



## CHAPTER xlvii.

An Act to confirm a Provisional Order of the Minister of Health relating to Newcastle-under-Lyme. A.D. 1927.  
[29th July 1927.]

**W**HEREAS the Minister of Health has made the Provisional Order set forth in the schedule hereto under the provisions of the Local Government Act 1888: 51 & 52 Vict c. 41.

And whereas it is requisite that the said Order 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 Order set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Newcastle-under-Lyme Extension) Act 1927. Short title.

[Ch. xlvii.] *Ministry of Health* [17 & 18 GEO. 5.]  
*Provisional Order Confirmation (Newcastle-under-Lyme  
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A.D. 1927.

SCHEDULE.

BOROUGH OF NEWCASTLE-UNDER-LYME.

*Newcastle-  
under-Lyme  
Order.*

*Provisional Order made in pursuance of the Local  
Government Act 1888 for extending a Borough.*

WHEREAS by virtue of section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a Provisional Order for altering the boundary of any borough;

And whereas the existing Borough of Newcastle-under-Lyme in the Administrative County of Stafford is a borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Newcastle-under-Lyme and act by the Council of the Borough which now consists of the mayor (who is also a councillor) six aldermen and seventeen other councillors and the Borough is for the purpose of the election of councillors divided into two wards;

And whereas the Borough has a separate court of quarter sessions commission of the peace police force recorder and coroner;

And whereas in pursuance of the Education Act 1921 the Council of the Borough are the local education authority for the purposes of elementary education;

And whereas the Borough is coextensive with the Parish of Newcastle under Lyme and is an Urban District under the jurisdiction of the Mayor Aldermen and Burgesses acting by the Council;

And whereas the Parliamentary Borough of Newcastle-under-Lyme comprises the greater part of the Borough of Newcastle-under-Lyme and the whole of the Urban Districts of Audley and Wolstanton United;

And whereas the Parishes of Clayton and Keele in the Administrative County of Stafford immediately adjoin the Borough and are contributory places in the Rural District of Newcastle under Lyme and are subject to the jurisdiction of the Rural District Council of Newcastle under Lyme and are entitled to elect Parish Councils;

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Now therefore the Minister of Health in pursuance of the powers given to him by sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders as follows :—

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—  
*Newcastle-  
under-Lyme  
Order.*

PART I.

INTERPRETATION AND COMMENCEMENT.

1. In this Order unless the context otherwise requires—

Definitions.

“ The Act of 1888 ” and “ the Act of 1894 ” mean respectively the Local Government Act 1888 and the Local Government Act 1894 ;

“ The added areas ” means the added part of Clayton and the added part of Keele ;

“ The added part of Clayton ” means that part of the existing Parish of Clayton which is coloured yellow on the maps ;

“ The added part of Keele ” means that part of the existing Parish of Keele which is coloured green on the maps ;

“ The appointed day ” means the First day of October Nineteen hundred and twenty-seven ;

“ The Borough ” means the existing Borough of Newcastle-under-Lyme as extended by this Order ;

“ The Corporation ” means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council ;

“ The County ” and “ the County Council ” mean respectively the Administrative County of Stafford and the County Council of that County ;

“ The maps ” means the duplicate maps marked “ Map  
“ of the Borough of Newcastle-under-Lyme as  
“ extended by the Newcastle-under-Lyme (Extension)  
“ Order 1927 ” and sealed with the official seal of the Minister ;

“ The Minister ” means the Minister of Health ;

“ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925 ;

“ The Parish of Clayton ” “ the Parish of Keele ” and “ the Parish of Newcastle under Lyme ” mean respectively each of those parishes as altered by this Order ;

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“The Rural District” and “the Rural Council” mean respectively the Rural District of Newcastle under Lyme and the Rural District Council of Newcastle under Lyme;

“Existing” in relation to any area altered by this Order means existing immediately before the appointed day;

“Local Authority” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county;

“Officer” includes a servant and any person whose remuneration is paid by a local authority.

