part VI.—Acts orders byelaws &c.

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Part VII.—Rating and valuation.

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Part VIII.—Officers.

Part IX.—Supplementary.

2. This order may be cited as the Chester and Derby Order 1935. Short title.

3. Save as otherwise expressly provided this order shall come into operation on the appointed day : Commence-  
ment of  
order.

Provided that this order shall be deemed to have come into operation as from such date earlier than the appointed day as may be necessary for the following purposes (namely) :—

(a) the alteration or re-arrangement of any register of electors under the Representation of the People Acts;

(b) all proceedings preliminary or relating to the elections of councillors directed by this order or to any other election under the Act of 1933 and to the holding of the annual assembly of a parish meeting and the business to be transacted at such assembly;

(c) the alteration of valuation lists to take effect on the appointed day or the preparation or revision of any estimate of the produce of a penny rate or the preparation or service of any precept to be made in respect of the financial year commencing on the appointed day; and

(d) the preparation of any general special or other rate to be made in respect of a period commencing on the appointed day.

4. In this order unless the context otherwise requires the following expressions have the respective meanings hereby assigned to them :— Definitions.

“ the appointed day ” means the first day of April 1936;

“ existing ” means existing immediately before the appointed day;

“ the map ” means the map prepared in triplicate sealed with the official seal of the Minister and marked “ Map referred to in the Chester and Derby Order 1935 ”;

“ the counties ” means the counties of Chester and Derby and “ the county councils ” means the county councils of Chester and Derby;

“ parish ” includes any township which is a civil parish;

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“the abolished urban district” means the urban district of Yeadsley cum Whaley and “the dissolved urban council” means the council of the abolished urban district;

“the new urban district” means the urban district of Whaley Bridge formed by this order and “the new urban council” means the council of the new urban district;

“the Chester areas” means the areas described in columns 1 and 2 of part I of the first schedule;

“the Derby areas” means the areas described in columns 1 and 2 of part II of the first schedule;

“the Act of 1894” means the Local Government Act 1894;

“the Act of 1929” means the Local Government Act 1929;

“the Act of 1933” means the Local Government Act 1933;

“road” has the same meaning as in the Act of 1929; and

“the Minister” means the Minister of Health.

Further  
 interpreta-  
 tion.

5. Any reference in this order to an area transferred thereby shall extend to an area incorporated in a new district parish or ward formed by this order.

Regulations  
 under  
 Act of 1929.

6. This order shall have effect subject to the provisions of any regulations made or to be made by the Minister under part VI of the Act of 1929 with respect to grants payable under that part of that Act.

Sundays and  
 public  
 holidays.

7. Where the day or the last day on which any thing is required or permitted by or in pursuance of this order to be done is a Sunday Christmas Day Good Friday bank holiday or a day appointed for public thanksgiving or mourning the requirement or permission shall be deemed to relate to the first day thereafter which is not one of the days before mentioned.

Deposit  
 and copies  
 of map.

8.—(1) One triplicate of the map shall be deposited in the office of each of the following persons (namely):—

(a) the Minister;

(b) the clerk of the county council of Chester; and

(c) the clerk of the county council of Derby.

(2) Within one month after the confirmation of this order the clerk of the county council of Derby shall send—

(a) to the Board of Inland Revenue the Registrar-General the Board of Trade the Minister of Transport the Minister of Agriculture and Fisheries the Electricity Commissioners and the Commissioners of Customs and Excise copies of the map;



(b) to the clerk of the council of any district which is altered and to the person who is designated by this order to act as returning officer at the first election of councillors for the new urban district (for transmission to the clerk of the new urban council upon his appointment) a copy of or an extract from the map showing the area of or any alteration in the district or any parish or ward comprised therein; A.D. 1936.  
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and every such copy of or extract from the map shall be certified by the clerk of the county council of Derby to be a true copy or extract.

9.—(1) A copy of or an extract from the map certified by the clerk of the county council of Chester or the clerk of the county council of Derby to be a true copy or extract shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the map or of that part of the map which is extracted so far as the map relates to the establishment or alteration of the boundary of any area by this order. Further copies &c. of map.

(2) The triplicates of the map respectively deposited with the clerks of the county councils shall at all reasonable times be open to inspection by any person affected by this order and any such person shall be entitled to a copy of or an extract from the map which shall be certified to be a true copy or extract by the clerk of the county council furnishing the same on payment of a reasonable fee to be determined by the county council whose clerk he is.

(3) All fees so paid shall be carried to the credit of the county fund.

## PART II.

### ALTERATION OF AREAS.

10.—(1) The Chester areas shall cease to form part of the county of Chester and shall be transferred to the county of Derby. Alteration of county boundaries.

(2) The Derby areas shall cease to form part of the county of Derby and shall be transferred to the county of Chester.

11. The urban district of Yeardsley cum Whaley shall be abolished. Abolition of urban district.

12.—(1) A new urban district shall be formed to be known as the Whaley Bridge urban district and shall comprise each area described in columns 1 and 2 of parts I and IV of the first schedule opposite which the name of the new district is entered in column 4. Formation of new urban district and parish.

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(2) The areas comprised within the new urban district shall be amalgamated to form a new parish to be known as the parish of Whaley Bridge and that parish shall be co-extensive with the new district.

Alteration of  
 other local  
 areas &c.

13.—(1) Subject as aforesaid each area described in columns 1 and 2 of the first schedule shall be transferred to any parish district county electoral division petty sessional division or coroner's district guardians committee area or assessment area respectively named opposite the description of the area in columns 3 4 5 6 7 and 8.

(2) Those parts of the parish of Disley transferred to the urban district of New Mills which are shown coloured dark blue and dark green respectively on the map shall form parts of the St. Mary's ward and the Newtown ward respectively of that urban district.

(3) Two new wards of the urban district of Marple to be known as the Ludworth ward and the Mellor ward respectively shall be formed to comprise the areas of the existing parishes of Ludworth and Mellor respectively.

Joint  
 sewerage  
 district.

14. The Ludworth Mellor and Low Marple joint sewerage district constituted by the Ludworth Mellor and Low Marple Joint Sewerage Orders 1899 and 1914 shall be abolished.

### PART III.

#### CONSTITUTION AND DISSOLUTION OF COUNCILS &C. MEMBERSHIP ELECTIONS &C.

Numbers of  
 urban  
 district  
 councillors.

15.—(1) The number of councillors for the new urban district shall be twelve.

(2) The number of councillors of the urban district of Marple for each of the new wards of the urban district formed by this order shall be three.

Election of  
 urban  
 district  
 councillors.

16.—(1) An election of councillors for the new urban district and for each new ward of the urban district of Marple shall be held under the Act of 1933 and the Urban District Councillors Election Rules 1934 on such date in March nineteen hundred and thirty-six as in each case shall be appointed by the returning officer :

Provided that the returning officer at the election for the new urban district shall be the clerk of the urban district council of Yeardsley cum Whaley or in the event of his death inability refusal or default such person as shall be nominated in writing by the chairman of the county council of Derby.



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(2) The persons elected shall come into office on the appointed day. A.D. 1936.

(3) The election held for the urban district of Marple shall extend to the filling of vacancies among the councillors for that district which will be created by the ordinary retirement of councillors on the fifteenth day of April nineteen hundred and thirty-six and to the filling of any casual vacancy among the councillors for that district which can be filled at the election. Chester and Derby Order.

17.—(1) One-third of the councillors elected for the new urban district and for each of the new wards of the urban district of Marple shall retire from office on the fifteenth day of April in each of the years nineteen hundred and thirty-seven nineteen hundred and thirty-eight and nineteen hundred and thirty-nine. Future retirement of urban district councillors

(2) If any doubt arises as to the order of retirement of councillors elected pursuant to the provisions of this order for the new urban district or any ward of the urban district of Marple the councillors shall retire according to the number of votes received by them at the election the person elected by the smallest number of votes retiring first the person elected by the next smallest number of votes retiring second and so with respect to the others and in the case of an equality of votes or if there has not been a contested election the order of retirement shall be determined by lot at the next practicable meeting of the council held after the appointed day the lots being drawn under the direction of the person presiding at the meeting.

18. Subject as aforesaid the persons who at the appointed day have been elected as councillors of any existing urban district which is altered shall be deemed to have been elected as councillors of the urban district as it will exist on the appointed day and any councillor of the urban district of New Mills who is serving for either the St. Mary's ward or the Newtown ward shall serve for the altered ward. Existing urban district councillors.

19.—(1) If any casual vacancy exists at the date of the confirmation of this order or occurs before the appointed day in any office of urban district councillor which will be vacated on the appointed day by virtue of this order the vacancy shall not be filled. Casual vacancies amongst urban district councillors.

(2) Subject as aforesaid any casual vacancy which may exist at the date of the confirmation of this order or may occur after that date in any office of councillor of an urban district which is altered shall be filled as if the vacancy had occurred in the office of councillor of the district as it will exist on the appointed day and any such vacancy in the office of councillor for any ward which is altered shall be filled as if the vacancy had



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First  
 meeting of  
 new urban  
 council.

occurred in the office of councillor for the altered ward and any person elected before the appointed day to fill any such vacancy shall come into office on the appointed day.

20.—(1) The first meeting of the new urban council shall be held on such day (not being later than the eighth day of April nineteen hundred and thirty-six) and at such place as may be fixed by the person who acted as returning officer at the election and he shall send a notice in writing to each councillor of the place date and time of the meeting and of the business to be transacted at the meeting.

