



CHAPTER ci.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Brighton and Town of Hove, the Darenth Valley Main Sewerage District, and the Local Government Districts of East Barnet Valley, Friern Barnet, and Herne Bay. A.D. 1888.

[24th July 1888.]

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:

39 & 40 Vict.
c. 55.

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

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. Orders in
Schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1888. Short title.

A.D. 1888.

*Brighton
and Hove
Order.*

SCHEDULE.

BOROUGH OF BRIGHTON AND TOWN OF HOVE.

Provisional Order for altering a Local Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Brighton, in the County of Sussex, being the Urban Sanitary Authority for that Borough ; —

To the Hove Commissioners, being the Sanitary Authority for the Urban Sanitary District of Hove, in the same County ; —

To the Brighton Intercepting and Outfall Sewers Board ; —

And to all others whom it may concern.

WHEREAS the Borough of Brighton, in the County of Sussex (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 whereas the Town of Hove, in the County of Sussex (herein-after referred to as "the Town"), is an Urban Sanitary District, of which the Hove Commissioners (herein-after referred to as "the Commissioners") are the Urban Sanitary Authority ;

And whereas the provisions of the Brighton Intercepting and Outfall Sewers Act, 1870 (which Act, as altered by the Hove Commissioners Act, 1873, is herein-after referred to as "the Local Act"), are in force in the Borough and the Town ;

And whereas in pursuance of the provisions of the Local Act the Brighton Intercepting and Outfall Sewers Board (herein-after referred to as "the Sewers Board"), consisting of members elected by the Corporation and the Commissioners respectively, were empowered to make and maintain (inter alia) a sewer called Intercepting Sewer No. 3 ;

And whereas by Section 26 of the Local Act it was enacted that the said sewer should be completed within five years from the passing of that Act, and that on the expiration of that period the powers by that Act granted to the Sewers Board for executing the said sewer, and otherwise in relation thereto, should cease to be exercised except as to so much thereof as should then be completed ;

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And whereas by Section 51 of the Local Act the Sewers Board were empowered to borrow at interest, for the purposes and on the securities therein mentioned, such sum or sums of money as they might from time to time think fit, not exceeding in the whole one hundred and twenty thousand pounds :

A.D. 1888.

*Brighton
and Hove
Order.*

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

Art. I. The Local Act shall be altered so as to provide that the period for completion of works prescribed by Section 26 shall be deemed not to have been applicable to the construction or execution of Intercepting Sewer No. 3 or of any works necessary or incidental thereto.

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

- (1.) The Sewers Board may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow, on the security of the contributions, rates, and moneys coming to the Sewers Board under the Local Act, and in addition to the said sum of one hundred and twenty thousand pounds, any sum or sums, not exceeding in the whole the sum of seven thousand and five hundred pounds, for the construction and execution of Intercepting Sewer No. 3 and of any works necessary or incidental thereto.
- (2.) For the purpose of raising money under this Article the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Sewers Board, and the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, except Sections 80, 81, 82, and 84 of that Act, shall apply to all money raised and borrowed under this Article, other than money borrowed under the provisions of the Local Loans Act, 1875.
- (3.) The moneys borrowed under the powers conferred by this Article shall be repaid within such period, not exceeding fifty years, as the Sewers Board, with the sanction of the Local Government Board, shall determine, 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."
- (4.) The Sewers Board shall repay the moneys borrowed under the powers conferred by this Article, 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 the same, and the interest on and the sums paid into the funds 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

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*Brighton
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stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Sewers Board, the Sewers Board being at liberty from time to time to vary and transpose such investments.

- (5.) The Sewers 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 Sewers 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 Sewers Board may re-borrow moneys paid off otherwise than by instalments or by means of a sinking fund upon the security mentioned in subdivision (1) of this Article, 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 provided by subdivisions (3) and (4) of this Article, and the time for repayment of the money so borrowed shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the prescribed period, and shall in no case be extended beyond the period mentioned in subdivision (3) of this Article.
- (7.) The clerk to the Sewers 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 Article, 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 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 appears to the Local Government Board by that return, or otherwise, that the Sewers 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 purposes 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

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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.

A.D. 1888.

*Brighton
and Hove
Order.*

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

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

DARENTH VALLEY MAIN SEWERAGE DISTRICT.
Provisional Order for repealing and altering a Confirming Act.

*Darenth
Valley
Order.*

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

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

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

To the Darenth Valley Main Sewerage Board; —

And to all others whom it may concern.