Commence-  
ment of  
Order.

2. Save as otherwise expressly provided this Order shall come into operation on the First day of October Nineteen hundred and twenty-seven :

Provided that for the purposes of—

(a) The compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts 1918 to 1926; and

(b) The revision of the basis of the county rate of the County or the preparation of any precept or contribution order to be made on or after the appointed day;

this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of  
existing  
Borough.

3.—(1) The boundary of the existing Borough the area of which is coloured pink on the maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added part of Clayton and the added part of Keele.

(2) The boundary of the Borough shall be that shown by the red line on the maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough.

Alterations  
of existing  
Parishes.

4.—(1) The added part of Clayton shall be separated from the existing Parish of Clayton the added part of Keele shall be separated from the existing Parish of Keele and the added areas shall be amalgamated with the existing Parish of Newcastle under Lyme.

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(2) The Parish of Newcastle under Lyme shall be coextensive with the Borough.

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5.—(1) One of the maps shall be deposited in the office of the Minister and the duplicate map shall be deposited by the town clerk of the existing Borough at his office.

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under-Lyme  
Order.*

Deposit and  
copies of  
maps.

(2) Copies of the map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Rural Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

6.—(1) Copies of or extracts from the map deposited with the town clerk and certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as it relates to the boundary of the Borough.

Copies of  
map to be  
evidence.

(2) The map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the borough fund.

### PART III.

#### PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

7. Subject to the provisions of the Municipal Corporations Acts the following provisions shall have effect—

Municipal  
wards and  
existing  
councillors.

(1) For the purposes of the election of councillors the Borough shall continue to be divided into two wards;

(2) The added areas shall be included in the No. 2 West Ward of the Borough;

(3) Any councillor who represents immediately before the appointed day the No. 2 West Ward shall on and after that day represent that Ward as extended by this Order and shall remain in office until the day on which he would have retired from office if this Order had not been made;

(4) If immediately before the appointed day a casual vacancy shall exist in the representation of the No. 2 West Ward the vacancy shall be deemed to exist in the representation of that Ward as extended by this Order.

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Existing  
mayor and  
aldermen.

County and  
Borough  
Councils  
(Qualification)  
Act 1914.

County  
electoral  
divisions.

Jurisdiction  
powers and  
duties of  
borough  
justices  
magistrate  
coroner  
police &c.

8. The persons who hold office immediately before the appointed day as mayor and aldermen of the existing Borough shall on the appointed day become the mayor and aldermen of the Borough but shall respectively retire from office on the day on which they would have retired from office if this Order had not been made.

9. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the Borough.

10.—(1) For the purpose of the election of county councillors the added areas shall be separated from the Stone (Rural) Electoral Division and from the Keele Electoral Division and shall be added to and form part of the Borough of Newcastle-under-Lyme (No. 2) West Ward Electoral Division.

(2) Any person who immediately before the appointed day is in office as a county councillor representing any existing electoral division mentioned in paragraph (1) of this article shall be deemed to have been elected to represent that electoral division as altered by this Order and shall retire from office on the day on which he would have retired from office if this Order had not been made.

11.—(1) The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing Borough of the justices of the peace appointed for the existing Borough and of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough :

Provided that—

(a) every person committing an offence in either of the added areas prior to the appointed day shall be tried and dealt with as if this Order had not been made ;

(b) every proceeding which prior to the appointed day has been begun by or before any justice or coroner in relation to any matter arising in or concerning either of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

(2) Nothing in this Order or in the Newcastle-under-Lyme (Extension) Order 1921 shall affect the area within which the powers authorities and jurisdiction of the commissioners and magistrate appointed under the Staffordshire Potteries Stipendiary Justice Acts 1839 to 1895 may be exercised.



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12. The town clerk and all other officers of the Corporation of the existing Borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the Borough and shall hold their offices by the same tenure as before that day.

