



## CHAPTER lxxvi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Cheltenham and Horsham (Rural). A.D. 1905.  
[30th June 1905.]

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

38 & 39 Vict.  
c. 55.

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

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

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

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1905. Short title.



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A.D. 1905.

SCHEDULE.

BOROUGH OF CHELTENHAM.

*Cheltenham  
Order.*

*Provisional Order for altering the Cheltenham Improvement Act 1852 the Cheltenham Corporation Water Act 1878 the Cheltenham Corporation Water Act 1881 the Cheltenham Improvement Act 1889 and a Confirming Act.*

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

And to all others whom it may concern.

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

15 Vict. c. 1.  
41 & 42 Vict.  
c. cciii.  
44 & 45 Vict.  
c. lxxiv.  
52 & 53 Vict.  
c. clxxxiv.

And whereas there are in force in the Borough the unrepealed provisions of the Cheltenham Improvement Act 1852 the Cheltenham Corporation Water Act 1878 the Cheltenham Corporation Water Act 1881 and the Cheltenham Improvement Act 1889 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after referred to as the Act of the year in which it was passed) as altered by the Cheltenham Order 1898 (herein-after referred to as "the Order") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 13) Act 1898 (herein-after referred to as "the Confirming Act") and by certain other Provisional Orders which were confirmed by Parliament but do not affect the subject-matter of this Order;

61 & 62 Vict.  
c. ccxii.

And whereas by the Act of 1878 and the Act of 1881 the Corporation were empowered to borrow money for the purposes of their water undertaking;

And whereas by Article I. of the Order the Corporation were empowered with the sanction of the Local Government Board and subject to the provisions of that Order to borrow upon the securities therein named such sums not exceeding in the whole the sum of thirty thousand pounds as might be necessary for the purposes of their water undertaking;

And whereas by virtue of the Cheltenham Electric Lighting Orders 1890 and 1899 and the Cheltenham (Extension) Electric Lighting Order 1900 which were duly confirmed by Parliament the Corporation have been empowered to supply electricity in the areas defined by those Orders;

A.D. 1905.

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And whereas by virtue of the Cheltenham Electric Lighting Orders 1890 and 1899 and the Cheltenham (Extension) Electric Lighting Order 1900 which were duly confirmed by Parliament the Corporation have been empowered to supply electricity in the areas defined by those Orders;

And whereas from the date at which the Corporation began to exercise their powers for the supply of electricity to the Thirty-first day of January One thousand nine hundred and five the expenses incidental to the exercise of those powers exceeded the revenue derived from the supply of electricity and in respect of the accumulated deficiency the Corporation on the last mentioned date were indebted to their bankers on account of principal and interest to the amount of eighteen thousand four hundred and fifty-seven pounds one shilling and elevenpence ;

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Order.

And whereas by Section 201 of the Act of 1889 certain sections of the Act of 1852 were repealed including Section 125 which incorporated the provisions of Section 122 of the Public Health Act 1848 ;

And whereas it is expedient that the Corporation should be empowered to borrow additional moneys for the purposes of their water undertaking and that they should be enabled to borrow money and levy rates for the repayment of the debt due to their bankers as aforesaid and also to provide for the payment of any interest accruing due in respect of that debt :

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

38 & 39 Vict.  
c. 55.

Art. I. The Act of 1881 as altered by the Order and the Confirming Act so far as it relates to the Order shall have effect as if in Article I. of the Order the words "not exceeding in the whole the sum of thirty thousand pounds" were omitted and as if in Article III. of the Order the words "sixty years from the date of borrowing" were substituted for the words "fifty years from the date of borrowing."

Increase of  
borrowing  
powers for  
waterworks  
purposes.

Art. II. The Act of 1889 so far as it repeals Section 125 of the Act of 1852 shall be altered and amended so that the following provisions shall have effect :—

Audit.

- (1) From and after the Thirty-first day of March One thousand nine hundred and six Sections 25 26 and 27 of the Municipal Corporations Act 1882 and Section 246 of the Public Health Act 1875 shall cease to apply to any accounts of the Corporation or of the treasurer of the Borough or of the officers of the Corporation and all accounts of the Corporation and of the treasurer of the Borough and of the officers of the Corporation under any public or private Act of Parliament or otherwise relating to matters dealt with by the Corporation in any capacity and including the accounts of any joint committee and of the officers of any joint committee appointed by the Corporation with the council of another borough or with a county council shall be audited by a district auditor appointed by the Local Government Board in like manner as accounts of an urban authority and

And whereas from the date at which the Corporation began to exercise their powers for the supply of electricity to the Thirty-first day of January One thousand nine hundred and five the expenses incidental to the exercise of those powers exceeded the revenue derived from the supply of electricity and in respect of the accumulated deficiency the Corporation on the last mentioned date were indebted to their bankers on account of principal and interest to the amount of eighteen thousand four hundred and fifty-seven pounds one shilling and elevenpence ;

A.D. 1905.