(2) The first meeting of such council shall be deemed to be the annual meeting of the council in the year nineteen hundred and thirty-six.

Existing  
 county  
 councillors  
 and rural  
 district  
 and parish  
 councillors.

21.—(1) The rural district councillors for the parishes of Fernilee Ludworth Mellor and Taxal shall retire from office on the appointed day.

(2) Any person who at the appointed day has been elected as a county councillor or rural district councillor or parish councillor for any electoral area which is altered shall be deemed to have been elected for the altered electoral area.

Casual  
 vacancies  
 amongst  
 county  
 councillors  
 and rural  
 district  
 councillors.

22.—(1) If any casual vacancy exists at the date of the confirmation of this order or occurs before the appointed day in the office of any rural district councillor whose office will be vacated on the appointed day by virtue of this order the vacancy shall not be filled.

(2) Subject as aforesaid any casual vacancy which may exist at the date of the confirmation of this order or may occur after that date in any office of county councillor or rural district councillor for any electoral area which is altered shall be filled as if the vacancy had occurred in the office of councillor for the altered electoral area and any person elected before the appointed day to fill the vacancy shall come into office on the appointed day.

Dissolution  
 of authorities  
 and liquida-  
 tion of  
 liabilities.

23. Each of the authorities named in column 1 of the second schedule shall be dissolved on the appointed day but as far as practicable shall before that day liquidate all current liabilities incurred by them.

Qualifica-  
 tions of  
 members of  
 councils  
 joint boards  
 and  
 committees.

24.—(1) For the purpose of the determination of the qualification of a person for election as a county councillor or as a member of the council of a district or parish the alterations of area made by this order shall be deemed to have had effect on the first day of February nineteen hundred and thirty-five.

(2) Save as otherwise expressly provided any person who continues in office after the appointed day as a county councillor



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or as a member of the council of a district or parish or as a member of a committee joint board or joint committee shall not during his existing term of office be deemed to lose his qualification for being a member by reason of any alteration of area made by this order and shall retire from office on the day on which he would have retired if this order had not been made.

(3) Any councillor of any existing rural district whose office will be vacated on the appointed day by virtue of this order shall unless he is disqualified be eligible for election before that day as a rural district councillor for any electoral area of any rural district to which the area or any part of the area for which he was elected is transferred.

#### PART IV.

##### ADMINISTRATION OF JUSTICE EDUCATION ROADS AND COUNTY ADMINISTRATION.

25.—(1) For the purposes of any commission of assize oyer and terminer or gaol delivery and for the purposes of sheriff lieutenant and territorial army and the making up of the jurors book and the qualification and service of jurors the Chester areas shall form part of the county of Derby and the Derby areas shall form part of the county of Chester.

Administra-  
 tion of  
 justice  
 lieutenant  
 territorial  
 army &c.

(2) For the purposes of the functions of the quarter sessions justices coroners clerk of the peace and clerks to justices of a county to which an area is transferred and of the police constables and other peace officers of that county the transferred area shall form part of that county.

(3) Lists of prisoners who are in the custody of the sheriff of the county of Chester or of the county of Derby as the case may be writs process and particulars and all records and documents in his possession appertaining to the Chester areas or the Derby areas as the case may be shall be delivered turned over transferred and signed in like manner in all respects so nearly as circumstances admit as is required to be done upon a new sheriff coming into office as if the sheriff of the county to which the areas are transferred were as respects those areas the new sheriff in succession to the sheriff of the county from which they are transferred.

(4) Notwithstanding the foregoing provisions of this section—

(a) until the jurors books prepared next after the appointed day come into force each of the transferred areas shall for the purposes of summoning jurors and of jury service be deemed not to have been affected by this order; and

(b) every person committing an offence prior to the appointed day in any transferred area shall be tried

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and dealt with as if this order had not been made and every proceeding which prior to the appointed day has been begun by or before any court justice coroner or sheriff in relation to any matter arising in or concerning such transferred area may be continued and completed in like manner and with the like incidents and consequences as nearly as may be as if this order had not been made.

Public  
 elementary  
 schools.

26.—(1) For the purposes and subject to the provisions of the Education Act 1921—

- (a) any public elementary school provided by either of the county councils as a local education authority and situate within any of the Chester areas or any of the Derby areas and any furniture fittings books and apparatus of any public elementary school so situate which belong to either of the county councils shall by virtue of this order be transferred to and vest in the county council of the county to which the area is transferred for all the estate and interest therein of the county council from whom the property is transferred;
- (b) all contracts and liabilities subsisting in favour of or against either of the county councils so far as they relate to any public elementary school within any of the Chester areas or any of the Derby areas or to the furniture fittings books or apparatus or to the officers teachers and servants of such school shall be of full force and effect in favour of or against the county council of the county to which the area is transferred.

(2) In this section the expression "public elementary school" includes the schoolhouse and its site and also any land held by a county council for purposes of elementary education.

School  
 managers.

27.—(1) Any manager of a public elementary school within the Chester areas or the Derby areas who was appointed by a county council shall vacate his office on the appointed day.

(2) Any manager of a public elementary school within an area affected by this order who was appointed by a minor local authority within the meaning of the Education Act 1921 either alone or jointly with another minor local authority shall vacate his office on the appointed day in either of the following cases:—

- (a) if the school is situate within an area transferred from one parish to another; or
- (b) if any minor local authority by whom he was appointed is dissolved.



28. Any unclassified road within an area transferred to an urban district shall by virtue of this order be transferred to and vest in the council of the urban district to which the area is transferred and if the area is transferred from a rural district the county council of the county in which that district is situate shall cease to exercise as respects such road any functions under part I or part II of the first schedule to the Act of 1929 :

Provided that this provision shall not apply to any road which immediately before part III of the Act of 1929 came into operation was a main road or which would but for section 29 of the Act of 1929 be a main road.

29.—(1) Any unclassified road within an area transferred from an urban district to a rural district which is repairable by the council of the urban district shall be deemed to be a county road within the meaning of the Act of 1929 and shall by virtue of this order be transferred to and vest in the county council of the county in which the transferred area will be situate.

(2) Such of the provisions of sections 117 and 118 of the Act of 1929 as relate to the transfer of property and liabilities so far as those sections apply to unclassified roads transferred from a rural district council to a county council by that Act shall apply for the purposes of this section with such modifications as may be necessary including the substitution of the appointed day under this order for the appointed day for the purposes of part VII of the Act of 1929.

(3) An application to a county council under paragraph (b) of subsection (1) of section 118 of the Act of 1929 may be made after the appointed day by the council of the rural district to which the area is transferred.

(4) Subject to the provisions of sections 35 and 36 of the Act of 1929 a county council may exercise with respect to any unclassified road transferred to them by this section any of the functions of a county council under part III of that Act.

(5) Any functions with respect to unclassified roads which may have been delegated by a county council to the council of any rural district which is altered shall be deemed to have been delegated to that council with respect to the whole of the unclassified roads in their altered district.

30.—(1) The transfer of any area by this order shall not affect any notices given or proceedings taken under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 in relation to any street within the transferred area and any proceedings taken or works commenced under either of those enactments in relation to a street within an area transferred from the area of the authority for the purposes of that enactment may be continued and completed in accordance with the provisions of the enactment.

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Unclassified roads within areas transferred to urban districts.

Unclassified roads within areas transferred to rural districts.

Saving for private street works.

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under which the notices in relation to the street were given by the council of the district to which the area comprising the street is transferred or if that area is transferred to a rural district by the county council of the county in which that district is situate as if that council had possessed the necessary powers and had accordingly given the notices and taken the proceedings or commenced the works under the relative enactment.

(2) Where before the appointed day any works under section 150 of the Public Health Act 1875 or the Private Street Works Act 1892 have been commenced but not completed in a street within any such transferred area the council completing the works pursuant to the provisions of subsection (1) of this section shall be entitled to recover—

- (a) such of the expenses incurred in commencing the works as the council commencing them could have recovered under the relative enactment; and
- (b) such of the expenses incurred by them in completing the works as the council commencing the works could have recovered under the relative enactment had they completed the works;

and the council completing the works shall have all such powers for the recovery of the expenses aforesaid as they would have had if the relative enactment had applied to them and they had executed the whole of such works and the provisions of the relative enactment relating to the apportionment of expenses and otherwise shall apply accordingly.

(3) Where before the appointed day any such works have been completed in a street within any such transferred area the council of the district to which the area is transferred or if the area is transferred to a rural district the county council shall have all such powers for the recovery of the expenses incurred in the execution of the works as they would have had if the relative enactment had applied to them and they had undertaken the works under the relative enactment and the provisions thereof relating to the apportionment of expenses and otherwise shall apply accordingly.

*Insurance  
 committees.*

31.—(1) The Minister may by order at any time after the confirmation of this order make such provision as appears to him to be necessary for transferring to the insurance committee for a county to which an area is transferred such of the property rights and liabilities of the insurance committee for the county from which the area is transferred as relate to persons resident in that transferred area.

(2) An order made under this section may authorise the insurance committee for a county from which an area is transferred to continue to act as insurance committee for that area until



such date not being later than the thirty-first day of December nineteen hundred and thirty-six as may be specified in the order and may for that purpose postpone the operation of this order so far as relates to the rights and duties of the respective insurance committees for the counties affected until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

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(3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who at the appointed day are members of the insurance committee for the county of Chester or the county of Derby shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for the altered county.

32. The administrative scheme made by the county council of Derby under part I of the Act of 1929 shall have effect subject to the following modifications :—

Guardians  
committee  
areas and  
committees.