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Order.*

Town clerk  
and other  
officers con-  
tinued.

13. Subject to the provisions of this Order all property immediately before the appointed day vested in the Corporation for the benefit of the existing Borough (not being property held on any charitable trust) shall by virtue of this Order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which immediately before that day are exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing Borough shall on that day attach to them in respect of the Borough.

Corporation  
property  
liabilities &c.

14.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing Borough shall be charged upon the corresponding fund or rate of the Borough.

Mortgage  
debts of  
Corporation.

(2) All borrowed moneys to which this article applies with the interest thereon shall be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

15.—(1) On the appointed day such number of the members of the police force of the County as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the County and the watch committee of the Corporation or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the Borough :

County  
police.

Provided that no member of the police force of the County shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the Borough upon the same tenure and subject to the same terms and conditions as the other serving members of the borough police force of the same rank as that member and any period of service which the transferred member was entitled to reckon before the transfer for purposes of pay promotion or pension in the police force of the County shall be reckoned for the same purpose in the police force of the Borough :

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Provided that where the scale of ordinary pensions applicable to a member of the police force of the County who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I. of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this article as if that member had removed with the written sanction of the chief constable of the County and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the police force of the County.

Cesser of  
jurisdiction  
of Rural  
Council and  
property &c.

16. Subject to the provisions of this Order—

- (1) The Rural Council shall cease to exercise any powers or discharge any duties within the added areas;
- (2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to the added part of Clayton or the added part of Keele or any portion of one of those added parts shall by virtue of this Order be transferred to and vest in the Corporation as the Urban Authority for the execution of the Public Health Acts 1875 to 1925;
- (3) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to the added part of Clayton or the added part of Keele (or any portion of one of those added parts) conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Housing  
Schemes of  
Rural  
Council.

17.—(1) Upon the appointed day the estate or interest of the Rural Council in such of the houses provided by that Council under the Rural Housing Schemes as are situate within the added areas shall by virtue of this Order be transferred to and vest in the Corporation as the authority for the execution of the Housing Act 1925.

(2) The rights liabilities obligations and property attaching to or vested in the Rural Council in relation to the Rural Housing Schemes shall be a matter for adjustment under section 62 of the Act of 1888.

(3) In this article "the Rural Housing Schemes" means the housing schemes of the Rural Council formulated for the Rural District under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.



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18.—(1) Subject to the provisions of this Order the unrepealed provisions of—

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- (a) The Local Act and of the Confirmation Acts specified in the First Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in that Schedule; and
- (b) Any other Local Act or Provisional Order duly confirmed and affecting the existing Borough or the Corporation (including any such Local Act or Provisional Order passed or confirmed during the present session of Parliament);
- (c) Any order affecting the existing Borough or the Corporation which has effect as if enacted by Parliament;

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under-Lyme  
Order.*  
Local Act  
and Orders  
relating to  
existing  
Borough.

as the same respectively are in force within the existing Borough immediately before the appointed day shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof and any reference therein to any parish within the existing Borough shall be read as including a reference to the Parish of Newcastle under Lyme.

(2) The added areas shall be included within the limits for the supply by the Corporation of electricity under the Newcastle-under-Lyme Electric Supply Order 1899.

19.—(1) The provisions of—

- (a) the Baths and Washhouses Acts 1846 to 1925;
- (b) the Infectious Disease (Prevention) Act 1890;
- (c) the Public Health Acts Amendment Act 1890;
- (d) the Public Libraries Acts 1892 to 1919;
- (e) the Private Street Works Act 1892; and
- (f) Parts II. to V. of the Public Health Act 1925;

Adoptive  
Acts.

shall be in force within and apply to the Borough as if the same had been adopted for the Borough.

(2) The provisions of any Act adopted by the Rural Council (or their predecessors) shall subject to the provisions of this article cease to be in force within and apply to any part of the added areas.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any Adoptive Act mentioned in paragraph (1) of this article which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas and any order under the Infectious Disease

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Corporation to  
be local autho-  
rity for maternity  
child welfare &c.

