

[51 & 52 VICT.]

Tottenham Local Board
(*Division of District*) Act, 1888.

[Ch. clxxxvii.]



CHAPTER clxxxvii.

An Act to divide the District of the Local Board of Health of Tottenham in the County of Middlesex and for other purposes. [7th August 1888.]

A.D. 1888.

WHEREAS by an order of Her most Gracious Majesty the Queen in Council dated the thirtieth day of January 1850 the provisions of the Public Health Act 1848 were applied to the district of Tottenham which consists of the parish of Tottenham in the county of Middlesex and such district is now the district of a local board of health :

And whereas under and by virtue of the provisions of the Public Health Act 1875 the said local board of health became and now is the urban sanitary authority for the district of Tottenham :

And whereas since the formation of the said district the population thereof and especially of the urban portions of the said district has very greatly increased and is still rapidly increasing and it is expedient that that part of the said parish which is set forth in the First Schedule to this Act should be severed from the jurisdiction of the said local board and be constituted the district of a separate local board :

And whereas it is expedient that the agreement contained in the Second Schedule to this Act with respect to the terms and conditions of such severance be confirmed and that such further provisions as are in this Act in that behalf contained should be made with reference to the said severance and to the other matters in this Act provided for in relation thereto :

And whereas it is expedient that the jurisdiction powers rights and obligations now vested in or exercised by or which may be exercised by the local board for the district of Tottenham in and over the common called Wood Green Common and certain plots or strips of heath or common land which are situated in that part of the parish of Tottenham which is comprised in the district constituted by this Act and which are comprised in or referred to in the scheme

A.D. 1888. — certified by the Inclosure Commissioners for England and Wales with respect to Tottenham Commons and confirmed by the Metropolitan Commons Supplemental Act 1882 be transferred to or vested in and exercised by the urban sanitary authority by this Act constituted for the new district for the purposes in the said scheme mentioned :

And whereas it is expedient that other provisions such as are in this Act contained be made with reference to the said new district :

And whereas the objects aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

Short title. 1. This Act may be cited as the Tottenham Local Board (Division of District) Act 1888.

Interpretation. 2. In construing this Act the following words and expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such meanings (that is to say) :—

“The Tottenham Local Board” means the local board of health for the district of Tottenham.

“The Wood Green Local Board” or “the local board” means the local board for the district of Wood Green in the county of Middlesex by this Act constituted.

“The two boards” means the Tottenham Local Board and the Wood Green Local Board.

“The new district” means the district of the Wood Green Local Board.

“The reduced district” means the district of the Tottenham Local Board as reduced in area by this Act.

“The Public Health Acts” means the Public Health Act 1875 and any Act amending the same.

“The commons scheme” means the scheme certified by the Inclosure Commissioners for England and Wales with respect to Tottenham Commons and confirmed by the Metropolitan Commons Supplemental Act 1882.

Incorporation of Acts. 3. The Public Health Acts shall except where expressly varied by this Act extend and apply to the Wood Green Local Board and to their district.

4. Forthwith after the passing of this Act twelve persons having the qualification prescribed by the Public Health Acts with regard to the election of members of a local board shall be elected as members of a local board which shall be called the Wood Green Local Board.

A.D. 1888.

Election of Wood Green Local Board and number of members thereof.

5. The election of members of the Wood Green Local Board shall be conducted in accordance with the rules contained in Schedule II. of the Public Health Act 1875. The returning officer shall be appointed by the Local Government Board and shall give notice of the election in accordance with rule thirty-six of the said schedule within fourteen days from the date of his appointment and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

Mode of election of Wood Green Local Board.

6. The persons entitled to elect the members of the Wood Green Local Board shall be the persons who under the Public Health Acts would be entitled to elect a local board for that part of the parish of Tottenham which is described in the First Schedule to this Act if such part were at the passing of this Act the district of a local board.

Persons to elect the Wood Green Local Board.

7. The Wood Green Local Board shall within ten days after they shall have been elected hold their first meeting at a time and place to be appointed by the returning officer and at that or at any subsequent meeting shall in conformity with the provisions of the Public Health Acts appoint such officers and servants and enter into such contracts and agreements and generally do and execute such acts matters and things as may be necessary for the administration of the Public Health Acts and of this Act within the new district and for those purposes shall have and may exercise and enjoy all the powers exemptions privileges and authorities conferred on urban sanitary authorities in that behalf.

