



CHAPTER xvii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Aberavon, the Local Government District of Great Harwood, the Improvement Act District of Leek, the Local Government Districts of Bognor (two) and Shepton Mallet, and the District of Weston super Mare. [4th June 1886.] A.D. 1886.

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

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provisions herein contained should be enacted with reference to one of such Orders:

Be it therefore enacted by the Queen'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 shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the dates therein respectively mentioned, have full validity and force.

The Orders
in Schedule
confirmed.

2. The Bognor Local Board shall not under the powers of this Act or of the Order relating to the Local Government District of Bognor dated the thirteenth day of February, one thousand eight hundred and eighty-six, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Special
provision as
to houses of
labouring
classes.

A.D. 1886.

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For the purposes of this section, the expression "labouring class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation Act, 1886.

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*Local Government Board's
Provisional Orders Confirmation Act, 1886.*

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SCHEDULE.

A.D. 1886.

BOROUGH OF ABERAVON.

*Aberavon
Order.*

Provisional Order for altering a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Aberavon, in the County of Glamorgan, being the Sanitary Authority for the Urban Sanitary District of that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Aberavon, in the County of Glamorgan (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Aberavon Market Act, 1848 (herein-after referred to as "the Local Act"), as partially repealed, altered, and amended by the Provisional Order of the Local Government Board herein-after recited, is in force in the Borough;

And whereas by Section 8 of the Local Act the Portreeve, Aldermen, and Burgesses of the Borough of Avon, otherwise Aberavon (who were the predecessors of the Corporation), were empowered to borrow on mortgage of the works, stallages, rents, and tolls, by that Act authorised, and of any lands and hereditaments then belonging to them, or on any of the aforesaid securities, or on bond, any sum or sums of money not exceeding in the whole the sum of three thousand pounds ;

And whereas by a Provisional Order of the Local Government Board dated the Sixth day of June, One thousand eight hundred and eighty-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), Section 8 of the Local Act was repealed, and the Local Act was altered and amended so as to provide that the Corporation should pay off all moneys then owing under Section 8 of the Local Act, and should, on the security of the stallages, rents, and tolls authorised by the Local Act, and on the General District Rate of the Borough, borrow all such sums as might be necessary for that purpose;

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*Aberavon
Order.*

And whereas the Corporation have exercised the powers of borrowing conferred by the Order, and have paid off all moneys owing under Section 8 of the Local Act :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 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 take effect; viz.,—

Art. I. The Confirming Act, so far as it relates to the Order, shall be altered so as to provide as follows; viz.,—

- (1.) The Corporation may, with the sanction of the Local Government Board, and in addition to the sums already borrowed under the Order, borrow on the security of the stallages, rents, and tolls authorised by the Local Act, and of the General District Rate of the Borough, or upon any of such securities, such sum or sums, not exceeding in the whole the sum of seven hundred and fifty pounds, as may be required for extending, altering, and improving the market places and slaughter-houses authorised by the Local Act.

Provided that all moneys so borrowed shall be repaid within such period, not exceeding twenty-five years, as the Corporation, with the sanction of the Local Government Board, may determine.

- (2.) The provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, of subdivisions (3), (4), (5), and (6) of Article V. of the Order and of Article VI. of the Order, shall, so far as they are applicable, apply to all moneys borrowed under the Order as hereby altered.

Art. II. The Confirming Act, so far as it relates to the Order, shall be further altered—

- (1.) so that the words “of Art. V. and” shall be deemed to have been inserted in subdivision (2) of Article II. of the Order before the words “of Art. VI.”; and
- (2.) so that the words “The Act of 1866” shall be deemed to have been inserted in the first line of Article V. of the Order in lieu of the words “The Act of 1876.”

Given under the Seal of Office of the Local Government Board, this
Tenth day of April, One thousand eight hundred and eighty-six.

JAMES STANSFELD, President.

HUGH OWEN, Secretary.

(L.S.)