(Notification) Act 1889 in force immediately before that day within the added areas shall cease to be in force within those areas.

20. For the purposes of the Notification of Births Acts 1907 and 1915 and the Maternity and Child Welfare Act 1918 the Corporation shall be the local authority for the Borough.

Corporation  
to be Burial  
Board for  
Borough.

21.—(1) The added part of Keele shall be separated from the area within which the Silverdale and Keele Joint Burial Committee act as the Authority for the execution of the Burials Acts 1852 to 1906.

(2) The Corporation shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906:

Provided that no approval sanction or authorisation of the vestry of the Parish of Newcastle under Lyme shall be required in respect of any act of the Corporation as the Burial Board.

(3) For the purposes of any adjustment which may be required in consequence of the foregoing provisions of this article the Urban District Council of Wolstanton United and the Parish Council of Keele shall be deemed to be authorities affected by this Order.

(4) Any table of fees and charges in force in respect of any existing burial ground maintained by the Corporation shall extend and apply to inhabitants of the burial area as extended by this Order as such table applies to inhabitants of the existing burial area.

(5) 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 such burial ground.

(6) Nothing in this Order shall prejudicially affect any right privilege authority or duty which immediately before the appointed day is exerciseable by or attaches to any incumbent or sexton under the Burial Acts.

Orders  
under Shop  
Hours Act  
1904 or Shops  
Acts 1912  
to 1920.

22. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Order shall subject to the provisions of such Acts remain in force and apply to the area to which it applied before that day.

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23. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925 :—

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—  
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 under-Lyme  
 Order.*

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

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing Borough any Parts or Sections of either of those Acts shall have effect as if any reference in that order to the existing Borough extended and applied to the Borough and as if the said Parts or Sections were accordingly declared to be in force within the Borough;
- (2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas;
- (3) The provisions of any order made before the appointed day and declaring to be in force within the added areas any Parts or Sections of either of those Acts shall cease to apply to the added areas and the Parts or Sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added areas.

24. All the powers rights duties capacities liabilities and obligations of an urban authority and all the powers in relation to the chargeability of expenses with which the Rural Council are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts 1875 to 1925 in respect of either of the existing Parishes of Clayton and Keele shall be deemed to vest in and attach to the Rural Council in respect of that Parish as altered by this Order.

Urban  
 powers &c.  
 in excluded  
 parts of  
 Parishes.

25.—(1) Any byelaws made by—

(a) the Corporation for good rule and government or under the Education Act 1921 or any enactment repealed by that Act; or

(b) the Watch Committee of the Corporation;

Byelaws re-  
 gulations  
 scales of  
 charges &c.

and in force immediately before the appointed day within the existing Borough shall extend and apply to the Borough until repealed or altered by further byelaws in substitution for any such byelaws which may be in force within the added areas.

(2) Subject to the provisions of this Order any byelaws or scale of charges made either by the Corporation or by the Rural

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—  
*Newcastle-  
under-Lyme  
Order.*

(a) if made before the first day of January Nineteen hundred and seven shall continue to apply to the existing Borough or to the added areas as the case may be for a period of one year after the appointed day (unless previously repealed or altered by byelaws or a scale of charges made by the Corporation) but shall on the expiration of the period aforesaid cease to be in force within any part of the Borough;

(b) if made on or after the First day of January Nineteen hundred and seven shall continue to apply to the existing Borough or to the added areas as the case may be until they are repealed or altered by byelaws or a scale of charges made by the Corporation.

(3) In their application to the added areas any byelaws or scale of charges made by the Rural Council shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein.

(4) All byelaws made by the County Council or by the standing joint committee of the County and in force immediately before the appointed day within the added areas shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within those areas.