Wood Green Local Board to meet and prepare for administering Public Health Acts in the new district when constituted.

8. On and after the twenty-ninth day of September 1888 the part of the parish of Tottenham which is described in the First Schedule to this Act shall be by virtue of this Act severed from the jurisdiction of the Tottenham Local Board and shall constitute the district of the Wood Green Local Board and the Wood Green Local Board shall thereupon have and may exercise and enjoy within the part so severed all the rights powers exemptions privileges and authorities and shall be subject to all the provisions and shall perform all the duties which by law attach to a local board or urban sanitary authority constituted under the Public Health Acts in addition to the rights powers exemptions privileges authorities and duties conferred or imposed on them by this Act.

Division of district and constitution of district of Wood Green Local Board.

A.D. 1888.

Reduced
district to be
district of
Tottenham
Local Board.

9. The remaining portion of the parish of Tottenham shall constitute the district of the Tottenham Local Board as though such portion had been assigned thereto by the order constituting the same and is in this Act called "the reduced district" and the following members of the Tottenham Local Board viz.:—Alfred Durrant William Brumby Croft and William Hopper if severally then in office or any person or persons who may have been appointed in the place of the said persons or any of them shall cease to hold office as members of the Tottenham Local Board and thereupon and thereafter the Tottenham Local Board shall consist only of fifteen members and one-third of such members shall retire on the fifteenth day of April in every year and the order in which the members in office on the said fifteenth day of April shall go out of office shall be regulated by the Tottenham Local Board.

Confirmation
of agreement
with Totten-
ham Local
Board.

10. The agreement between the local board of health for the district of Tottenham and Alfred Durrant William Brumby Croft William Hopper Richard Elisha Farrant George James Row and James Roberts Rowland Fitt as set forth in the Second Schedule to this Act (and hereinafter referred to as "the scheduled agreement") is hereby confirmed and made binding on the Tottenham Local Board and the Wood Green Local Board respectively and full effect may and shall be given thereto as if the Wood Green Local Board had originally been parties to the scheduled agreement and as if the provisions of the scheduled agreement had been expressly enacted in this Act.

Provisions as
to joint
drainage
committee.

11. With respect to the joint drainage committee of the Tottenham Local Board and the Wood Green Local Board to be constituted under Article 4 of the scheduled agreement (hereinafter called "the joint committee") the following provisions shall be observed and have effect (that is to say):—

(a) Subject to the provisions hereinafter contained section 204 and Part (2) of Schedule I. to the Public Health Act 1875 shall be applicable to the joint committee and their proceedings.

(b) The joint committee shall (until altered in accordance with the provisions hereinafter contained) consist of six members four to be elected by the Tottenham Local Board and two by the Wood Green Local Board and shall at no time consist of more than nine members.

(c) The first election of members of the joint committee shall in the proportions aforesaid be made by the Tottenham Local Board and Wood Green Local Board respectively at meetings of those boards to be held after seven days' notice

in each case and not later than twenty-eight days after the twenty-ninth day of September one thousand eight hundred and eighty-eight and if either of the two boards fail so to elect their due proportion of members of the joint committee the members of the joint committee elected by the other board shall have power to act in all respects as if the whole of the members of the joint committee had been duly elected and were present.

- (d) Upon the election of any members of the joint committee by either board notice in writing of the fact of such election together with the names and addresses of the members elected shall be forthwith given by the clerk of such board to the other board.
- (e) The members of the joint committee elected by either board shall be members of and removable by the board electing them and the first members of the said joint committee shall hold office until the fifteenth day of April one thousand eight hundred and eighty-nine or subject to their remaining members of their respective boards until the election of their successors. After the first election the members of the joint committee shall be elected annually at the first meeting of the respective boards to be held on or after the fifteenth of April in each year and subject as aforesaid shall hold office until the election of their successors.
- (f) The first meeting of the joint committee shall be held at the offices of the Tottenham Local Board or at such other place as both boards may determine within thirty-one days after the twenty-ninth day of September one thousand eight hundred and eighty-eight of which meeting three clear days' notice shall be given to each of the members of the joint committee by the clerk of the Tottenham Local Board.
- (g) Each member of the joint committee shall continue in office until the expiration of the period for which he was elected or until removed by a resolution of the board electing him or until he dies or resigns or becomes disqualified or ceases to be a member of the local board as a member of which he was qualified to be elected a member of the joint committee and a member who ceases to hold office by reason of the expiration of his period of office or by reason of his removal from office by the board electing him or by reason of his resignation or disqualification or ceasing to be a member of such local board shall subject to the provisions of sub-section (e) of this section be re-eligible as a member of the joint committee provided

A.D. 1888.

that at the time of re-election he is qualified to be so re-elected.