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LOCAL GOVERNMENT DISTRICT OF GREAT HARWOOD. A.D. 1886.

Provisional Order for partially repealing a Confirming Act.

Great
Harwood
Order.

To the Great Harwood Local Board, being the Sanitary Authority for the Urban Sanitary District of Great Harwood, in the County of Lancaster; —

And to all others whom it may concern.

WHEREAS the Local Government District of Great Harwood, in the County of Lancaster (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Great Harwood Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

And whereas by a Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State dated the Twenty-ninth day of May, One thousand eight hundred and sixty-seven, and duly confirmed by the Local Government Supplemental Act, 1867 (No. 5) (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Board were empowered to borrow or re-borrow for the execution and completion of works for the drainage of and supply of water to the District, and of other works of a permanent nature, under the Local Government Act, 1858, and the Public Works (Manufacturing Districts) Acts, 1863, 1864, and on mortgage of the rates leviable by the Local Board under those Acts, any sum or sums which should not exceed in the whole two years assessable value of the premises assessable within the District in respect of which the said sum or sums might be borrowed, such sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 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, so much of the Confirming Act as relates to the Order shall be repealed, except so far as it may have been acted upon; so that the Order shall, except as aforesaid, cease to have any effect.

Given under the Seal of Office of the Local Government Board, this
Second day of February, One thousand eight hundred and
eighty-six.

(L.S.)

ARTHUR J. BALFOUR, President.
HUGH OWEN, Secretary.

IMPROVEMENT ACT DISTRICT OF LEEK.

Leek Order.

Provisional Order for altering the Leek Improvement Act, 1855.

To the Leek Improvement Commissioners, being the Sanitary Authority for the Urban Sanitary District of Leek, in the County of Stafford; —

And to all others whom it may concern.

WHEREAS under the provisions of a Local Act of Parliament, intituled "the Leek Improvement Act, 1855" (herein-after called "the Local Act"),

A.D. 1886. certain Commissioners were incorporated, under the name of the Leek Improvement Commissioners (herein-after called "the Commissioners"), to carry the
Leek Order. Local Act into execution ;

And whereas by Section 61 of the Local Act the Commissioners are empowered to make, store, and supply gas, and to sell the gas and the coke and other products of the manufacture of gas as they from time to time think fit, within the limits in that behalf by that Act defined (herein-after referred to as "the gas limits") :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, Section 61 of the Local Act shall be altered in such a manner that it shall be lawful for the Commissioners to make, purchase, or hire, and to sell or let on hire within the gas limits, gas cooking ovens, stoves, ranges, meters, burners, or other fittings or apparatus used in the supply or consumption of gas for lighting, heating, motive power, or other purposes.

Given under the Seal of Office of the Local Government Board, this
 Fourth day of February, One thousand eight hundred and
 eighty-six.

(L.S.)

ARTHUR J. BALFOUR, President.
 HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF BOGNOR.

*Bognor
 Order
 (1).*

*Provisional Order to enable the Sanitary Authority for the Urban
 Sanitary District of Bognor to put in force the Compulsory
 Clauses of the Lands Clauses Consolidation Acts.*

To the Bognor Local Board, being the Sanitary Authority, for the Urban
 Sanitary District of Bognor, in the County of Sussex ; —

And to all others whom it may concern.

WHEREAS the Bognor Local Board, as the Sanitary Authority for the Urban Sanitary District of Bognor, in the County of Sussex, require to purchase and take the land described in the Schedule hereto for the purpose of widening, enlarging, and improving the street called Aldwick Road, in their District :

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 empower the Bognor Local Board, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the land described in the Schedule hereto, and for the purpose aforesaid, the powers of the Lands Clauses Consolidation Acts, with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

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The SCHEDULE above referred to. A.D. 1886.
Parish of SOUTH BERSTED, in the County of SUSSEX. *Bognor*
Order
(1).