(a) the new urban district shall be included as a district comprised within the North Western guardians committee area and the new urban council shall nominate one member of the North Western guardians committee ;

(b) the number of members of that committee to be nominated by the Chapel-en-le-Frith rural district council shall be reduced by one and one of the existing members nominated by that council shall retire on the appointed day unless by virtue of a vacancy their membership is automatically reduced to the requisite number the person who is so to retire being determined by the district council before the appointed day ;

(c) references to an existing district which is altered shall be read as references to the altered district ;

(d) subject as aforesaid any person who at the appointed day represents on a guardians committee the council of any district which is altered shall unless he retires from office by virtue of this order or otherwise cease to be a member of the committee continue to represent that council.

33.—(1) Every person resident immediately before the appointed day in any part of the Chester areas or the Derby areas who has acquired or is in the course of acquiring—

Settlement  
and irremov-  
ability &c.

(a) a settlement in the county of Chester or the county of Derby by reason of residence birth or other qualification therein ; or

(b) a status of irremovability from the county of Chester or the county of Derby by reason of residence therein ;

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shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the county to which the part of the transferred areas in which he is resident is transferred.

(2) For the purposes of this section consecutive periods of residence by a person in any part of the county of Chester or the county of Derby (if and so far as those periods would immediately before the appointed day be reckoned for the purposes of determining questions of settlement in or irremovability from the county) shall be aggregated and reckoned as continuous residence in that part of the county in which the person was residing immediately before the appointed day.

(3) Where immediately before the appointed day a person is in receipt of poor relief from the county council of Chester or the county council of Derby as an inmate of an institution or of rate aid from that county council as an inmate of an institution for persons of unsound mind and was resident immediately before he last commenced to receive poor relief or such rate aid in any of the transferred areas he shall for the purposes of the foregoing provisions of this section be deemed to be resident in that transferred area immediately before the appointed day.

(4) The liability for the cost accruing on and after the appointed day of the maintenance of an inmate of an institution to whom subsection (3) of this section applies shall by virtue of this order be transferred to and attach to the county council of Chester or the county council of Derby as the case may require but this subsection shall not prevent that council from obtaining an order of removal or an adjudication of the chargeability of any person who notwithstanding the provisions of this section is liable to be removed or made chargeable to any other county or county borough.

(5) Nothing in this section shall authorise the inclusion in any computation of a period of residence for the purpose of this section of such residence as is excluded by subsection (1) of section 93 of the Poor Law Act 1930 from a computation of residence for the purpose of the acquisition of a status of irremovability or shall prevent any residence so excluded from breaking the continuity of residence for the purpose of the acquisition by residence of a settlement.

Inmates of  
 institutions  
 or approved  
 homes for  
 mental  
 defectives.

34.—(1) Where immediately before the appointed day a person is in receipt of rate aid from either of the county councils under the Mental Deficiency Acts 1913 to 1927 as an inmate of an institution for mental defectives or approved home and was resident immediately before he last commenced to receive such rate aid in any part of a transferred area he shall for the



purposes of subsections (1) and (2) of the last preceding section be deemed to be resident in that part immediately before the appointed day.

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(2) The liability for the cost accruing on and after the appointed day of the maintenance in any institution for mental defectives or approved home of any inmate to whom subsection (1) of this section applies shall by virtue of this order be transferred to and attach to the county council of Chester or the county council of Derby as the case may require.

35. For the purposes of the preparation in the year nineteen hundred and thirty-six of the registers of local government electors and of all matters connected with incidental to or consequent upon those purposes any area transferred by this order shall be deemed to have been so transferred as from the twenty-eighth day of February nineteen hundred and thirty-six.

Qualifying  
period for  
local  
government  
electors.

36.—(1) On the publication of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants the registration officer of the parliamentary county of Chester shall supply the registration officer of the parliamentary county of Derby and the registration officer of the parliamentary county of Derby shall supply the registration officer of the parliamentary county of Chester with a sufficient number of copies of those lists for each registration unit comprising any part of the Chester areas or the Derby areas (as the case may be) and shall forthwith notify the registration officer to whom the copies are forwarded of his decisions on any objections or claims in respect of any such registration unit.

Duplicate  
entries in  
electors lists.

(2) It shall be the duty of the registration officer of the parliamentary county of Chester in respect of the altered county of Chester and of the registration officer of the parliamentary county of Derby in respect of the altered county of Derby to issue such notices and otherwise to take such steps as are required by rule 23 in the first schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the same electoral division or ward for the purpose of county council or urban district council elections or in the same electoral area for the purpose of rural district or parish council elections.

(3) Where either of the registration officers considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for any of the purposes aforesaid should be made in an electors list prepared by the other registration officer he shall forthwith

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*Chester and Derby Order.*

(4) This section shall apply to the preparation of the register of electors in the year nineteen hundred and thirty-six and of later registers of electors.

Registers of electors.

37.—(1) If the register of local government electors for any electoral area affected by this order is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for any electoral division parish ward or other voting area—

- (a) the registration officer of the parliamentary county of Chester in the case of an election or parish meeting for any voting area within the altered county of Chester; and
- (b) the registration officer of the parliamentary county of Derby in the case of an election or parish meeting for any voting area within the altered county of Derby;

shall make such alteration or re-arrangement of the register as may be necessary for the purpose of that election or parish meeting.

(2) It shall be the duty of the clerk of the council of any district which is altered or abolished and of every officer designated for the performance of the duties of overseers in relation to the preparation of the registers of electors in the district to render such assistance as may be required by a registration officer for the purpose of any alteration or re-arrangement authorised by this section of the registers for that district or any area transferred thereto or therefrom.

(3) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Nursing homes.

38.—(1) Any functions delegated by a county council under the Nursing Homes Registration Act 1927 to the council of any county district which is altered shall be exerciseable by that council in respect of the altered district.

(2) If an area is transferred from the registration area of one registration authority to the registration area of another registration authority the clerk of the former authority shall send to the clerk of the latter authority copies of all entries in the register of nursing homes kept by the former authority under the said Act relating to premises in the transferred area.



(3) It shall be the duty of any clerk to whom a copy of any entry is sent under the provisions of this section to include the particulars so furnished to him in the appropriate register.

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Derby Order.*

(4) Any exemption in force under the said Act in respect of premises within any transferred area shall continue in force until the exemption expires.

(5) For the purposes of this section a "registration authority" means a local supervising authority under the Nursing Homes Registration Act 1927 or a council to whom the power of maintaining a register under that Act has been delegated by that authority and a "registration area" means the area for which any registration authority maintains such a register.

39. Any order in force under the Wild Birds Protection Acts 1880 to 1908 throughout a district to which an area is transferred shall apply to any area transferred thereto in substitution for any existing order which may have been in force under the said Acts in the transferred area and any such order in force throughout the rural district of Chapel-en-le-Frith shall apply to the new urban district.

Wild birds  
protection  
orders.

## PART V.

### FUNCTIONS PROPERTY LIABILITIES &C. OF LOCAL AUTHORITIES.

40. Subject to the provisions of this order all functions property (not being property held on any charitable trust) and liabilities vested in or attaching to the council of a county or district which is altered shall be discharged or held by the council for the benefit or in respect of the altered county or district :

Functions  
property &c.  
of altered  
counties and  
districts.

Provided that—

- (a) any functions property or liabilities so vested or attaching in relation exclusively to a parish which is neither abolished nor transferred from the county or district (including property held under any trust for the parish or the inhabitants or parishioners thereof other than a charitable trust) or in relation exclusively to a part of a district shall be discharged or held for the benefit or in respect of that parish or part of the district or if the parish is altered for the benefit or in respect of the altered parish and in the case of property held in trust as aforesaid shall be held in trust for the parish or altered parish as the case may be or for the inhabitants or parishioners of that parish or altered parish for the same purposes as heretofore;

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—  
*Chester and  
 Derby Order.*

(b) any property or liabilities so vested or attaching in relation exclusively to an area which is transferred from the county or district shall by virtue of this order be transferred to and vest in or attach to the council of the county or district to which the area is transferred.

Chapel-en-le-Frith and Fernilee and Taxal water undertakings.

41.—(1) All lands buildings reservoirs mains and other works of the rural district councils of Chapel-en-le-Frith and Macclesfield respectively which are comprised in the water undertakings provided by those councils respectively for the parishes of Chapel-en-le-Frith and Fernilee and the parish of Taxal respectively and all liabilities attaching to those councils respectively in relation exclusively to such undertakings shall be transferred to and vest in or attach to the new urban council.

(2) The new urban council shall unless prevented by frost unusual drought or any cause beyond their control supply the councils of the rural districts of Chapel-en-le-Frith and Macclesfield with such quantity of water as they may respectively reasonably require for the purposes of supplying water to any properties situate in their respective districts which at the appointed day receive a supply of water from the undertakings aforesaid or either of them :

Provided that in the event of a difference between the new urban council and either of the councils as to the daily quantity of water to be supplied the difference shall be determined by the Minister.

(3) Subject as aforesaid the water to be supplied under this section shall be furnished upon such terms as may be settled by agreement between the councils concerned or (in case of dispute) by a single arbitrator subject to and in accordance with the provisions of the Arbitration Act 1889 or any statutory modification or re-enactment of the same for the time being in force.

Abolished urban district.

42. All property and liabilities vested in or attaching to the dissolved urban council shall by virtue of this order be transferred to and vest in or attach to the new urban council :

Provided that any property or liabilities so vested or attaching in relation exclusively to that part of the abolished urban district which is transferred to the rural district of Disley shall by virtue of this order be transferred to and vest in or attach to the rural district council of Disley.