- (h) Any vacancy occurring in the joint committee by removal from office death resignation disqualification or otherwise shall be filled up by the local board in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring and seven days' previous notice in writing of such meeting shall be given or sent to each member of such local board by the clerk to such local board.
- (i) The subsequent ordinary meetings of the joint committee after the first meeting shall be held at such times and places as the joint committee may appoint and at all meetings of the joint committee three members shall constitute a quorum.
- (j) The joint committee shall at their first meeting or at any adjournment thereof and from time to time thereafter as occasion shall require appoint a chairman and a clerk and engineer and such other officers and servants as they think requisite. They may pay their clerk engineer officers and servants such reasonable remuneration as they shall deem expedient and every such clerk engineer officer and servant shall be removable by the joint committee at their pleasure.
- (k) For the purposes of this Act any person appointed by the joint committee may inspect take copies of or make extracts from the valuation list and poor rate of the reduced district and the new district respectively and any book relating to the same.
- (l) The accounts of the joint committee either in their own books or in the books of the Tottenham Local Board shall at all reasonable times be open to inspection and transcription by any member of either of the two boards or by an officer of either of the two boards authorised by them for that purpose without payment.
- (m) An abstract of the accounts of the joint committee shall in the month of April in each year be sent by the joint committee to each of the local boards who may respectively require the same to be audited if they think fit.
- (n) The foregoing constitution of the joint committee (namely four members appointed by the Tottenham Local Board and two members appointed by the Wood Green Local Board) shall be deemed to be in accordance with and to be based upon and to represent the rateable value of the two districts respectively at the passing of this Act and shall continue until the same be altered in accordance with the following provisions:—

In case both districts shall continue to increase in the proportions corresponding to their present rateable values respectively the number of members of the joint committee may if so decided by both boards be increased to nine members namely six to the Tottenham and three to the Wood Green Local Board.

A.D. 1888.

In case the districts respectively shall not increase in proportion to their present rateable values but they or either of them shall remain stationary or decrease or shall both increase but in proportions not corresponding to their present rateable values then and in such case the representation shall be by numbers which shall most nearly correspond to the rateable value of each district. Any difference of opinion on this point shall be determined by arbitration in manner provided by Article 6 of the scheduled agreement on the request of either of the local boards.

- (o) If at any time in accordance with the provisions of the scheduled agreement the cost of maintaining and cleansing the arterial sewers and of the disposal and treatment of the sewage of the districts respectively shall be defrayed otherwise than in accordance with the rateable values of the districts respectively then and in such case and notwithstanding the foregoing provisions in this enactment the constitution of the joint committee shall be re-adjusted in conformity with the directions of the arbitrator to be appointed in that behalf under and in accordance with the provisions of the scheduled agreement and effect shall be given to such directions in all respects as if the same were embodied in this Act.

12. The expenses incurred by the joint committee in carrying out the purposes for which the joint committee is appointed including all establishment charges remuneration to clerk engineer officers and servants shall be defrayed by the two local boards respectively in manner provided by section 283 of the Public Health Act 1875 or as nearly in accordance therewith as the circumstances will permit (that is to say):—

As to expenses of joint committee.

The Tottenham Local Board shall from time to time include in their estimates such sum as the joint committee may estimate to be the full amount of the expenses to be so incurred by the joint committee as aforesaid and the Wood Green Local Board shall pay to the Tottenham Local Board by monthly instalments their proportion of such estimated expenses including any exceptional payments for works repayment of loans and interest or other capital outlay which in the then current

A.D. 1888.

month the Tottenham Local Board may pay or be required to pay. Such sums so from time to time paid by the Wood Green Board shall from time to time be applied by the Tottenham Local Board in relief of the general district rate within their district or as the case may be in repayment of loans and interest payable by them. All payments on account of the joint committee shall from time to time on a requisition by them to that effect be made by the Tottenham Local Board. Any error deficiency or excess in a former estimate shall be rectified in a subsequent estimate within a period of twelve months and either district shall thereupon be credited or debited as the case may be with any excess or insufficiency of payment consequent on such error deficiency or excess in the former estimate.