(5) Any proceedings which if this Order had not been made might have been taken by the Rural Council or the County Council for any offence committed before the appointed day—

(a) within the added areas against any byelaws of the Rural Council; or

(b) within the Borough against any byelaws of the County Council which by virtue of this article cease to apply to the Borough;

may be taken by the Corporation as if the Corporation had been substituted therein for the Rural Council or the County Council as the case may require and as if the byelaws of the County Council had remained in force.

(6) In this article "byelaws" includes any regulation and "scale of charges" includes any list of tolls or table of fees or payments and any reference to byelaws or a scale of charges made by the Corporation or by the Rural Council shall be read as including a reference to byelaws or a scale of charges made by the predecessors of the Corporation or of the Rural Council as the case may require.

PART IV.

SUPPLEMENTARY PROVISIONS.

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—  
*Newcastle-  
under-Lyme  
Order.*  
Existing  
guardians  
and rural  
district  
councillors.

26. Any person who immediately before the appointed day is in office as a guardian for the existing Parish of Newcastle under Lyme or as a rural district councillor and guardian for either of the existing Parishes of Clayton and Keele shall be deemed to have been elected for and shall represent that Parish as altered by this Order until the day on which he would have retired from office if this Order had not been made.

27.—(1) The Parish Council of the existing Parish of Clayton and the Parish Council of the existing Parish of Keele shall be deemed to have been elected as and shall be the Parish Council of that Parish as altered by this Order.

Parish  
Councils of  
Clayton  
and Keele.

(2) Nothing in this Order shall affect the retirement on the Fifteenth day of April Nineteen hundred and twenty-eight of the members of the Parish Councils mentioned in this article.

28.—(1) Subject to the provisions of this Order any powers and duties transferred by or under the Act of 1894 to the Parish Council of the existing Parish of Clayton or to the Parish Council of the existing Parish of Keele shall so far as regards the added areas be vested in and imposed on the Corporation.

Powers  
property &c.  
of Parish  
Councils.

(2) Any property or liabilities held or incurred—

(a) by the Parish Council of the existing Parish of Clayton in relation exclusively to the added part of Clayton or any portion thereof; or

(b) by the Parish Council of the existing Parish of Keele in relation exclusively to the added part of Keele or any portion thereof;

for the purposes or by virtue of the powers and duties transferred by paragraph (1) of this article shall by virtue of this Order be transferred to and vest in or attach to the Corporation.

(3) Any property or liabilities held or incurred by either of the Parish Councils mentioned in this article in relation to the added part of Clayton or the added part of Keele (or any portion of either of those added parts) conjointly with any other area shall if necessary be a matter for adjustment under section 62 of the Act of 1888.

29.—(1) Until the date on which the first new valuation list made under the Rating and Valuation Act 1925 for the Borough comes into operation the total amount in the pound in any half-year commencing on the First day of October or the First day of April of the general district rate or rates to be levied by the Corporation upon any rateable hereditament situate within

Differential  
rating in  
added areas.



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the added part of Clayton or the added part of Keele shall be less by one shilling and ninepence than the total amount in the pound of the general district rate or rates to be levied by the Corporation in the same half-year upon any hereditament situate within that portion of the existing Borough which is not by virtue of the Newcastle-under-Lyme (Extension) Order 1921 subject to any provision for differential rating.

(2) As from the date on which the first new valuation list made for the Borough under the Rating and Valuation Act 1925 comes into operation the general rate shall be substituted for the general district rate in paragraph (1) of this article.

(3) Any relief from a general district rate or a general rate afforded in pursuance of this article shall be specified in all demand notes for rates issued to ratepayers of the added areas and the net amount in the pound of the rate shall be distinguished.

(4) This article shall cease to have effect on the expiration of fifteen years after the appointed day.

Deduction  
in ascertain-  
ing rateable  
value of  
tithes rail-  
ways canals  
&c.