Functions property &c. of parish councils.

43.—(1) All property and liabilities vested in or attaching to any of the dissolved parish councils of parishes named in column 1 of the second schedule shall by virtue of this order be



[26 GEO. 5. & Ministry of Health [Ch. x.]  
 1 EDW. 8.] Provisional Order Confirmation  
 (Chester and Derby) Act, 1936.

transferred to and vest in or attach to the authority named in column 2 opposite the name of the existing parish in column 1. A.D. 1936.

(2) Subject to the provisions of this order all functions property (not being property held on any charitable trust) and liabilities vested in or attaching to the parish council representative body or parish meeting of any existing parish which is altered shall be discharged or held by them for the benefit or in respect of the altered parish :  
*Chester and Derby Order.*

Provided that—

- (a) any property or liabilities so vested or attaching in relation exclusively to any part of the parish which is transferred to an urban district shall by virtue of this order be transferred to and vest in or attach to the council of that district;
- (b) any property or liabilities so vested or attaching in relation exclusively to any part of the parish which is transferred to another rural parish shall by virtue of this order be transferred to and vest in or attach to the parish council of the parish to which the part is transferred or if the latter parish has not a parish council the parish meeting or representative body of that parish.

44. Any houses or land provided or acquired by the council of any district under the Housing Acts 1925 to 1935 (or any enactment repealed by the Housing Act 1925) within an area which is transferred from that district shall by virtue of this order be transferred to and vest in the council of the district to which the area is transferred as the authority for the execution of the Housing Acts 1925 to 1935. *Housing schemes.*

45. All the estate and interest of the county council of Derby in any county police station situate within the Derby areas and in any residence for a constable or cell so situate and in the fittings and furniture of any such police station residence or cell shall by virtue of this order be transferred to and vest in the county council of Chester. *County police stations &c.*

46. All property and liabilities vested in or attaching to the Ludworth Mellor and Low Marple joint sewerage board shall by virtue of this order be transferred to and vest in or attach to the urban district council of Marple. *Joint sewerage board.*

47. Save as otherwise provided and without prejudice to any necessary adjustment all transferred property and liabilities shall be held or discharged by the authority to whom they are transferred for the benefit or in respect of their altered or newly constituted area. *Transferred property and liabilities.*

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—  
*Chester and  
 Derby Order.*

Mortgage  
 and other  
 securities.

48.—(1) Where by this order or by any adjustment made in consequence thereof the liability for the repayment of the whole or any part of a debt secured by a mortgage of a public body or their predecessors in title is transferred by one public body (in this subsection referred to as the transferor authority) to another public body (in this subsection referred to as the transferee authority) then in each such case the mortgage shall thenceforward take effect in all respects as a mortgage by the transferee authority of their revenues to secure the debt or part of the debt transferred and the interest thereon and a mortgage by the transferor authority of their revenues to secure the part (if any) of the debt for the repayment of which they remain liable and the interest thereon and the covenants contained in the mortgage so far as they relate to the debt or part of the debt transferred or the interest thereon shall be enforceable against the transferee authority and so far as they relate to the part (if any) of the debt for the repayment of which the transferor authority remain liable and the interest thereon shall be enforceable against the transferor authority.

(2) Subject as aforesaid where by this order or by any adjustment made in consequence thereof any liability or part of a liability which is charged on any fund or revenues of a public body is transferred to another public body the liability so transferred shall thenceforward be charged indifferently on all the revenues of the public body to whom it is transferred and shall cease to be a charge on the fund or revenues on which it was theretofore charged.

## PART VI.

### ACTS ORDERS BYELAWS &C.

Joint  
 sewerage  
 districts.

49.—(1) So much of the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1899 as confirms the Ludworth and Mellor Joint Sewerage Order 1899 so much of the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1911 as confirms the Whaley Bridge Joint Sewerage Order 1911 and so much of the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1914 as confirms the Ludworth Mellor and Marple Joint Sewerage Order 1914 are hereby repealed.

(2) The Whaley Bridge Joint Sewerage Order 1909 shall have effect subject to the following and any other necessary modifications:—

(a) the united district shall comprise the following constituent districts namely the new urban district and so much of the rural district of Chapel-en-le-Frith as



comprises the contributory place of Chinley Bugsworth and Brownside and the altered contributory place of Chapel-en-le-Frith and the expression "constituent district" shall be construed accordingly;

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- (b) the new urban council and the rural district council of Chapel-en-le-Frith shall be the constituent authorities of the joint board and the expression "constituent authority" shall be construed accordingly;
- (c) the new urban council and the rural district council of Chapel-en-le-Frith shall appoint nine and three members respectively of the joint board;
- (d) all the existing members of the joint board shall retire from office on the appointed day and the members of the joint board to be appointed pursuant to the provisions of this section shall be appointed as soon as practicable on or after the appointed day;
- (e) at all meetings of the joint board four members shall constitute a quorum;
- (f) the contribution of the rural district council of Chapel-en-le-Frith under paragraph (1) of article XVI shall be defrayed as special expenses separately chargeable on those contributory places in the rural district of Chapel-en-le-Frith which are comprised in the united district and paragraph (2) of article XVI shall cease to have effect.

50.—(1) The corporation of the borough of Stockport shall sell to the New Mills urban district council and that council shall purchase so much of the water undertaking of the corporation as is situate within the parts of the parish of Disley transferred to the urban district of New Mills (except the aqueducts mains and pipes and other apparatus which shall be necessary for supplying with water any other part of the limits of the corporation for the supply of water) at a price and upon terms and conditions ascertained in accordance with section 59 (Sale of portion of water undertaking to other local authorities) of the Stockport Corporation Water Act 1899.

Purchase of part of Stockport water undertaking in the New Mills urban district.

(2) Upon the completion of the sale and purchase under subsection (1) of this section the limits of the urban district council for the supply of water under the New Mills Urban District Council Act 1906 shall extend to and include those parts of the parish of Disley which are transferred to the urban district of New Mills and those parts shall cease to be within the limits of supply of the corporation whose rights and obligations with respect to the supply of water therein shall cease and determine.

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*Chester and  
 Derby Order.*

(3) The corporation shall have and may exercise all and the like powers privileges and authorities with respect to the repair maintenance and renewal of any aqueducts mains pipes and other apparatus excluded from the sale and purchase under subsection (1) of this section as they had with respect thereto immediately before the said sale and purchase.

(4) The portion of the undertaking of the corporation purchased under the powers of this section shall for all purposes form part of the water undertaking of the urban district council.

(5) The corporation and the urban district council may enter into and carry into effect agreements with reference to any of the matters referred to in this section and the supply of water in such transferred areas as aforesaid.

(6) The urban district council shall have and may exercise within the areas included in their water limits by this section all and the like powers privileges and authorities for and in relation to the supply of water and be subject to the like duties and obligations in respect thereof as they now have and are subject to within their existing water limits.

Adaptation  
 of local Acts  
 &c.

51.—(1) Subject to the provisions of this order the unrepealed provisions of—

- (a) any local Act or provisional order confirmation Act affecting any county or district which is altered ; and
- (b) any order having the force of an Act which affects any such area ;

shall apply to the altered area and any reference therein which is applicable to the existing area shall be construed as a reference to the altered area.

(2) The provisions of any protective section for the benefit of any public body affected by this order (or the predecessors of that public body) which may be contained in any local Act provisional order confirmation Act or order having the force of an Act by whomsoever obtained so far as they relate to or affect any area transferred by this order shall enure to the benefit as the case may require of the public body of the area to which the transferred area is transferred and in relation to such transferred area those provisions shall be construed as if a reference to that public body were substituted therein for any reference to the public body mentioned therein.

(3) Nothing in this order shall prejudice vary or affect any power right interest or jurisdiction of the joint committee of the Rivers Mersey and Irwell under the Mersey and Irwell Order 1891 which was confirmed by the Local Government Board's



[26 GEO. 5. & Ministry of Health  
1 EDW. 8.] *Provisional Order Confirmation*  
(*Chester and Derby*) Act, 1936.

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Provisional Orders Confirmation (No. 10) Act 1891 or under the Mersey and Irwell Joint Committee Act 1892.

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*Chester and Derby Order.*

(4) Save as otherwise expressly provided nothing in this order shall alter the area for the supply of gas water or electricity by any company body or local authority under any local Act provisional order confirmation Act or order made in pursuance of the Gas Undertakings Acts 1920 to 1934 or the Electricity (Supply) Acts 1882 to 1935 or shall prejudice or affect the existing powers or charges of any such company body or local authority under any such Act or order.

52. The High Peak Hospital (County of Derby) Order 1896 as amended by the High Peak Hospital (County of Derby) No. 2 Order 1918 the High Peak Hospital (County of Derby) No. 3 Order 1932 and the High Peak Hospital (County of Derby) No. 4 Order 1935 shall have effect subject to the following modifications:—

High Peak  
joint  
hospital  
district.