As to vesting of sewers in new district.

13. On the twenty-eighth day of September one thousand eight hundred and eighty-eight the sewers to be retained by the Wood Green Local Board under Article 3 of the scheduled agreement shall by virtue of this Act vest in the Wood Green Local Board.

As to recovery of moiety of expense of forming &c. roadway of Westbury Avenue.

14. The Wood Green Local Board may recover from the owners and occupiers of the lands within the new district and fronting to or abutting upon the western side of the said private road intended to be formed on the eastern boundary of the new district and to be called Westbury Avenue a moiety of the expenses to be incurred by the Tottenham Local Board in respect of the said road under section 150 of the Public Health Act 1875 and from time to time in repairing and watering the roadway of the same in accordance with the scheduled agreement although no part of the roadway and footways of such private road will be situate within the new district.

Provisions as to portions of sewer in Lordship Lane.

15. The Lordship Lane sewer mentioned in Article 4 of the scheduled agreement at the boundary of the two districts for a distance of one hundred and ten yards or thereabouts shall be deemed to be divided transversely into two equal portions the western portion to belong to and to be maintained by the Wood Green Local Board and the eastern portion thereof shall belong to and be maintained by the Tottenham Local Board.

As to apportionment of debts &c.

16. With respect to the apportionment of the debts and liabilities of the Tottenham Local Board consequent upon the division of the district by this Act authorised the following provisions shall have effect (that is to say) :—

The proportions of the debts and liabilities of the Tottenham Local Board which shall be a charge upon the new district or upon

[51 & 52 Vict.] *Tottenham Local Board* [Ch. clxxxvii.]
(*Division of District*) Act, 1888.

the reduced district as the case may be shall be settled between the two districts in case of difference by two arbitrators to be agreed on in the usual manner or failing agreement by an umpire and for the purposes of such arbitration sections 179 to 181 inclusive and any other necessary provisions of the Public Health Act 1875 shall be applicable in like manner as under the scheduled agreement :

A.D. 1888.

Provided that all debts and liabilities incurred by the Tottenham Local Board for works executed for the joint benefit of the entire district and existing or outstanding at the passing of this Act shall be borne and paid by the new district and the reduced district respectively according to their respective rateable values on the twenty-eighth day of September one thousand eight hundred and eighty-eight :

Provided also that all other liabilities existing or outstanding at the passing of this Act and incurred by the Tottenham Local Board for works executed or to be executed solely within the reduced district or the new district as the case may be shall be borne and paid by the district in each case within which such works may have been or are to be executed as aforesaid.

17. The sewage of other districts or places shall not be permitted by the Wood Green Local Board to pass into their sewers so as to be discharged into the sewers of the Tottenham Local Board without their consent and notwithstanding anything contained in section 22 of the Public Health Act 1875 no owner or occupier of premises without the district of the Wood Green Local Board shall cause any sewer or drain from such premises to communicate with any sewer of that board so as to discharge or to be liable to discharge any sewage into the sewers of the Tottenham Local Board without their consent.

As to sewage
of other
districts &c.

18. Upon the sealing of an agreement by the two local boards if they shall agree or in case of difference upon the publication of the award of the arbitrators or umpire in manner contemplated by the scheduled agreement the property thereby apportioned to the Tottenham Local Board and the Wood Green Local Board respectively shall by virtue of this Act vest in such one of the said bodies to whom the same is so apportioned upon the terms and conditions and for the estate and interest declared in such agreement or award :

As to vesting
of property
in and charge
of debts and
liabilities
upon the
districts
respectively.

And in like manner upon the sealing of an agreement in that behalf by the two local boards or as the case may be upon the publication of the award of the arbitrators or umpire hereinbefore mentioned the debts and liabilities of the Tottenham Local Board shall become and be debts and liabilities of the Tottenham Local Board and of the Wood Green Local Board in the respective proportions

A.D. 1888. determined by the said agreement or award and all liability of the Tottenham Local Board for the proportion assigned to the Wood Green Local Board and of the Wood Green Local Board for the proportion assigned to the Tottenham Local Board shall respectively thereupon cease and determine.