No. on deposited Plans.	Description of Land.	Owner or Reputed Owner.	Occupiers.
1	A piece of land, being No. 16 on the Tithe Commutation Map for the Parish of South Bersted, with two cottages thereon, comprising in the whole 18 rods, little more or less, and having a frontage of 73 ft. 9 in. or thereabouts to the Aldwick Road.	Charles Allen - - -	Charles Allen, Benjamin Ide.

Given under the Seal of Office of the Local Government Board, this
Thirteenth day of February, One thousand eight hundred and
eighty-six.

(L.S.) J. CHAMBERLAIN, President.
 HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF BOGNOR. *Bognor*
Order
(2).
Provisional Order for altering a Confirming Act.

To the Bognor Local Board, being the Sanitary Authority for the Urban
Sanitary District of Bognor, in the County of Sussex; —

And to all others whom it may concern.

WHEREAS by a Local Act of Parliament passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled “An Act for
“paving, lighting, watching, and otherwise improving the Town of Bognor, in
“the County of Sussex, and for amending and enlarging two Acts of Parliament
“passed in the Third and Sixth years of the reign of His late Majesty King
“George the Fourth, relating to the said Town,” certain Commissioners and
their successors (herein-after referred to as “the Commissioners”) were appointed
to execute, in the Town or Tything of Bognor, in the Parish of South Bersted,
in the County of Sussex, the provisions of the said Local Act, of another Local
Act passed in the third year of the reign of His late Majesty King George the
Fourth, intituled “An Act to establish a market for the sale of butcher’s meat and

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Bognor
(2).

“ other articles, and to repair and amend certain roads, in the Town or Tything of Bognor, in the County of Sussex,” and of another Local Act passed in the sixth year of the reign of His late Majesty King George the Fourth, intituled “ An Act to amend an Act passed in the Third Year of the Reign of His present Majesty, intituled ‘ An Act to establish a market for the sale of butchers meat and other articles, and to repair and amend certain roads, in the Town or Tything of Bognor, in the County of Sussex ’ ; and for making a road along the sea coast, and for otherwise improving the said Town or Tything,” which three Local Acts are herein-after referred to as “ the Local Acts ” ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Tenth day of June, One thousand eight hundred and sixty-seven, and duly confirmed by the Local Government Supplemental Act, 1867 (No. 5) (which Order and Act are herein-after respectively referred to as “ the Order ” and “ the Confirming Act ”), certain parts of the Local Acts were repealed and amended, and it was (inter alia) ordered that all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the Local Acts, which, in case the Order had not been made and confirmed, would have belonged to the Commissioners should pass to the Local Board in and for the District of Bognor, in the County of Sussex (herein-after referred to as “ the Local Board ”); and that all debts, liabilities, moneys, and securities for money contracted or payable by the Commissioners should be charged upon the rates leviable under the Local Government Act, 1858, and be paid and satisfied by the Local Board out of such rates accordingly ;

And whereas certain mortgage debts in respect of moneys lent to the Commissioners or their predecessors in office, amounting together to the sum of Four thousand eight hundred and ten pounds, were by virtue of the Order transferred to the Local Board, and the balances of such debts now remaining unpaid amount to the sum of Four thousand five hundred and seventy-five pounds ;

And whereas the said District of Bognor (herein-after referred to as “ the District ”) is an Urban Sanitary District, of which the Local Board are the Urban Sanitary Authority :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as “ the commencement of this Order ”), the following provisions shall take effect ; viz.,—

Art. I. The Confirming Act, so far as it relates to the Order, shall be altered so as to provide as follows :—

(1.) The Local Board shall, within twelve months from the commencement of this Order, pay off the said sum of Four thousand five hundred and seventy-five pounds so owing on mortgage as aforesaid, and shall, on the security of the district fund and general district rate of the District, borrow such sum or sums as may be necessary for that purpose.

(2.) All moneys borrowed under the provisions of this Article shall be repaid within sixty years from the commencement of this Order ; and such period shall be deemed to be “ the prescribed period ” within the meaning of the Local Loans Act, 1875, and is herein-after referred to as “ the prescribed period.”