WHEREAS by a Provisional Order of the Local Government Board dated the Eighth day of May, One thousand eight hundred and seventy-eight, as altered and confirmed by the Local Government Board's Provisional Order Confirmation (Darenth Valley) Act, 1878 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Government District of Sevenoaks and the parts of the Rural Sanitary Districts of the Dartford and Sevenoaks Unions respectively, which comprised the contributory places and parts of contributory places named in column 7 of Schedule B. to the Order as altered by Section 3 of the Confirming Act (which parts of Rural Sanitary Districts are herein-after referred to as "the Rural Constituent Districts," and which contributory places and parts of contributory places are herein-after referred to as "the contributory places"), were formed into a United District, to be called the Darenth Valley Main Sewerage District, for the purpose of carrying into effect a system of sewerage for the use of all the Constituent Districts;

And whereas by the Order the Darenth Valley Main Sewerage Board (herein-after referred to as "the Joint Board") was constituted as the governing body of the said United District;

And whereas by Article XVI. of the Order it was ordered that the expenses incurred by the Joint Board in carrying out the duties prescribed by the Order, including all establishment charges, remuneration to clerk, treasurer, officers, and servants, should be defrayed out of a common fund to be contributed by the said

[Ch. cl.] *Local Government Board* [51 & 52 Vict.]
Provisional Orders Confirmation (No. 6) Act, 1888.

A.D. 1888. Urban Sanitary District and the contributory places in manner provided by Section 283 of the Public Health Act, 1875:

*Darenth
Valley
Order.*

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 Confirming Act, so far as it relates to the Order, shall be altered as follows:—

(1.) Article XVI. of the Order shall be repealed, and in lieu thereof the following provisions shall apply; viz.,—

The expenses incurred by the Joint Board in carrying out the duties prescribed by the Order, including all establishment charges, remuneration to clerk, treasurer, officers, and servants, shall be defrayed out of a common fund to be contributed by the Constituent Authorities respectively in proportion to the respective amounts which, at the time of the issuing of the precepts of the Joint Board for the payment of the contributions, would be raised by a rate in the nature of a general district rate in the said Urban Sanitary District, and by a rate to defray special expenses in the Rural Constituent Districts, at an equal rate in the pound; and for the purposes of the Order any person appointed by the Joint Board may inspect, take copies of, or make extracts from any valuation list or rate for the relief of the poor within the United District, or any part thereof, or any book relating to the same.

(2.) Article XVII. of the Order shall be altered by the insertion of the words “in the contributory places” after the words “contributed and raised.”

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

(L.S.)

CHAS. T. RITCHIE, President.
 HUGH OWEN, Secretary.

*East Barnet
Valley
Order.*

LOCAL GOVERNMENT DISTRICT OF EAST BARNET
 VALLEY.

*Provisional Order for extending the Local Government District of
 East Barnet Valley.*

To the East Barnet Valley Local Board, being the Sanitary Authority for the Urban Sanitary District of East Barnet Valley, in the Counties of Hertford and Middlesex;—

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

To the Guardians of the Poor of the Barnet Union, in the Counties of Hertford and Middlesex, 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 East Barnet Valley, in the Counties of Hertford and Middlesex (herein-after called “the East Barnet

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Valley District"), is an Urban Sanitary District, of which the East Barnet Valley Local Board are the Urban Sanitary Authority ; A.D. 1888.

And whereas the Local Government District of Enfield, in the County of Middlesex (herein-after called "the Enfield District"), is an Urban Sanitary District, of which the Enfield Local Board are the Urban Sanitary Authority, and the portions of the Enfield District described in the Schedule A. hereto immediately adjoin the East Barnet Valley District ;

*East Barnet
Valley
Order.*

And whereas the portion of the Rural Sanitary District of the Barnet Union, in the Counties of Hertford and Middlesex, which is described in the Schedule B. hereto immediately adjoins the East Barnet Valley District ;

And whereas the East Barnet Valley District is, for the purposes of the election of the Local Board, divided into four wards, termed respectively the Hadley Ward, the Lyonsdown Ward, the New Barnet Ward, and the East Barnet Ward :

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, all those parts of the Enfield District which are described in the said Schedule A., and all that part of the Rural Sanitary District of the said Barnet Union which is described in the said Schedule B., shall be included in, and form part of, the East Barnet Valley District.

And We hereby Order as follows ; viz.,—

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

Art. II. The several areas hereby added to the East Barnet Valley District shall, for the purposes of the election of members of the Local Board for that District, be included in the said Hadley Ward.

Art. III. The number of members constituting the Local Boards for the East Barnet Valley District and the Enfield District respectively, as hereby altered, and the number of members of the East Barnet Valley Local Board to be elected by the said Hadley Ward shall, subject to the provisions of Rules 2 and 6 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

The SCHEDULES above referred to.

SCHEDULE A.

All those two parts of the Enfield District which are edged with green on the map marked A., sealed with the official seal of the Local Government Board, and deposited in their office, copies whereof, sealed in like manner, are deposited in the offices of the East Barnet Valley Local Board, of the Enfield Local Board, and of the Rural Sanitary Authority of the said Barnet Union respectively.