Until the constitution of the joint committee the Tottenham Local Board shall continue the passage treatment and disposal of the sewage of the new district as at present and the cost thereof shall be defrayed by the joint committee.

As to commons in Wood Green.

19. On the constitution of the Wood Green Local Board all and several the jurisdiction powers rights privileges duties liabilities and obligations conferred and imposed upon or exercisable by the Tottenham Local Board by virtue of or under the commons scheme shall so far as such jurisdiction powers rights privileges duties liabilities and obligations relate to Wood Green and such of the commons and plots or strips of waste or common lands to which the commons scheme relates as are situate within the new district shall cease to belong to or be exercisable by or to be imposed upon the Tottenham Local Board and shall by virtue of this Act be transferred to and vested in the Wood Green Local Board who may and shall thenceforth exercise assume and discharge the same instead of the Tottenham Local Board as fully and effectually for all purposes as if the Wood Green Local Board had been mentioned in that behalf in the commons scheme instead of the Tottenham Local Board so far as concerns the said commons and common lands within the new district.

Amendment of Tottenham and Edmonton Gas Act 1882.

20. Section 28 (Company to submit plans of new mains to local authorities) and section 29 (Company to make maps showing mains) of the Tottenham and Edmonton Gas Act 1882 are hereby amended and upon the constitution of the Wood Green Local Board the provisions of the said sections respectively shall so far as they are applicable to the new district without reference to anything had or done pursuant to the said section prior to the constitution of the Wood Green Local Board be deemed to apply to the new district and to the Wood Green Local Board in respect thereof and upon the request in writing of the clerk to the Wood Green Local Board the Tottenham and Edmonton Gas Company shall within one month after the said request deliver to the said local board a map fulfilling in all respects the requirements of the said section 29 and thenceforth the provisions of the said sections shall respectively have effect as if the new district and the Wood Green Local Board were respectively mentioned in the said Act in addition to the Tottenham Local Board and their district.

21. The provisions of Section three hundred and nine of the Public Health Act 1875 as to compensation to officers shall be deemed to apply to officers of the Tottenham Local Board in the employ of that board at the time of the passing of this Act so far as any such officer shall have been deprived of his employment or the emoluments thereof reduced by or in consequence of the passing of this Act the amount of such compensation to be agreed upon between that board and such officer or failing agreement as may be determined by the Local Government Board shall be payable by the Wood Green Local Board.

A.D. 1888.
Compen-
sation to
officers of
Tottenham
Local Board.

22. Subject to the provisions of this Act all moneys due to or by the Tottenham Local Board immediately before the twenty-ninth day of September one thousand eight hundred and eighty-eight shall notwithstanding the passing of this Act be paid to or by or may be recovered by or against the Tottenham Local Board and all legal proceedings by or against the Tottenham Local Board pending on the said twenty-ninth day of September or taken thereafter in respect of any matter arising before the said day may be continued and prosecuted in like manner in every respect as though this Act had not passed save that if any such legal proceeding shall relate to property in or matters connected solely with the new district the Wood Green Local Board shall have the conduct of and be responsible for such proceeding.

As to debts
and legal
proceedings.

23. The Wood Green Local Board may under and according to the provisions of the Public Health Acts borrow such sum or sums of money and may levy such rates as shall be requisite to provide for the satisfaction of such (if any) debts and liabilities of the Tottenham Local Board as may be apportioned to the Wood Green Local Board under the provisions of this Act.

Wood Green
Local Board
may borrow
money and
levy rates
for payment
of debts.

24. All orders bye-laws notices and resolutions of the Tottenham Local Board shall continue in force in and for the reduced district until revoked repealed annulled altered or varied by the Tottenham Local Board or other competent authority under the provisions in that behalf contained in the Public Health Act 1875 and all rates and arrears of rates made in respect of property within the reduced district and legally payable may be collected and all penalties in respect of any offence committed within the reduced district may be enforced by the Tottenham Local Board as though this Act had not been passed subject nevertheless to the provisions thereof for apportionment and any apportionment made thereunder.

Bye-laws &c.
of Totten-
ham Local
Board to
remain in
force in
reduced
district.

A.D. 1888.

Bye-laws &c.
of Tottenham Local Board to continue in force in new district until revoked.