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Order.

their officers are audited under Sections 247 and 250 of the Public Health Act 1875 and those sections and all enactments amending them or applying to audit by district auditors including the enactments imposing penalties and providing for the recovery of sums as well as all enactments relating to matters incidental to or consequential upon any such accounts or audit shall apply in like manner as if so far as they relate to an audit of the accounts of an urban authority and the officers of that authority they were herein re-enacted with the necessary modifications and accordingly all burgesses of the Borough and all ratepayers and owners of property in the Borough shall have the like rights and there shall be the same appeal as in the case of that audit. Provided that the First Schedule to the District Auditors Act 1879 as applied by this Article shall be modified in the manner described in the Second Schedule to the Local Government Act 1888:

- (2) Nothing in subdivision (1) of this Article shall apply to the audit of the accounts of the Corporation for the financial year ending the Thirty-first day of March One thousand nine hundred and six:
- (3) The Corporation may out of the borough fund—

(a) Pay reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of the said associations or any of them and of purchasing reports of the proceedings of any such conferences or meetings;

(b) Pay the reasonable expenses of the Corporation in providing public entertainments on the occasion of public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the Borough; and

(c) Make reasonable subscriptions in aid of local volunteer corps brigades and other institutions established in or connected with the Borough for the purpose of rendering national or public services.

Further borrowing powers for repayment of accumulated deficit on electricity undertaking.

Art. III.—(1) The Local Acts shall be altered and shall have effect so as to empower the Corporation with the sanction of the Local Government Board and subject to the provisions of this Order to borrow upon the security of the revenue arising from the exercise of their powers of supplying electricity and of the district fund and general district rate of the Borough any sums not exceeding in the whole the sum of eighteen thousand four

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Order.

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(b) Pay the reasonable expenses of the Corporation in providing public entertainments on the occasion of public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the Borough; and

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hundred and fifty-seven pounds for the purpose of the repayment of the debt due from the Corporation as aforesaid up to the Thirty-first day of January One thousand nine hundred and five.

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*Cheltenham  
Order.*

(2) The moneys borrowed under subdivision (1) of this Article shall be repaid within such period not exceeding ten years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine and the period so determined and sanctioned shall with reference to the moneys to be repaid be the prescribed period for the purposes of the Local Loans Act 1875 and of the provisions of the Order as applied by subdivision (3) of this Article.

(3) The provisions of Articles II. and IV. to IX of the Order shall apply as if the said Articles were herein re-enacted and made applicable to the moneys borrowed under this Article and Article X. of the Order shall apply to the costs of any local inquiry held with reference to any of the purposes of this Order.

(4) The repayment of the moneys borrowed under this Article and the payment of the interest thereon shall be deemed to be purposes to which the Corporation may apply the revenue arising from the exercise of their powers of supplying electricity or in the event of a deficiency in that revenue the district fund and general district rate.

(5) The Corporation may also apply the said revenue or in the event of a deficiency as aforesaid the district fund and general district rate for the purpose of defraying any sum which between the date mentioned in subdivision (1) of this Article and the date of the confirmation of this Order will accrue due in respect of interest on the said debt at and after the yearly rate of four per centum.

Art. IV. This Order may be cited as the Cheltenham Order 1905.

Given under the Seal of Office of the Local Government Board this  
Twelfth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

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## RURAL DISTRICT OF HORSHAM.

*Provisional Order to enable the Rural District Council of  
Horsham to put in force the Compulsory Clauses of the  
Lands Clauses Acts.*

*Horsham  
Rural Order.*

To the Rural District Council of Horsham; —

And to all others whom it may concern.

WHEREAS the Rural District Council of Horsham (herein-after referred to as "the Council") require to purchase and take the lands described in the

hundred and fifty-seven pounds for the purpose of the repayment of the debt due from the Corporation as aforesaid up to the Thirty-first day of January One thousand nine hundred and five.

A.D. 1905.

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(4) The repayment of the moneys borrowed under this Article and the payment of the interest thereon shall be deemed to be purposes to which the Corporation may apply the revenue arising from the exercise of their powers of supplying electricity or in the event of a deficiency in that revenue the district fund and general district rate.

(5) The Corporation may also apply the said revenue or in the event of a deficiency as aforesaid the district fund and general district rate for the purpose of defraying any sum which between the date mentioned in subdivision (1) of this Article and the date of the confirmation of this Order will accrue due in respect of interest on the said debt at and after the yearly rate of four per centum.

Art. IV. This Order may be cited as the Cheltenham Order 1905.

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(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

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Rural Order.*

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[Ch. lxxvi.] *Local Government Board's* [5 EDW. 7.]  
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A.D. 1905.  
 —  
*Horsham*  
*Rural Order.*

38 & 39 Vict.  
 c. 55

schedule hereto for the disposal of the sewage of part of the contributory place of West Grinstead and for providing access to the said lands :

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

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

Art. II. This Order may be cited as the Horsham Rural Order 1905.

The SCHEDULE above referred to.

Parish of WEST GRINSTEAD in the County of SUSSEX.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
1	Arable field - - -	Walter Hillman - - -	Walter Hillman.
2	Brickyard railway siding wood and occupation road.	Ditto - - -	Ditto.
3	Occupation Road - - -	Ditto - - -	Ditto.
4	Ditto - - -	Walter Hillman London Brighton and South Coast Railway Company.	Walter Hillman London Brighton and South Coast Railway Company.

Given under the Seal of Office of the Local Government Board this Ninth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.  
 S. B. PROVIS Secretary.

Printed by EYRE and SPOTTISWOODE,  
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ROWLAND BAILBY, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

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*Provisional Orders Confirmation (No. 15) Act, 1905.*

A.D. 1905.  
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