- (a) the new urban district shall be included in the hospital district and the new urban council shall elect two members of the hospital committee;
- (b) the number of members of the hospital committee to be elected by the rural district council of Chapel-en-le-Frith shall be reduced from nine to seven;
- (c) vacancies not exceeding two occurring before the appointed day in the representation on the hospital committee of the said rural district council shall not be filled;
- (d) as soon as practicable after the appointed day the said rural district council shall if the number of their representatives on the hospital committee exceeds seven select one or two persons as the case may require from among those representatives and any person so selected shall upon such selection cease to be a member of the hospital committee;
- (e) subject as aforesaid references to a district which is altered and to the council thereof shall be read as references to the altered district and to the council thereof;
- (f) the members of the hospital committee to be appointed pursuant to the provisions of this section shall be appointed as soon as practicable after the appointed day;
- (g) subject as aforesaid any person who represents on the hospital committee the council of a district which is

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altered shall unless he retires from office by virtue of this order or otherwise ceases to be a member continue to represent that council;

- (h) the rates of the contributions payable by the constituent authorities to the common fund of the hospital committee shall be determined by agreement between the constituent authorities or in default of agreement shall be determined by an arbitrator agreed upon by the constituent authorities or in the event of their being unable to agree upon an arbitrator by an arbitrator appointed by the county council of Derby.

Infectious  
Disease  
(Notifica-  
tion) Act  
1889.

53. Any order in force under the Infectious Disease (Notification) Act 1889 throughout a district which is altered shall apply to the altered district and shall cease to have effect in relation to any area transferred therefrom and any such order in force throughout the abolished urban district shall apply to the new urban district.

Orders  
relating  
to shops.

54. Nothing in this order shall prejudice or affect any order in force under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1934 in any area affected by this order and that order shall subject to the provisions of those Acts remain in force and apply to the area to which it applied immediately before the appointed day.

Adoptive  
Acts.

55.—(1) Subject to the provisions of this order—

- (a) the provisions of any public general Act in force throughout the abolished urban district by virtue of an adoption by the council thereof and any order in force under such Act throughout such district shall be in force within the new urban district as if those provisions had been adopted by the new urban council;
- (b) the provisions of any public general Act in force throughout any district which is altered by virtue of an adoption by the council thereof and any order in force under such Act throughout the district shall apply to the altered district and shall cease to have effect in relation to any area transferred therefrom.

(2) Any reference in this section to a council shall be deemed to include a reference to the predecessors of that council.

(3) Subject to the provisions of this order—

- (a) the provisions of any adoptive Act in force throughout any rural parish which is altered shall apply to the altered parish and shall cease to have effect in relation to any area transferred therefrom; and



[26 GEO. 5. & Ministry of Health  
1 EDW. 8.] *Provisional Order Confirmation*  
(*Chester and Derby*) Act, 1936.

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(b) subject as aforesaid the provisions of any adoptive Act in force in part only of a rural parish shall if that part or a portion thereof is transferred from the parish cease to be in force within the transferred area.

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*Chester and Derby Order.*

(4) In this section the expression " adoptive Act " means any Act which is in force by virtue of its adoption by a parish meeting or other parochial authority.

56.—(1) The Burial Acts 1852 to 1906 (hereinafter referred to as the Burial Acts) shall be in force throughout the altered urban district of Marple and the altered parish of Disley and the council of each such area shall be the burial authority for their area and shall discharge within it (to the exclusion of any other burial authority) all the functions and liabilities of a burial board under the Burial Acts.

Burial areas and authorities.

(2) The Burial Acts shall cease to be in force in those parts of the parish of Disley which are transferred to the new urban district and to the urban district of New Mills respectively.

(3) Any table of fees and charges in force in respect of any existing burial ground maintained by any authority under the Burial Acts for a burial area which is altered shall apply to inhabitants of the altered burial area as that table applies to inhabitants of the existing burial area.

(4) Nothing in this order shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to any burial ground.

(5) Nothing in this order shall prejudicially affect any right privilege authority or duty exerciseable by or attaching to any incumbent or sexton under the Burial Acts.

(6) The inhabitants of those parts of the parish of Disley which are transferred to the new urban district and to the urban district of New Mills respectively shall for a period of twenty-five years after the appointed day have the same rights of burial in any burial ground as they would have had if this order had not been made.

57. Subject to any order which the Minister or the Secretary of State may make to take effect on or after the appointed day the following provisions shall have effect in relation to orders made under the Public Health Acts Amendment Act 1907 and the Public Health Act 1925 :—

Orders under Public Health Acts Amendment Act 1907 and Public Health Act 1925.

(a) any order by virtue of which any part or section of either of those Acts is in force throughout any district which is altered and any other order under either of those Acts so in force shall apply to the altered district;

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 Derby Order.*

(b) any order by virtue of which any part or section of either of those Acts is in force throughout a contributory place of a rural district which becomes an altered contributory place of that district and any other order under either of those Acts so in force shall apply to the altered contributory place.

Urban  
 powers and  
 special  
 expenses.

58. All the functions of an urban authority and all the powers in relation to the chargeability of expenses with which the council of any rural district which is altered are invested by any order of the Local Government Board or the Minister under the Public Health Acts 1875 to 1932 or the Act of 1933 in respect of the whole of their district or in respect of any contributory place which becomes an altered contributory place of their district shall be discharged by that council in respect of the altered district or contributory place as the case may be.

Parish  
 council  
 powers.

59.—(1) All the functions of a parish council with which the council of any urban district which is altered are invested by any order of the Local Government Board or the Minister under the Act of 1894 or the Act of 1933 in respect of the whole of their district or the parish or parishes comprised therein shall be discharged by that council in respect of the altered district or (except in relation to charities) the parish or parishes comprised therein.

(2) The provisions of any such order as aforesaid in force in the abolished urban district shall apply to the new urban district as if any reference in that order applicable to the abolished district or to the parish comprised therein were a reference to the new district or to the parish comprised therein.

County  
 byelaws.

60.—(1) Any byelaws made by either of the county councils under section 11 of the Petroleum (Consolidation) Act 1928 or under the Advertisements Regulation Acts 1907 and 1925 and in force in the Chester areas or the Derby areas or any part thereof shall continue to apply to the areas to which the byelaws extend until they are repealed or altered.

(2) In their application to any such transferred area as aforesaid or any part thereof any byelaws which are in force therein by virtue of the provisions of this section shall have effect as if they had been made by the county council of the county in which the transferred area is situate and any proceedings which if this order had not been made might have been taken by a county council in respect of a contravention of or failure to comply with those byelaws before the appointed day within any such area may be taken by the county council of the county in which the area is situate.



(3) Subject as aforesaid any byelaws made by either of the county councils or their standing joint committee and in force within any district which is altered shall apply to the altered district and any such byelaws in force throughout the urban district of New Mills shall apply to the new urban district.

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61.—(1) Subject to the provisions of this order any local government byelaws in force which were made by the council of any district which is altered or abolished shall continue to apply to the area to which the byelaws extend—

District  
byelaws  
regulations  
scales of  
charges &c.

(a) if made before the first day of January nineteen hundred and twenty-six for one year after the appointed day (unless previously repealed or altered) but no longer;

(b) if made on or after the first day of January nineteen hundred and twenty-six until they are repealed or altered;

and any byelaws so continued in force in a transferred area shall have effect as if they had been made by the council of the district to which the area is transferred.

(2) Subject to the provisions of this order any byelaws other than local government byelaws and any scale of charges made by the dissolved urban council and in force throughout the abolished urban district shall apply to the areas transferred to the new urban district and in their application to such areas shall have effect as if they had been made by the new urban council.

(3) Any proceedings which if this order had not been made might have been taken by the council of any district in respect of an offence committed before the appointed day against any byelaws which are in force in any such transferred area as aforesaid by virtue of the provisions of this section may be taken by the council of the district to which the area is transferred.

(4) Subject to the provisions of this order all byelaws other than local government byelaws and any scale of charges made by the council of any district which is altered and in force throughout their existing district shall apply to the altered district until repealed or altered.

(5) In this section—

(a) the following expressions have the respective meanings hereby assigned to them:—

(i) "byelaws" includes any regulation and "local government byelaws" means byelaws which if made on the appointed day would require to be confirmed by the Minister;

(ii) "scale of charges" includes any list of tolls or table of fees or payments not prescribed by byelaws;

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Parish  
 byelaws.

(b) any reference to byelaws or a scale of charges made by the council of a district shall be read as including a reference to byelaws or a scale of charges made by their predecessors.

62. Any byelaws in force which were made by the parish council of a parish which is affected by this order for the regulation of any property shall if that property is transferred to another rural parish having a parish council have effect as if they had been made by that parish council and if the property is transferred to an urban district have effect as if they had been made by the council thereof.

### PART VII.

#### RATING AND VALUATION.

General rate  
 and general  
 rate fund.

63. There shall be one general rate and general rate fund for the whole of the new urban district.

Assessment  
 areas and  
 assessment  
 committees.

64.—(1) The County of Derby (Assessment Areas and Assessment Committees) Scheme 1934 shall have effect subject to the following modifications:—

- (a) the new urban district shall be included as a rating area within the North Western assessment area and the new urban council shall appoint one member of the North Western assessment committee the first appointment being made as soon as practicable after the appointed day;
- (b) references to any district which is altered shall be read as references to the altered district;
- (c) any person who represents on any assessment committee the council of any district which is altered shall continue to represent that council.

(2) Where by virtue of this order a rating area or part of a rating area is transferred from any assessment area to an assessment area situate in the county of Derby it shall be the duty of the clerk to the assessment committee for the assessment area from which the rating area or part thereof is transferred to transmit as soon as may be after the appointed day to the clerk to the assessment committee for the area to which the said rating area or part thereof is transferred all books and documents relating exclusively to hereditaments situate in the transferred area.