30. For the purposes of the first new valuation list to be prepared under the Rating and Valuation Act 1925 and of any subsequent valuation list to be prepared under that Act the amount of the deduction to be made from net annual value in the ascertainment of the rateable value of such rateable hereditaments within the added areas 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 equal to the percentage of deduction fixed by the special scheme approved under Part III. of that Schedule in respect of the existing Borough.

Local land  
charges  
registers.

31.—(1) The local registrar for the Rural District under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the Borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the Borough shall within fourteen days after the receipt of the office copy mentioned in paragraph (1) of this article enter the same with any necessary modifications in the appropriate part of the local land charges register of the Borough.

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added areas—

(a) The local registrar for the Borough shall give notice to any person desiring to make a personal search that

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an additional search should be made in the register for the Rural District ;

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- (b) Where application is made for an official search the local registrar for the Borough shall issue free of charge a certificate of official search in the register of the Borough and shall forward to the local registrar for the Rural District the application received by him together with the fees paid in respect thereof ;
- (c) The local registrar for the Rural District shall permit and make such searches and furnish such office copies and certificates as he 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 if this Order had not been made ;
- (d) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance of this Order transferred from the register of the Rural District to the register of the Borough 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 of the Borough.

32.—(1) The Registration Officer of the Parliamentary County of Stafford shall supply the Registration Officer of the Parliamentary Borough of Newcastle-under-Lyme on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added areas and shall forthwith notify the Registration Officer of the said Parliamentary Borough 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 Borough of Newcastle-under-Lyme 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 Borough for the purpose of borough council elections in the same electoral division of the Borough for the purpose of county council elections or in the Parish of Newcastle under Lyme for the purpose of guardians' elections.

(3) Where the Registration Officer of the said Parliamentary Borough 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 mentioned

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A.D. 1927. in paragraph (2) of this article should be made in the electors list  
— of any registration unit comprising any part of the added areas  
*Newcastle- he shall forthwith notify the Registration Officer of the Parlia-  
under-Lyme mentary County of Stafford and that officer shall make such  
Order. correction accordingly.*

(4) This article shall apply to the preparation of the register of electors in the year Nineteen hundred and twenty-seven and of later registers of electors.

Provisions  
as to  
register of  
electors.

33.—(1) In the preparation of the register of electors in the year Nineteen hundred and twenty-seven so far as it relates to any area affected by this Order it shall be competent to the Registration Officers to frame the registers in separate parts for each area which will constitute a registration unit after this Order has come into operation instead of in separate parts for each area constituting a registration unit before the operation of this Order.

(2) 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 an electoral division parish or ward or other voting area—

- (a) the Town Clerk of the Borough in the case of an election for any voting area within the Borough; and
- (b) the Registration Officer of the Parliamentary County of Stafford in the case of an election or parish meeting for any voting area outside the Borough;

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

(3) It shall be the duty of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the Town Clerk of the Borough or Registration Officer of the Parliamentary County for the purpose of any alteration or re-arrangement authorised by paragraph (2) of this article.

(4) 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 Order and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

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34. Until new valuation lists come into force—

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(1) The valuation list of the existing Parish of Newcastle under Lyme and the portions of the valuation lists of the existing Parish of Clayton and of the existing Parish of Keele which relate to hereditaments in the added areas shall together form the valuation list of the Parish of Newcastle under Lyme;

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Order.*

Valuation  
lists.

(2) The remaining portions of the valuation lists of the existing Parish of Clayton and of the existing Parish of Keele shall be the valuation lists of the Parish of Clayton and of the Parish of Keele.

35.—(1) Subject to any future revision the basis of the county rate of the County shall be altered as follows:—

County rate  
basis.

(a) From the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Clayton and in the existing Parish of Keele there shall be deducted such sums in each case as will represent the net annual values of the agricultural land and of other hereditaments in the added part of Clayton and the added part of Keele;

(b) The net annual values of the agricultural land and of other hereditaments in the added part of Clayton and the added part of Keele shall be added to the amounts appearing in the basis as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Newcastle under Lyme;

(c) The amounts appearing in the basis as the net annual value and the assessable value of the property in the existing Parish of Newcastle under Lyme in the existing Parish of Clayton and in the existing Parish of Keele shall be altered so as to correspond with the alterations made as above directed in the net annual values of the agricultural land and of other hereditaments in those existing Parishes.