Art. II. The Confirming Act, so far as it relates to the Order, shall be further altered so as to provide as follows :—

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*Bognor
Order*
(2).

(1.) For the purpose of raising money under this Order, the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Local Board, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

(2.) The Local Board shall repay the moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in the year commencing at the commencement of this Order, and in every subsequent year, as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest such sinking fund and the income thereof in the purchase of exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

(3.) The Local Board may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established : Provided, that the Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

(4.) The Local Board may re-borrow moneys borrowed under the powers conferred by this Order and paid off otherwise than by instalments, or a sinking fund, upon the security mentioned in subdivision (1.) of Article I. of this Order, for the purpose of discharging any loans contracted under that subdivision, other than loans contracted under the Local Loans Act, 1875 : Provided, that the money borrowed for such purpose shall be repaid in the manner prescribed by this Order, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.

(5.) The clerk to the Local Board shall within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March, in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing for the year next preceding the making of such return the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of

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Order
(2).

the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year, and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

- (6.) If it appear to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purpose other than those authorised, the Local Government Board may by Order direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this
Twenty-ninth day of March, One thousand eight hundred and
eighty-six.

HUGH C. E. CHILDERS, One of the Ex-officio Members
of the Local Government Board.

(L.S.)

HUGH OWEN, Secretary.

Shepton
Mallet
Order.

LOCAL GOVERNMENT DISTRICT OF SHEPTON MALLET.

Provisional Order for altering the area of the Local Government District of Shepton Mallet.

To the Shepton Mallet Local Board, being the Sanitary Authority for the
Urban Sanitary District of Shepton Mallet, in the County of
Somerset ; —

To the Guardians of the Poor of the Shepton Mallet Union, in the same
County, being the Sanitary Authority for the Rural Sanitary District
of that Union ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Shepton Mallet, in the County
of Somerset (herein-after called "the Urban District"), is an Urban Sanitary
District, of which the Shepton Mallet Local Board are the Urban Sanitary
Authority ;

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And whereas the portions of the Urban District, which are herein-after described, immediately adjoin the Rural Sanitary District of the Shepton Mallet Union, in the same County (herein-after referred to as "the Rural District");

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*Shepton
Mallet
Order.*

And whereas the portions of the Rural District which are herein-after described immediately adjoin the Urban District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 270 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Declare that, from and after the date when this Order shall come into operation,—

(a.) All those portions of the Urban District which now form parts of the Parishes of Croscombe, Doultong, Pilton, and Pylle, shall be included in, and form part of, the Rural District.

(b.) All those portions of the Rural District which now form parts of the Parish of Shepton Mallet shall be included in, and form part of, the Urban District.

And We hereby Order as follows; viz. :—

Art. I. This Order shall come into operation on the Twenty-fifth day of March, One thousand eight hundred and eighty-seven.

Art. II. The number of members to be elected for the Urban District, as hereby altered, shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

Given under the Seal of Office of the Local Government Board, this
Sixth day of January, One thousand eight hundred and eighty-six.

(L.S.)

ARTHUR J. BALFOUR, President.
HUGH OWEN, Secretary.

DISTRICT OF WESTON-SUPER-MARE.

Provisional Order for altering a Local Act.

*Weston-
super-Mare
Order.*

To the Weston-super-Mare Local Board, being the Sanitary Authority for the Urban Sanitary District of Weston-super-Mare, in the County of Somerset;—

And to all others whom it may concern.