25. All orders bye-laws and notices of the Tottenham Local Board shall continue in force in the new district and may be enforced by the Wood Green Local Board until the same respectively shall be revoked annulled repealed altered or varied by the Wood Green Local Board or other competent authority under the provisions in that behalf contained in the Public Health Act 1875.

Costs of Act.

26. All the costs charges and expenses of applying for obtaining and passing of this Act shall be paid by the Wood Green Local Board and they may levy rates for the payment of the same or may under and according to the provisions of the Public Health Acts borrow the amount thereof to be repayable in thirty years.

The SCHEDULES referred to in the foregoing Act.

A.D. 1888.

THE FIRST SCHEDULE.

LIMITS OF DISTRICT OF THE WOOD GREEN LOCAL BOARD.

That part of the parish of Tottenham in the county of Middlesex which at the time of the passing of the foregoing Act lies west and northerly of the following imaginary boundary line (that is to say):—

A line commencing at a point in the boundary between the parishes of Tottenham and Edmonton in the county of Middlesex situate forty chains or thereabouts from the eastern side of the northerly end of Wolve's Lane measured along the said parish boundary in an easterly direction thence drawn in a straight line in a southerly direction to the centre of Lordship Lane at a point distant fifteen chains or thereabouts from the eastern side of Gladstone Avenue at its junction with Lordship Lane thence continued along the centre of Lordship Lane in a westerly direction for a distance of five chains or thereabouts to a point opposite or nearly opposite the north-west corner of the roadway running from Lordship Lane to the farm called Granger's Farm or Carr's Farm thence continued along the north-westerly side of the said roadway in a south-westerly direction to and along the north-west side of Westbury Avenue to its junction with Green Lanes thence in a straight line across Green Lanes and the land adjoining the westerly side of Green Lanes to the boundary between the parishes of Tottenham and Hornsey near the westerly side of Green Lanes thence in a northerly direction along the last-mentioned parish boundary to Brampton Road at its junction with Green Lanes.

THE SECOND SCHEDULE.

HEADS OF AGREEMENT between the local board of health for the district of Tottenham hereinafter called "the Tottenham Board" and Alfred Durrant William Brumby Croft William Hopper Richard Elisha Farrant

A.D. 1888. George James Row and James Roberts Rowland Fitt being six of the promoters of a Bill intituled "the Tottenham Local Board (Division of District) Bill 1888" on behalf of themselves and all other promoters of the said Bill hereinafter called "the Promoters":

Whereas a Bill for an Act has been introduced into and is now pending in the House of Lords to divide the district of the local board of health of Tottenham in the county of Middlesex and for other purposes (and the said Bill in this Agreement is referred to as "the Bill"):

And whereas the Bill was opposed whilst before the House of Commons by the Tottenham Board who have also petitioned the House of Lords in opposition thereto:

And whereas the parties are mutually desirous of avoiding expense and of arranging amicably the terms of separation and future working of the portions respectively of the district heretofore united under the control of the Tottenham Board:

It is hereby agreed by and between the Tottenham Board and the Promoters as follows (that is to say):—

1. In this agreement the following words and expressions have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such meaning:—

"The Tottenham Board" means the local board of health for the district of Tottenham.

"The Wood Green Board" means the local board for the district of Wood Green in the county of Middlesex as constituted or proposed to be constituted by the Act.

"The new district" means the district of the Wood Green Local Board.

"The reduced district" means the district of the Tottenham Local Board as reduced or proposed to be reduced in area by the Act.

"The Act" means the Tottenham Local Board (Division of District) Act 1888.

AS TO THE BOUNDARY OF THE DETACHED AREA.

2. The whole of the roadway and footways of the private road intended to form Westbury Avenue as described in the Schedule to the Act shall be within the reduced district and shall (when made up under section 150 of the Public Health Act 1875) be from time to time repaired and as to the roadway thereof watered by the Tottenham Board and a moiety of all costs and expenses from time to time incurred in so doing by the Tottenham Board shall on request be repaid to them by the Wood Green Board and such making up repairing and watering shall be done to the reasonable satisfaction of the two boards and in case of difference shall be referred to arbitration in manner hereinafter mentioned.

A provision shall be inserted in the Bill enabling all expenses incurred under section 150 of the Public Health Act 1875 to be recovered by the Wood Green Board from the owners of premises on the side of Westbury Avenue within the new district. The expenses of maintaining and watering so much of Lordship Lane as is mentioned in the First Schedule to the Act shall be jointly borne by

the two districts and for that purpose the said portion of Lordship Lane shall be deemed to be divided transversely into two equal portions the western portion being maintained and watered by the new district and the eastern portion thereof by the reduced district. A.D. 1888.