(3) Where proceedings relating to any hereditament situate in any rating area or part of a rating area to which subsection (2) of this section applies have been commenced but not completed before the appointed day the assessment committee for the assessment area to which the hereditament is transferred



shall for the purposes of the continuance of those proceedings be substituted for the assessment committee for the assessment area from which the hereditament is transferred.

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*Chester and Derby Order.*

65.—(1) For the purposes of the valuation list of the new urban district the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of the Rating and Valuation Act 1925 from the net annual value of such of the rateable hereditaments within the district as are included in class (3) of the hereditaments specified in column (1) of part II of the second schedule to that Act shall be 31 per cent.

Special properties.

(2) The Ascertainment of Rateable Values (No. 1) Order 1926 and the Ascertainment of Rateable Values (No. 3) Order 1927 respectively shall have effect with the substitution of references to the altered urban districts of Marple and New Mills for the references to the existing urban districts of Marple and New Mills respectively.

(3) The Ascertainment of Rateable Values (No. 9) Order 1927 in so far as it relates to the abolished urban district is hereby revoked.

(4) Upon the inclusion in the valuation list of any rural district of particulars of hereditaments within an area which is transferred to the district from an urban district adjustments shall be made in the values of such of the rateable hereditaments within that area as formerly fell within class (3) of the hereditaments specified in column (1) of part II of the second schedule to the Rating and Valuation Act 1925 for the purpose of cancelling the deduction from net annual value authorised by column (2) of part II of that schedule.

(5) The council of each district affected by the provisions of this section shall make such adjustments in the values of rateable hereditaments situate in their district as may be necessary to give effect to those provisions.

66.—(1) Before the appointed day such alterations of the valuation lists in force shall be made as may be necessary for the purpose of constituting a valuation list of the new urban district and of ensuring that the valuation lists of rating areas which are altered shall correspond with the altered areas.

Valuation lists.

(2) For this purpose the following provisions shall have effect.

(3) The clerk of the dissolved urban council shall retain in his possession the valuation list of the abolished urban district but shall before the twenty-fifth day of March nineteen hundred and thirty-six send to the clerk of the rural district council of Disley copies of all entries therein which relate to hereditaments within the areas transferred from the abolished urban district

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to the rural district of Disley including hereditaments which by reason of the transfer become two or more hereditaments one or more of which is situate within the transferred areas and shall cancel the entries in the valuation list :

Provided that if any area so transferred from the abolished urban district is an area subject to separate or differential rating this subsection shall be deemed to be complied with by the transfer of the division of the valuation list which relates to that area.

(4) The clerk of the council of any district from which an area is transferred other than the abolished urban district shall not later than the twenty-fifth day of March nineteen hundred and thirty-six send to the clerk of the council of the district to which that area is transferred if the transferred area is an area subject to separate or differential rating the division of the valuation list which relates to that area or if the transferred area consists of part only of such an area copies of all entries in the valuation list which relate to hereditaments within the transferred area including hereditaments which by reason of the transfer become two or more hereditaments one or more of which is situate within the transferred area and any officer furnishing copies of entries under this provision shall cancel the entries in the valuation list from which the copies are taken :

Provided that in the case of the transfer of an area to the new urban district the clerk of the dissolved urban council shall be substituted in this provision for the clerk of the council of the district to which the area is transferred.

(5) Any officer furnishing copies of entries under either of the last two preceding subsections shall also send copies to the clerk of the assessment committee within whose assessment area the transferred area will be comprised on and after the appointed day.

(6) Subject to such adjustments in the values of hereditaments as may be required by the last preceding section—

(a) the clerk of the dissolved urban council shall amalgamate the list of the abolished urban district after alteration in accordance with subsection (3) of this section and any division of a list or copies of entries received by him under subsection (4) of this section so as to constitute a valuation list of the new urban district and shall transmit that list to the clerk of the council of the new urban district upon his appointment;

(b) a clerk of the council of a district receiving any division of a list or copies of entries under this section shall incorporate the same with the valuation list of his district;



(c) the clerk of any assessment committee receiving copies of entries under this section shall incorporate the same with the copies of valuation lists in his possession or otherwise alter those copies of valuation lists as may be necessary :

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Provided that the provisions of this subsection shall not extend to copies of entries relating to hereditaments which by reason of the transfer of an area become two or more hereditaments.

(7) The divisions of the valuation list of any district within which any parish is altered shall be altered by the clerk of the council of the district so as to conform with the alteration of the parish and a record of the alteration shall be sent by him to the clerk of the assessment committee by whom a corresponding alteration in the copy of the valuation list in his possession shall be made.

67.—(1) The preceding provisions of this part relating to special properties and valuation lists shall have effect subject to the provisions of this section.

Valuation of divided hereditaments.

(2) Where by reason of the transfer of any area or the constitution of the new urban district any hereditament is divided into two or more hereditaments the rating authorities of the rating areas in which such hereditaments are situate shall forthwith take all necessary steps in accordance with the provisions of the Rating and Valuation Acts 1925 to 1932 to secure that the separate hereditaments are correctly entered in the appropriate valuation lists.

68. Any direction for the rating of owners or the allowance of a discount in respect of rates which may be in force in the abolished urban district shall apply to the new urban district and any direction for the rating of owners or the allowance of a discount in respect of rates which may be in force in any district which is altered shall apply to the altered district.

Rating of owners and discount for rates.

69.—(1) Precepts of the county councils for the financial year commencing on the appointed day shall be based on each of the altered counties and rating areas.

Precepts.

(2) The clerk of each of the county councils shall make such adaptations of and alterations in the estimates of the produce of a rate of a penny in the pound furnished to the county council by any rating authority as may be necessary to bring those estimates into conformity with the alterations of the counties and rating areas made by this order.

(3) It shall be the duty of clerks of rating authorities to supply the clerks of the county councils with such information as

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they may require for the purpose of giving effect to the provisions of subsection (2) of this section.

(4) Any precept addressed to the new urban council may be sent to the clerk of the dissolved urban council.

(5) Notwithstanding the alterations of area effected by this order all precepts made in respect of a financial period commencing before the appointed day shall be as valid in law as if this order had not been made.

Arrears of  
 rates.

70. All rates made but not collected at the appointed day in respect of hereditaments situate within a transferred area shall be collected and recovered by the rating authority of the rating area which will comprise the transferred area on and after the appointed day.

### PART VIII.

#### OFFICERS.

Interpre-  
 tation.

71. For the purposes of this part the expression "the Act of 1922" means the Local Government and other Officers' Superannuation Act 1922 and the expression "admission agreement" means an agreement made with a county council under subsection (3) of section 5 of that Act.

Transferred  
 officers.

72.—(1) Any person who on the date of the confirmation of this order is an officer of the rural district council of Chapel-en-le-Frith and is employed for any purposes the expenses of which are chargeable separately on the existing parishes of Ludworth and Mellor or either of them shall on the appointed day as respects that office be transferred to and become an officer of the urban district council of Marple.

(2) Any person who on the date of the confirmation of this order is an officer of any dissolved authority named in column 1 of the second schedule shall on the appointed day as respects that office be transferred to and become an officer of the authority named in column 2 opposite the name of the dissolved authority :

Provided that by agreement made not later than the thirtieth day of June nineteen hundred and thirty-six between the new urban council and the rural district council of Disley and any officer being a surveyor sanitary inspector rating officer or collector of rates who is so transferred to the new urban council and who served before the transfer in the area or any part of the area transferred to the rural district of Disley that officer may be re-transferred to the council of the rural district of Disley.

(3) The following provisions shall apply to any officer transferred by or in pursuance of this section :—

(a) the officer shall hold office by the same tenure and upon the same terms and conditions as immediately before



the appointed day and while performing similar duties shall in respect thereof receive not less salary or remuneration than the salary or remuneration to which he would have been entitled if this order had not been made;

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- (b) any council to whom the officer is transferred may employ the officer in the discharge of such of their functions as they may think proper and he shall perform such duties in relation to those functions as may be directed by that council;
- (c) any council to whom the officer is transferred may determine his office if they consider his office unnecessary subject nevertheless to the consent of the Minister as respects any officer who is removable only with the Minister's consent;
- (d) if by virtue of section 51 of the Rating and Valuation Act 1925 the Poor Law Officers Superannuation Act 1896 applies to the officer immediately before the appointed day as an officer of a rating authority the provisions of the said Act of 1896 shall notwithstanding any transfer continue to apply to him so long as he is a transferred officer in the service of a rating authority.
- (4) If any question arises—
- (a) as to whether any person has been transferred as an officer by this order; or
- (b) as to the authority to whom any person has been transferred as an officer by this order;

the question may on the application of the person or any authority concerned be determined by the Minister whose determination shall be final.

73. Any existing officer of the council of any district which is altered who is not by this order transferred to another authority shall continue in office and shall hold his office by the same tenure as before the appointed day.

Other officers.

74.—(1) The East Cheshire (Local Authorities) Joint Superannuation Scheme shall have effect subject to the following modifications:—

East Cheshire Joint Superannuation Scheme.

- (a) references to the dissolved urban council shall be omitted;
- (b) references to the council of a district which is altered shall be read as references to the council of the altered district;
- (c) the members of the joint committee constituted under the scheme who were elected by the dissolved urban council shall retire from office on the appointed day;

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(d) any person who at the appointed day is a representative on the joint committee of the council of any district which is altered shall unless he retires from office by virtue of this order or otherwise ceases to be a member continue to represent that council.

(2) Any officer of a constituent authority of the combination effected by the scheme who is transferred by this order to another such constituent authority and who immediately before the transfer occupied or was deemed to occupy a post designated as established for the purposes of the Act of 1922 shall be deemed to occupy a post duly designated as an established post by the constituent authority to whom he is transferred.