WHEREAS the District of Weston-super-Mare, in the County of Somerset, as defined by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Fourth day of May, One thousand eight hundred and sixty-one, and duly confirmed by the Local Government Supplemental Act, 1861 (No. 2), (which Act is herein-after referred to as "the Confirming Act of 1861"), and as extended by a Provisional Order of the Local Government Board dated the Sixth day of June, One thousand eight hundred and seventy-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Birmingham, &c.) Act, 1876, and by another Provisional Order of the Local Government Board dated the Twenty-second day of May, One thousand eight hundred and eighty-three, and duly confirmed by the Local Government Board's Provisional

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*Weston-
super-Mare
Order.*

Orders Confirmation (No. 8) Act, 1883 (which District as so defined and extended is herein-after referred to as "the District"), is an Urban Sanitary District, of which the Weston-super-Mare Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority ;

And whereas by a further Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Fifteenth-day of July, One thousand eight hundred and sixty-one (which Order was altered and duly confirmed by the Confirming Act of 1861), certain provisions of the Weston-super-Mare Improvement and Market Act, 1842 (herein-after referred to as "the Local Act"), were repealed ;

And whereas the unrepealed provisions of the Local Act (including Section 73 of that Act) are in force in the District, and by virtue of that section the Local Board are empowered to purchase from any person who shall be willing to sell the same any plot or parcel of land within the District, not exceeding one acre, adjoining to and abutting upon the Bristol Channel, for a landing-place for the use and accommodation of the inhabitants of and other persons frequenting the said town, with all necessary approaches thereto :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.,—

Art. I. The Local Act shall be altered so as to provide as follows ; viz.,—

(1.) The Local Board may, in connexion with the landing-place mentioned in Section 73 of that Act, construct and maintain a causeway for the embarkation and disembarkation of passengers.

(2.) The Local Board shall not construct on the shore of the sea, or of any creek, bay, arm of the sea, or navigable river communicating therewith, where and so far up the same as the tide flows and reflows, any work without the previous consent of the Board of Trade, to be signified in writing, under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade, and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of, such approval being signified as last aforesaid ; and where any such work may have been constructed, the Local Board shall not at any time alter or extend the same without obtaining, previously to making any such alteration or extension, the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Order, the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Local Board, and the amount of such costs and charges shall be a debt due from the said Local Board to the Crown, and shall be recoverable accordingly with costs.

(3.) Nothing contained in this Order shall authorise the Local Board to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) ; neither shall anything in this Order contained extend to take away, prejudice, diminish, or alter any

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of the estates, rights, privileges, powers, or authorities vested in, or enjoyed, or exerciseable by the Queen's Majesty, her heirs, or successors.

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*Weston-
super-Mare
Order.*

Art. II. The Local Act shall be further altered so as to provide as follows :—

- (1.) The Local Board may, with the sanction of the Local Government Board, and subject to the provisions of this Order, from time to time borrow, upon security of the district fund and general district rate of the district, such sum or sums, not exceeding in the whole the sum of one thousand pounds, as may be required for making and maintaining the works authorised by Article I. of this Order.
- (2.) For the purpose of raising money under this Order, the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Local Board, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.
- (3.) The moneys borrowed under the powers conferred by this Order shall be repaid within such period not exceeding thirty years from the date of borrowing thereof, as the Local Government Board may, by their sanction, in each case, determine ; and the period so sanctioned shall be deemed to be "the prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."
- (4.) The Local Board shall repay the moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest such sinking fund and the income thereof in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.
- (5.) The Local Board may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established : Provided, that the Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (6.) The Local Board may re-borrow moneys, borrowed under the powers conferred by this Order and paid off otherwise than by instalments or a sinking fund, upon the security mentioned in Sub-division (1) of this Article, for the purpose of discharging any loans contracted under that Sub-division, other than loans contracted under the Local Loans Act, 1875 : Provided, that the money borrowed for such purpose shall be repaid in the manner provided by Sub-divisions (3) and (4) of this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.

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—
*Weston-
super-Mare
Order.*
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(7.) The clerk to the Local Board shall within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March, in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year, and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

(8.) If it appear to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purpose other than those authorised, the Local Government Board may by Order direct that a sum, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this
Eighteenth day of March, One thousand eight hundred and
eighty-six.

(L.S.)

J. CHAMBERLAIN, President.
HUGH OWEN, Secretary.

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