AS TO SEWERS AND SEWERAGE ARRANGEMENTS.

3. The Wood Green Board shall retain all the sewers heretofore constructed and now existing in the new district including all necessary connections with the sewers in the reduced district and shall further have the right of connecting any sewers from time to time made in the new district with the existing and other outfall sewers in the reduced district together with the right of sending and continuing to send down the sewage of the new district through the sewers in the reduced district to the Tottenham sewage works which works are to be used for the joint benefit of the new and the reduced districts.

AS TO JOINT DRAINAGE COMMITTEE AND THEIR POWERS.

4. The arterial sewers in the reduced district used in common by the new and reduced districts the care maintenance and cleansing of such arterial sewers and the disposal and treatment of the sewage of both the districts aforesaid shall be under the control of a joint drainage committee to be constituted in manner following:—

- (a) The representation of the new and reduced districts upon the committee shall be (subject to the following provisions) in accordance with the rateable value of the districts respectively for the time being.
- (b) The committee shall at no time consist of more than nine members and the first committee shall consist of six members to be elected in manner prescribed by the Act of whom four shall represent the reduced and two the new district.

The cost of maintaining and cleansing the said arterial sewers and of the disposal and treatment of the sewage of the two districts shall be defrayed by the districts according to their respective rateable values from time to time. Provided always that after publication of the returns of the census to be taken in or about the year one thousand eight hundred and ninety-one if either the Tottenham Board or the Wood Green Board shall give to the other six calendar months' notice in writing under their corporate seal of their desire for an alteration in such mode of payment as aforesaid the mode of payment shall be determined by arbitration as hereinafter provided. And if need be the constitution of the joint drainage committee shall be readjusted and provision in that behalf shall at the same time be made by the arbitrator in such arbitration as aforesaid.

So much of the cost of the Lordship Lane sewer and of any other sewers within the new district as shall remain unpaid on the twenty-eighth of September one thousand eight hundred and eighty-eight shall be paid by the Wood Green Local Board to the Tottenham Board. No new connections for surface drainage with the sewers shall be made by either local board after the date hereof without the consent of the other local board and each local board shall at the expense of their respective district as far as may be reasonably

A.D. 1888. — practicable intercept and divert the surface waters from the sewers included in their respective district within six years from the date of this agreement.

AS TO ARBITRATION.

5. All questions and differences arising in or between the members of the joint drainage committee shall in the first instance be laid before the Tottenham Board and Wood Green Board respectively for their determination and in case the said boards fail to accommodate such differences or to agree as to the determination of such questions all or any of such questions and differences remaining undetermined shall be referred to and decided by an arbitrator to be from time to time appointed in writing by the President of the Institution of Civil Engineers on the application of either party and for the purposes of any such arbitration sections 179 to 181 inclusive and any other necessary provisions of the Public Health Act 1875 shall subject to the provisions of this agreement apply.

The appointment of any such arbitrator may be treated as a submission to arbitration under the powers of the said Act.

The foregoing provisions shall unless otherwise provided for by this agreement likewise apply mutatis mutandis in the case of any other reference to arbitration under any of the provisions of this agreement.

AS TO ASSETS.

6. (a) The following assets shall remain in the hands of the Tottenham Board:—

The house called Coombes Croft House used as the offices of the Tottenham Board for and during the term of the existing lease thereof together with the furniture now belonging to the Tottenham Board therein.

The depôt or yard situated at the rear and side of Coombes Croft House and used for sanitary and local government purposes.

The waterworks on the eastern side of the reduced district adjoining or near to the Great Eastern Railway and the mains and distributing works connected therewith.

(b) The following assets shall remain in the hands of the Wood Green Board:—

The plot of freehold ground and buildings at Wood Green used as a fire brigade station together with the fire engine fire escape plant and utensils upon the said premises.

(c) All other property real or personal heretofore used in common for the whole district shall be treated as assets and a proportionate part thereof shall be delivered or credited to the new district such proportionate part and the value thereof to be settled between the two districts in case of difference by arbitration by two arbitrators to be agreed, on in the usual manner or failing agreement by an umpire and the sections hereinbefore mentioned of the Public Health Act 1875 shall be applicable accordingly.