Superannua-  
 tion rights of  
 officers of  
 rural district  
 council of  
 Chapel-en-le-  
 Frith.

75. Any officer of the rural district council of Chapel-en-le-Frith who is transferred by this order to the urban district council of Marple and who immediately before the appointed day occupied or was deemed to occupy a post designated as established for the purposes of the Act of 1922 shall be deemed to occupy a post duly designated as an established post by that council and to have transferred to that post with the consent of the county council of Derby within six months of leaving the service of the rural district council.

Superannua-  
 tion rights of  
 officers of  
 new urban  
 council.

76.—(1) Before the expiration of three months after the appointed day the new urban council shall enter into an admission agreement with the county council of Derby in respect of any officer transferred to them by this order and not re-transferred from them in pursuance of this order who immediately before the appointed day occupied or was deemed to occupy a post designated as established for the purposes of the Act of 1922 by the dissolved urban council.

(2) Until the day on which the new urban council shall have entered into an admission agreement with the county council of Derby in pursuance of this section any officer of the dissolved urban council who immediately before the appointed day occupied or was deemed to occupy a post designated as established for the purposes of the Act of 1922 and who is transferred to the new urban council by this order and not re-transferred from them in pursuance of this order shall be deemed for the purposes of superannuation to be in the service of a constituent authority of the combination effected by the East Cheshire (Local Authorities) Joint Superannuation Scheme and the Act of 1922 shall continue to apply subject to the following provisions:—

- (a) any power discretion or consent which falls to be exercised or given in respect of the officer under the Act of 1922 shall be exercised or given by the new urban council;
- (b) the new urban council shall deduct from the officer's salary or wages the contributions payable under



[26 GEO. 5. & Ministry of Health [Ch. x.]  
 1. EDW. 8.] Provisional Order Confirmation  
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section 15 of the Act of 1922 and shall from time to time pay the amounts so deducted and the sums required to be paid under paragraph (b) of subsection (1) of section 18 of the Act of 1922 to the superannuation fund established under the said scheme.

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(3) The value on the day on which the new urban council shall have entered into an admission agreement with the county council of Derby of the share of the new urban council as successors of the dissolved urban council in the assets of the superannuation fund established under the scheme aforesaid shall be certified by an actuary appointed by the joint committee constituted thereunder and within thirteen weeks after the date of the actuary's certificate they shall pay the sum so certified to be due from them to the county council of Derby who shall pay into their superannuation fund the sum so received by them.

(4) Any superannuation allowance under the Act of 1922 which immediately before the day on which the new urban council shall have entered into an admission agreement with the county council of Derby is payable by the joint committee to a retired officer of the dissolved urban council or the new urban council shall as from that day be payable by the county council of Derby.

(5) Any officer of the dissolved urban council who is transferred to the new urban council by this order and is not re-transferred from them in pursuance of this order and who immediately before the appointed day occupied or was deemed to occupy a post designated by the dissolved urban council as established for the purposes of the Act of 1922 shall until the new urban council have entered into an admission agreement with the county council of Derby be deemed to occupy a post designated as established for the purposes of the Act of 1922.

77. Any officer to whom any of the preceding sections of this part relating to superannuation applies shall be entitled to such rights in respect of service before the date of any transfer as he would have been entitled to had he not been transferred and the provisions of section 10 of the Act of 1922 shall not apply to any officer transferred by or in pursuance of this order in respect of the loss of an office occasioned by the transfer if and so long as he occupies or is deemed to occupy under the council to whom he is transferred a post designated as established for the purposes of the Act of 1922.

Superannua-  
 tion rights of  
 transferred  
 officers.

78. Every officer in office on the date of the confirmation of this order who by virtue of this order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments and for whose compensation for

Compensa-  
 tion to  
 officers.

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 Derby Order.*

Payment of  
 compensa-  
 tion.

that loss no other provision is made by any enactment or any other statutory order for the time being in force shall be entitled to compensation under this order for that loss.

79.—(1) Any compensation payable under this order to an officer shall be awarded and paid—

- (a) in the case of an officer of a district or parish council by the council whose officer he is;
- (b) in the case of an officer of a county council by the council whose officer he is; and
- (c) in any case of doubt arising under either of the last two preceding paragraphs and in any other case by such local authority or authorities as may be determined by the Minister;

and the claim for compensation shall be made by the officer accordingly :

Provided that where compensation is claimed by an officer in respect of the same loss from more than one authority the authorities concerned may agree that the claim shall be considered and decided and any compensation awarded paid by one of those authorities subject nevertheless to such apportionment between them of any compensation awarded as may be agreed between the authorities or in default of agreement determined by the Minister.

(2) If any question arises under this section—

- (a) as to the authority or authorities to whom a claim for compensation is to be made by an officer; or
- (b) as to the proportions in which any compensation is to be paid by authorities;

the question may on the application of the officer or any authority concerned be determined by the Minister whose determination shall be final.

(3) For the purposes of the determination and payment of compensation to officers under this order the provisions set out in the fourth schedule to the Act of 1933 are hereby incorporated with this order.

#### PART IX.

#### SUPPLEMENTARY.

Housing.

80.—(1) Any resolution passed or other proceeding taken by the council of a district under the Housing Acts 1925 to 1935 (including orders notices agreements undertakings and demands made given or entered into under those Acts) may so far as the



[26 GEO. 5. & Ministry of Health [Ch. x.]  
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resolution or proceeding relates to any houses buildings or land within an area transferred from the district be carried into effect or continued by the council of the district to which the area is transferred as if the resolution or proceeding had been passed or taken by them.

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(2) References to the council of any district in any order under the Housing Acts 1925 to 1935 made by the council of that district and confirmed or approved by the Minister shall so far as the order relates to houses buildings or land within an area transferred from that district be read as references to the council of the district to which the area is transferred.

81.—(1) Any resolution passed or other proceeding taken by or on behalf of the council of a district under the Act of 1932 (including agreements orders and consents entered into made or given thereunder) shall so far as it affects land included in an area transferred from that district have effect as if the same had been passed or taken by or on behalf of the council of the district to which the area is transferred.

Town and  
country  
planning.

(2) Any dispensation approval or consent given by the Minister under or in pursuance of the Act of 1932 to the council of any district or to a joint committee acting on behalf of such a council shall so far as it affects land or the planning of land included in an area transferred from the district have effect as if the same had been given to the council of the district to which the area is transferred :

Provided that this provision shall not apply to any such dispensation approval or consent which was so given as aforesaid to a joint committee so far as it affects land or the planning of land which remains within the area for which the joint committee act.

(3) Nothing in this section shall cause the council of any district to become in respect of an area transferred to the district a constituent authority of a joint committee of which they were not a constituent authority before the appointed day.

(4) In this section—

“ the Act of 1932 ” means the Town and Country Planning Act 1932 or any enactment thereby repealed ; and

“ a joint committee ” means a joint committee within the meaning of the Act of 1932.

82.—(1) Within fourteen days after the appointed day the local land charges registrar (hereinafter referred to as the registrar) for the county of Chester shall supply to the registrar for any urban district to which any part of the Chester areas is transferred an office copy of every entry in the local land charges register (hereinafter referred to as the register) of the county

Local land  
charges  
registers.



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Derby Order.*

relating to a charge affecting land within those areas which on the appointed day will become a charge enforceable by the urban district council and he shall also supply to the registrar for the county of Derby an office copy of every entry in that register relating to a charge affecting land within the Chester areas which on the appointed day will become a charge enforceable by the county council of Derby.

(2) Within fourteen days after the appointed day the registrar for the county of Derby shall supply to the registrars for the new urban district and the urban district of Marple respectively an office copy of every entry in the register of the county of Derby relating to a charge affecting land within a transferred area which on the appointed day will become a charge enforceable by the council of the urban district and he shall also supply to the registrar for the county of Chester an office copy of every entry in that register relating to a charge affecting land within the Derby areas which on the appointed day will become a charge enforceable by the county council of Chester.

(3) Within fourteen days after the appointed day the registrar for any urban district from which an area is transferred to a rural district shall supply to the registrar for the county within which the rural district is situate an office copy of every entry in the register of the urban district relating to a charge affecting land within the transferred area which on the appointed day will become a charge enforceable by the county council of that county.

(4) Subject to the provisions of the preceding subsections of this section the registrar for the abolished urban district shall upon the appointment of a registrar for the new urban district deliver to that registrar the register of the abolished urban district and all documents relating to that register for the purpose of the formation of a register for the new urban district.

(5) Subject as aforesaid the registrar for any district from which an area is transferred shall within fourteen days after the appointed day supply to the registrar for the district to which that area is transferred an office copy of every entry of a charge in the register of the district from which the area is transferred relating to a charge affecting land within the transferred area not being a charge which will become enforceable by a county council.

(6) A registrar by whom an office copy is supplied under the foregoing provisions shall be paid in respect of that copy by the council of the county or district to the registrar for which the copy is supplied such fees as are prescribed by the rules made under the Land Charges Act 1925.



(7) A registrar by whom an office copy is received under the foregoing provisions shall within fourteen days after its receipt enter the particulars contained therein with any necessary modifications in the appropriate part of the register of the county or district for which he is the registrar.