(2) For the purposes of this article the net annual value of the agricultural land in the added part of any existing parish shall be the amount which bears the same relation to the net annual value of agricultural land in the existing parish as the total rateable value of the agricultural land in such added part bears to the total rateable value of the agricultural land in the existing parish.

(3) For the purpose of ascertaining the net annual value of other hereditaments (not being agricultural land) in the added part of an existing parish the preceding paragraph of this article

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Extension) Act, 1927.*

A.D. 1927. shall apply with the substitution for "agricultural land" of  
— "hereditaments other than agricultural land."

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under-Lyme  
Order.*

(4) In this article "net annual value" and "assessable value" mean the net annual value and assessable value according to the basis of the county rate which is being altered in pursuance of this article and "total rateable value" means the total rateable value according to the valuation list of the existing parish last in force before the basis is so altered.

Settlement  
of poor.

36.—(1) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring a settlement in any existing parish affected by this Order by reason of residence birth or other qualification in any of the existing parishes or part of an existing parish specified in column 1 of the Second Schedule to this Order shall be deemed to have acquired or to be in the course of acquiring thereby a settlement in the parish denoted by the corresponding number in column 2 of that Schedule and as if in each case the area specified in column 1 had always been the parish denoted by the corresponding number in column 2 of the Schedule or a part of that parish.

(2) For the purposes of this article consecutive periods of residence in any portions of an existing parish divided by this Order shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the appointed day.

(3) In the Second Schedule to this Order "the excluded part of Clayton" and "the excluded part of Keele" mean respectively that part of the existing Parish of Clayton and of the existing Parish of Keele which is not by this Order added to the existing Borough.

Adaptation  
of provisions  
as to adjust-  
ments.

37. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect—

(a) As if in subsections (5) (6) and (7) of that section the expression "council" included any authority affected by this Order or by anything done in pursuance of this Order; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in subsection (6) of the section that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the



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requirement that all money so borrowed shall be repaid within such period as the Minister may sanction; and

(c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and

(d) As if the following subsection were added to the section:—

“(8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the poor rate or general rate as the case may be.”

38. Any balance standing on the appointed day in the books of the Guardians of the Newcastle under Lyme Union or of the Rural Council to the credit or debit of the existing Parish of Clayton or the existing Parish of Keele shall be a matter for adjustment under section 62 of the Act of 1888.

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—  
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 under-Lyme  
 Order.*

Balances in accounts of Guardians and Rural Council.

39.—(1) Every officer in office on the date of the Act of Parliament confirming this Order who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Compensation to existing officers.

(2) Any officer whose services are dispensed with or whose salary is reduced within five years after the appointed day because his services are not required or because his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Order.

40.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Order regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Order or of anything done in pursuance or in consequence of this Order.

Determination of compensation.

(2) Any compensation payable under this Order to any officer shall be paid out of the borough fund and borough rate of the Borough and the provisions of section 120 of the Act

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Extension) Act, 1927.*

A.D. 1927. of 1888 shall apply subject to the following and any necessary modifications :—

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Order.*

- (a) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words “the same or any other county council” there shall be substituted the words “the council of any county or county borough or under any district council”;
- (b) References in that section to “the passing of this Act” shall be construed as references to the date on which the abolition of office takes effect or the direct pecuniary loss commences as the case may be; and
- (c) The expression in subsection (1) of that section “the Acts and rules relating to Her Majesty’s Civil Service” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888.

(3) The compensation payable under this Order to an officer who on the date of the Act of Parliament confirming this Order shall hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

(4) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty’s Forces or the Forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the Armistice voluntarily extended his term of service with the Forces no period of absence during such extension shall be so reckoned.