[Ch. cl.] *Local Government Board's [51 & 52 Vict.]*
Provisional Orders Confirmation (No. 6) Act, 1888.

A.D. 1888.

SCHEDULE B.

*East Barnet
Valley
Order.*

All that part of the Rural Sanitary District of the said Barnet Union which comprises the portion of the Parish of South Mimms which is coloured yellow on the said map and copies thereof.

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

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

*Friern
Barnet
Order.*

LOCAL GOVERNMENT DISTRICT OF FRIERN BARNET.

*Provisional Order under Section 304 of the Public Health
Act, 1875.*

To the Friern Barnet Local Board, being the Sanitary Authority for the Urban Sanitary District of Friern Barnet, in the County of Middlesex ;—

To the Guardians of the Poor of the Barnet Union, in the Counties of Hertford and Middlesex, being the Sanitary Authority for the Rural Sanitary District of that Union ;—

And to all others whom it may concern.

WHEREAS by an Order of the Local Government Board dated the Fifth day of December, One thousand eight hundred and eighty-three, the Parish of Friern Barnet, in the County of Middlesex, which was prior to that date comprised in the Rural Sanitary District of the Barnet Union, was, on the Seventeenth day of December, One thousand eight hundred and eighty-three, constituted a Local Government District (herein-after referred to as "the District") ;

And whereas a Local Board (herein-after referred to as "the Local Board") was elected for the District, and the Local Board held their first meeting on the Nineteenth day of February, One thousand eight hundred and eighty-four ;

And whereas the said Guardians, as the Rural Sanitary Authority, prior to the said Nineteenth day of February, One thousand eight hundred and eighty-four, incurred certain liabilities, of which the sum of three hundred and seventy-seven pounds and seventeen shillings was chargeable upon the said Parish ;

And whereas there is standing to the credit of the Parish with the Rural Sanitary Authority the sum of three hundred and fourteen pounds fourteen shillings and sixpence, and it is equitable that the Local Board should pay to the Rural Sanitary Authority the sum of sixty-three pounds two shillings and sixpence :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 304 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that the Local Board shall, immediately

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Provisional Orders Confirmation (No. 6) Act, 1888.

after the date of the Act of Parliament confirming this Order, pay to the Rural Sanitary Authority the sum of sixty-three pounds two shillings and sixpence. A.D. 1888.

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

*Friern
Barnet
Order.*

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF HERNE BAY.

*Herne Bay
Order.*

Provisional Order for altering a Confirming Act.

To the Herne Bay Local Board, being the Sanitary Authority for the
Urban Sanitary District of Herne Bay, in the County of Kent ; —

And to all others whom it may concern.

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

And whereas by virtue of Section 4 of the Local Government Board's Provisional Orders Confirmation (Eastbourne, &c.) Act, 1880 (which Act confirmed (inter alia) a Provisional Order relating to the District, and is herein-after referred to as "the Confirming Act"), the debt of five thousand pounds, referred to in that section, together with the interest due or accruing due thereon, became repayable by the Local Board in manner provided by sub-sections 4 and 5 of Section 234 of the Public Health Act, 1875 (herein-after referred to as "the principal Act"), within the period of thirty years, commencing from the Twenty-ninth day of September, One thousand eight hundred and eighty, which period is herein-after referred to as "the prescribed period" :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the principal Act, 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 Confirming Act shall be altered so as to provide that the Local Board may from time to time during the prescribed period borrow or re-borrow, and take up at interest, any sum or sums of money necessary for discharging so much of the said debt of five thousand pounds as shall not have been paid off by instalments, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received by the Local Board on any capital account, and may borrow or re-borrow any such sum or sums on the credit of any fund or rates, or rate on the credit whereof they are authorised by Section 233 of the principal Act to borrow, and of the rate in the nature of a general district rate authorised to be levied and made under sub-section (b.) of Section 4 of the Confirming Act, or any of them, and for the purpose of securing the repayment of any such sum or sums so borrowed, with interest thereon, may mortgage, in manner prescribed by Section 236 of the principal Act, or otherwise, to the person or persons by or on

[Ch. ci.] *Local Government Board: [41 & 52 Vict.]*
Provisional Orders Confirmation (No. 6) Act, 1888.

A.D. 1888. *Herne Bay Order.*
behalf of whom such sum or sums is or are advanced, such fund and respective rates, or any of them respectively, and every such mortgage shall be deemed to be a mortgage authorised under the principal Act, and shall confer on such person or persons all the same rights, powers, and privileges as a mortgagee under the principal Act is entitled to, and every such sum shall be repayable within the prescribed period as provided by sub-sections 4, 5, and 6 of Section 234 of the principal Act:

Provided that, save as hereby altered, Section 4 of the Confirming Act shall continue to be in full force.

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

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

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