The Tottenham Board shall be at liberty to collect and get in all arrears of rates due on or immediately before the twenty-ninth day of September one

thousand eight hundred and eighty-eight notwithstanding that the same may be wholly or in part due by owners or occupiers in the new district. A.D. 1888.

THE TOTTENHAM SEWAGE WORKS.

7. The Tottenham Local Board shall retain any lands forming part of the Tottenham sewage works with the buildings thereon which are not at the date of these presents used for the purpose of sewage treatment or disposal but shall pay or credit to the Wood Green Board a sum proportioned to the value of the lands so retained to be settled as hereinbefore provided by Article 5.

AS TO LIABILITIES.

8. All outstanding debts and liabilities incurred by the Tottenham Board previous to the passing of the Act for works executed for the joint benefit of the entire district shall be borne and paid by the reduced district and the new district respectively according to their respective rateable values on the twenty-eighth day of September one thousand eight hundred and eighty-eight.

All other liabilities incurred by the Tottenham Board and outstanding at the date of the Act for works executed or to be executed solely within the reduced district or the new district as the case may be shall be borne and paid by the district within which such works may have been or are to be executed respectively and such works shall be executed or completed as the case may be by the board of the district in which such works will be situate.

The new district shall bear and pay such portion of the salary of the gas examiner or examiners attributable to the entire district of Tottenham as hitherto existing as is proportioned to the rateable value of the new district from time to time.

The new district shall not be liable to make contribution in respect of any existing or future debt upon the waterworks remaining in the hands of the Tottenham Board.

9. The costs charges and expenses incurred by the Tottenham Board in opposing the Act in both Houses or otherwise in relation thereto and including their proportion of the costs of this agreement shall be included among the liabilities of the Tottenham Board and shall be paid or credited to the Tottenham Board in full by the Wood Green Board. Such costs charges and expenses shall be taxed in accordance with the provisions of the Borough Funds Act.

GENERAL.

10. If the Tottenham Board and Wood Green Board so agree or if in case of difference an arbitrator appointed in manner aforesaid under clause 5 shall decide that owing to the development of the two districts or either of them or from any other cause it is expedient that the new district should cease to use the sewers and works to the cost of which the new district has contributed on the basis of rateable value or otherwise the Tottenham Board shall upon the new district so ceasing to use the sewers and works make such return (if any) to the Wood Green Board as the arbitrator appointed as aforesaid shall settle and declare to be equitable.

[Ch. clxxxvii.] *Tottenham Local Board* [51 & 52 Vict.]
(*Division of District*) Act, 1888.

. A.D. 1888.

11. This agreement shall subject to the approval of Parliament be scheduled to and confirmed by the Act with such modifications (if any) as Parliament shall require.

12. In consideration of this agreement and the execution thereof the Tottenham Board agree forthwith to withdraw their petition and all further opposition to the Act.

13. And the parties hereby declare that this agreement is intended to be a full fair and equitable settlement of the several matters in dispute between the two districts and is to be so regarded by the arbitrator in any arbitration under its provisions.

In witness whereof the common seal of the Tottenham Local Board was hereto affixed this third day of July one thousand eight hundred and eighty-eight.



The Common Seal of the Tottenham Local Board of Health was hereunto affixed by Order and Resolution of the said board this third day of July one thousand eight hundred and eighty-eight in the presence of

EDWARD CROWNE

Clerk to the said Board.

In witness whereof the said parties other than the Tottenham Local Board have hereunto affixed their hands this third day of July one thousand eight hundred and eighty-eight:

ALFRED DURRANT
W. B. CROFT
WILLIAM HOPPER
R. E. FARRANT
G. J. ROW
J. R. R. FITT.

Signed by the said W. HOPPER R. E. FARRANT G. J. ROW and J. R. R. FITT in the presence of G. H. HOYLE Solicitor Parliament Mansions Victoria Street.

Signed by the said ALFRED DURRANT and W. B. CROFT in the presence of C. BULL of No. 78 Englefield Road London N. Clerk.

London: Printed for HER MAJESTY'S STATIONERY OFFICE,
By EYRE AND SPOTTISWOODE, Printers to the Queen's most Excellent Majesty.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
ADAM AND CHARLES BLACK, 6, NORTH BRIDGE, EDINBURGH; or
HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.