(5) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty’s Civil Service as applied to this Order.

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41. No officer shall be entitled to receive both compensation under this Order for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

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Order.*

Compensation  
and super-  
annuation.

42.—(1) Notwithstanding the alterations of area effected by this Order all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Order had not been made.

Contribu-  
tion orders  
precepts and  
arrears of  
rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within either of the added areas shall be collected and recovered by the Rural Council as the Rating Authority or by the proper officer of that Council.

(3) Any rates so collected and recovered shall be a matter for adjustment under section 62 of the Act of 1888.

43. Nothing in this Order shall empower the Corporation to claim to maintain and repair any main road situate within either of the added areas.

Saving for  
main roads  
within  
added areas.

44. Any councillor or guardian who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being a councillor or guardian by reason of the alterations of area made by this Order.

Saving for  
qualification  
of council-  
lors &c.

45.—(1) No alteration effected by this Order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by that Council or their predecessors :

Savings for  
actions con-  
tracts &c.

Provided that—

(a) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council in relation exclusively to either of the added areas or any part thereof may be continued prosecuted and enforced by or against the Corporation; and

(b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Rural Council (or their predecessors) in relation exclusively to either of the added areas or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation had been a party thereto.

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Saving for  
powers of  
Minister &c.

(2) 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.

46. Nothing in this Order shall be construed as restricting the powers of the Minister under the Acts relating to the Relief of the Poor or the powers of the Secretary of State the Minister or of any county council under the Act of 1888 or the Act of 1894.

Polling dis-  
tricts for  
parliamen-  
tary and  
county  
council  
elections.

47. Nothing in this Order shall affect the powers of the County Council for the division of the Parliamentary County of Stafford into polling districts for parliamentary elections or for the division of the County into polling districts for the election of county councillors or any existing order or scheme for either purpose or for naming the polling places at any such election.

Ecclesiasti-  
cal divisions  
and chari-  
ties.

48. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Saving for  
15 & 16 Geo.  
5. c. 90.

49. Nothing in this Order shall affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

Short title.

50. This Order may be cited as the Newcastle-under-Lyme (Extension) Order 1927.

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SCHEDULES.

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THE FIRST SCHEDULE.

PART I.—LOCAL ACT.

Session and Chapter.	Short Title.
40 & 41 Vict. c. clxxii.	The Newcastle-under-Lyme Corporation Act 1877.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order relating to Newcastle-under-Lyme thereby confirmed.
54 & 55 Vict. c. lxxix.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1891.	The Newcastle - under - Lyme Order 1891.
62 & 63 Vict. c. cxxxvii.	The Electric Lighting Orders Confirmation (No. 12) Act 1899.	The Newcastle - under - Lyme Electric Supply Order 1899.
2 & 3 Geo. 5. c. cxxxv.	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1912.	The Newcastle - under - Lyme Order 1912.
11 & 12 Geo. 5. c. lxxviii.	The Ministry of Health Provisional Order Confirmation (Newcastle-under-Lyme Extension) Act 1921.	The Newcastle - under - Lyme (Extension) Order 1921.



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THE SECOND SCHEDULE.

POOR LAW SETTLEMENTS.

Column 1.	Column 2.
Existing Parish or part of existing Parish.	Parish in which a settlement is to be acquired or in course of acquisition.
1. The existing Parish of Newcastle under Lyme. 2. The added part of Clayton     -     - 3. The added part of Keele     -     - 4. The excluded part of Clayton     -     - 5. The excluded part of Keele     -     -	1 to 3. The Parish of Newcastle under Lyme. 4. The Parish of Clay- ton. 5. The Parish of Keele.

Given under the Official Seal of the Minister of Health  
 this Fourth day of May Nineteen hundred and twenty-  
 seven.

(L.S.)

H. W. S. FRANCIS  
 Assistant Secretary Ministry of Health.

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