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(8) Until the first day of May nineteen hundred and thirty-six or until the date on which all the entries required by the foregoing provisions have been made in the register of any county or district to which an area is transferred or the date on which the register of the new urban district is fully constituted in consequence of the foregoing provisions as the case may be whichever is the earlier the following provisions shall have effect in respect of land within that transferred area :—

- (a) where application is made by any person for a personal search in the register of the county or district to which the area is transferred the registrar shall give notice to the applicant that additional searches should be made in the register of the district or the registers of the county and district from which the area is transferred;
- (b) where application is made for an official search in the register of the district or the register of the county or district to which the area is transferred the registrar shall issue free of charge a certificate of official search in that register and shall forward to the registrar for the district from which the area is transferred the application received by him together with the fees paid in respect thereof and shall also forward a copy of the application to the registrar for any county from which the area is also transferred;
- (c) the registrar for the district from which the area is transferred and the registrar for any county from which it is also transferred shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as they would have possessed and been subject to if this order had not been made;
- (d) where an entry of a charge which has been duly made in a register is required by this section to be transferred from that register to another register such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register to which it is required to be transferred.

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*Chester and  
 Derby Order.*

Appoint-  
 ment of  
 trustees of  
 certain  
 charities.

83. Any power of appointing trustees of a charity subject to the jurisdiction of the Charity Commissioners which is exercisable by the council of any county or district or parish or by any parish meeting and which ceases to be exercisable in consequence of any alteration of area made by this order may be exercised by such authority as the Charity Commissioners may direct but nothing in this section shall in any way prejudice or affect the power of the Charity Commissioners under the Charitable Trusts Acts 1853 to 1925 to establish a scheme for the regulation of the charity.

Purchase of  
 electricity  
 under-  
 takings.

84.—(1) Any provision contained in any local Act provisional order confirmation Act or order having the force of an Act (by whomsoever obtained) or in any instrument entered into in pursuance of any such enactment conferring on any local authority a right of purchasing an electricity undertaking shall so far as that right relates to any area which is transferred to the area of another local authority enure to the benefit of the local authority of the district to which the area is transferred and in relation to such area shall be construed as if a reference to that local authority were substituted in the provision for any reference to the local authority mentioned in the provision.

(2) Any right of purchasing an electricity undertaking which enures to the benefit of a local authority under subsection (1) of this section and any such right conferred by the Electricity (Supply) Acts 1882 to 1935 and which accrues to a local authority by reason of an alteration of area made by this order shall not be exercised by that local authority without the consent of the Electricity Commissioners.

Books and  
 documents.

85.—(1) The public books writings and papers of any parish named in column 1 of the second schedule except any such document containing entries wholly or in part relating to the affairs of the church or to ecclesiastical charities or to parochial non-ecclesiastical charities and all documents directed by law to be kept therewith shall be deposited in such custody as may be directed by the authority named in column 2 opposite the name of the parish in column 1.

(2) Any ratepayer or inhabitant of any parish which is abolished shall at all times be entitled to the same right to which he would have been entitled if this order had not been made of inspecting and making extracts from such books documents writings and papers as are referred to in this section.

(3) Any officer of the rural district council of Disley duly authorised in that behalf shall be entitled during ordinary office hours to inspect and take extracts from any books or documents of the dissolved urban council not in the custody of the rural district council of Disley.



86. The accounts of any dissolved authority and of the committees and officers of that authority shall be made up to the appointed day and shall be audited in like manner and subject to the like incidents and consequences as if this order had not been made :

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*Chester and Derby Order.*

Audit of accounts of dissolved authorities.

Provided that any sum certified to be due from any person by a district auditor at any such audit shall be paid to the treasurer of the authority named in column 2 of the second schedule opposite the name of the dissolved authority in column 1.

87.—(1) Save as otherwise expressly provided all contracts deeds bonds agreements and instruments subsisting in favour of or against and all notices in force which were given by or by the predecessors of—

Existing contracts &c. and proceedings

(a) any public body in relation exclusively to any part of their area which is transferred therefrom; or

(b) any dissolved authority and being a document to which paragraph (a) of this subsection does not extend;

shall as respects documents referred to in paragraph (a) of this subsection be of full force and effect in favour of or against the public body of the area to which the transferred area is transferred and as respects documents referred to in paragraph (b) of this subsection be of full force and effect in favour of or against the authority named in column 2 of the second schedule opposite the name of the dissolved authority in column 1.

(2) If immediately before the appointed day any action or proceeding or any cause of action or proceeding is pending or existing by or against—

(a) any public body in relation to a matter exclusively affecting any part of their area which is transferred therefrom; or

(b) any dissolved authority and being a matter to which paragraph (a) of this subsection does not extend;

the same shall not be prejudicially affected by reason of this order but may be continued prosecuted and enforced as respects rights or proceedings of the nature described in paragraph (a) of this subsection by or against the public body of the area to which the transferred area is transferred and as respects rights or proceedings of the nature described in paragraph (b) of this subsection by or against the authority named in column 2 of the second schedule opposite the name of the dissolved authority in column 1.

(3) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this order.

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*Chester and  
Derby Order.*  
General  
savings.

88. Nothing in this order shall—

- (a) restrict any statutory powers of the Minister or the Registrar-General or restrict the powers of the Secretary of State or either of the county councils under the Act of 1894 the Act of 1929 or the Act of 1933;
- (b) save as otherwise expressly provided affect the area of any division of either of the counties for the election of county councillors or any coroners' district or petty sessional division;
- (c) affect the powers of either of the county councils for the division of a parliamentary county into polling districts for parliamentary elections or for the division of their county into polling districts for the election of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;
- (d) affect the area of any district or sub-district for the purposes of the Births and Deaths Registration Acts 1836 to 1929 or the Marriage Acts 1811 to 1934;
- (e) affect the ecclesiastical divisions of any parish or the constitution of any ecclesiastical parish or prejudice vary or affect any power right interest or jurisdiction in over or in connection with any charitable endowment; or
- (f) affect land tax.



SCHEDULES.

FIRST SCHEDULE.

PARISHES DISTRICTS COUNTY ELECTORAL DIVISIONS PETTY SESSIONAL DIVISIONS CORONERS' DISTRICTS GUARDIANS COMMITTEE AREAS AND ASSESSMENT AREAS TO WHICH AREAS ARE TRANSFERRED.

Area described in columns 1 and 2 transferred to—							
1.	2.	3.	4.	5.	6.	7.	8.
Area.	Colour of area on the map.	Parish.	District.	County electoral division.	Petty sessional division (P.S.D.) or coroner's district (C.D.)	Guardians committee area.	Assessment area.
<i>Yeardsley cum Whaley Urban District.</i>	Pink	Whaley Bridge	Whaley Bridge Urban District.	Chapel-en-le-Frith.	Chapel-en-le-Frith P.S.D.	North-Western.	North-Western.
Part of parish of Yeardsley cum Whaley.	Pink	Whaley Bridge	Whaley Bridge Urban District.	Chapel-en-le-Frith.			
<i>Disley Rural District.</i>		Whaley Bridge	New Mills Urban District.	New Mills			
Parts of parish of Disley.	Dark blue and dark green.						

PART I.—Areas transferred from the county of Chester to the county of Derby.

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FIRST SCHEDULE—continued.

Area described in columns 1 and 2 transferred to—							
1.	2.	3.	4.	5.	6.	7.	8.
Area.	Colour of area on the map.	Parish.	District.	County electoral division.	Petty sessional division (P.S.D.) or coroner's district (C.D.)	Guardians committee area.	Assessment area.
Macclesfield Rural District.							
Parts of parishes of—							
Kettlethulme	Pink	Whaley Bridge	Whaley Bridge Urban District.	Chapel-en-le-Frith, do.	Chapel-en-le-Frith P.S.D.	North-Western.	North-Western.
Taxal	{ Pink Light green.	do. Hartington Upper Quarter.	do. Chapel-en-le-Frith Rural District.	Fairfield			
PART II.—Areas transferred from the county of Derby to the county of Chester.							
New Mills Urban District.	Yellow	Disley	Disley Rural District.	Marple	Stockport P.S.D. East Cheshire C.D.	Macclesfield and Congleton.	Macclesfield and Congleton.
Part of parish of New Mills.							
Chapel-en-le-Frith Rural District.	} Orange	Marple	Marple Urban District.	Marple		Hyde and Cheadle.	Stockport and Hyde.
Parishes of Ludworth Mellor							



[26 GEO. 5. &  
1 EDW. 8.]

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PART III.—Areas transferred within the county of Chester.		PART IV.—Areas transferred within the county of Derby.	
Yeardsley cum Whaley Urban District.	Disley	Disley Rural District.	Marple
Part of parish of Yeardsley cum Whaley.			
Macclesfield Rural District	Wildboarclough		
Part of parish of Taxal	Grey		Prestbury P.S.D.
Chapel-en-le-Frith Rural District.			
Parts of parishes of Chapel-en-le-Frith	Pink	Whaley Bridge Urban District.	
Fernilee	{ Pink do. Purple	do.	
	Hartington Upper Quarter.		Buxton P.S.D.

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## SECOND SCHEDULE

### DISSOLVED AUTHORITIES.

*Transfer of property and liabilities.*

*Transfer of officers.*

*Custody of books and documents.*

*Audit of accounts.*

*Existing contracts &c. and proceedings.*

Dissolved authority.	Successors of dissolved authority.
1.	2.
Urban district council of Yeardsley cum Whaley.	Urban district council of— Whaley Bridge.
Parish council of the parish of— Fernilee Ludworth Mellor Taxal.	Whaley Bridge. Marple. Marple. Whaley Bridge.
Ludworth Mellor and Low Marple joint sewerage board.	Marple.

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